



19 June 2018

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, 25 June 2018 at 6.00pm for consideration of the following business -

- (1) Acknowledgement of Country
- (2) Recording of Meeting Statement
- (3) Apologies for non-attendance
- (4) Disclosures of Interest
- (5) Public Forum
- (6) Mayoral Minute
- (7) Confirmation of Minutes - Ordinary Council Meeting held on 21.05.18
- (8) Matters arising from Minutes
- (9) Reports of Staff
 - (a) Executive Services
 - (b) Corporate Services
 - (c) Infrastructure Services
 - (d) Planning and Environmental Services
- (10) Delegates Reports

Yours faithfully

Rebecca Ryan
General Manager

Meeting Calendar 2018

June

Time	Date	Meeting	Location
6.00pm	25 June 2018	Council Meeting	Community Centre
10.30am	29 June 2018	Central West Libraries Committee Meeting	Orange

July

Time	Date	Meeting	Location
9.00am	12 July 2018	Audit Committee Meeting	Community Centre
6.00pm	16 July 2018	Council Meeting	Community Centre

August

Time	Date	Meeting	Location
9.00am	3 August 2018	Country Mayors Association	Sydney
2.30pm	3 August 2018	Upper Macquarie Country Council Meeting	Kelso
6.00pm	6 August 2018	Cultural Centre Working Group Meeting	Community Centre
5.00pm	7 August 2018	Financial Assistance Committee Meeting	Community Centre
10.00am	8 August 2018	Central Tablelands Water Meeting	Grenfell
6.00pm	16 August 2018	Sports Council Meeting	Community Centre
10.00am	17 August 2018	Traffic Committee Meeting	Community Centre
6.00pm	20 August 2018	Council Meeting	Community Centre
9.30am	23 August 2018	Centroc Board Meeting	Canberra
6.00pm	28 August 2018	Tourism, Towns and Village Committee Meeting	Community Centre

INDEX OF REPORTS OF THE BLAYNEY SHIRE COUNCIL MEETING
HELD ON MONDAY 25 JUNE 2018

MAYORAL MINUTE	4
01) NSW Local Government Excellence Awards.....	4
CONFIRMATION OF MINUTES	5
02) Minutes of the Previous Meeting held on Monday 21 May 2018	5
EXECUTIVE SERVICES	16
03) Central NSW Joint Organisation.....	16
04) Blayney Shire Council 40 Year Anniversary	23
05) Arts OutWest Advisory Council Representative	25
06) Application for Leave of Absence	27
07) Blayney Shire Financial Assistance Committee - Position of Chair	28
08) Minutes of the Blayney Shire Tourism, Towns and Villages Committee Meeting held 22 May 2018	29
CORPORATE SERVICES	33
09) Report Of Council Investments As At 31 May 2018.....	33
10) Adoption Of 2018/19 - 2021/22 Delivery Program and 2018/19 Operational Plan.....	39
11) Adoption Of Records Management Policy	48
12) Adoption Of Resourcing Strategy	56
INFRASTRUCTURE SERVICES.....	59
13) Director Infrastructure Services Monthly Report.....	59
14) Proposed Road Closure - Part Forest Reefs Road, Millthorpe	68
15) Land Acquisition for Road - Fairford Road	72
16) Millthorpe Skate Park - Youth Art Project	79
17) Extension of Bitumen Sealing Contract	82
18) Blayney Shire Asset Management Policy and Blayney Shire Asset Management Strategy	84
PLANNING AND ENVIRONMENTAL SERVICES	86
19) Development Application No.6/2018 - Multipurpose Courts - 4 Crouch Street Neville	86
20) Development Control Plan 2018.....	146
21) Minutes of the Blayney Shire Access Advisory Committee held 7 June 2018	161
22) Minutes of the Blayney Shire Cemetery Forum held 7 June 2018.....	164
DELEGATES REPORTS.....	167
23) Centroc Board Meeting and Inaugural Meeting of Central NSW Joint Organisation - 24 May 2018	167

01) NSW LOCAL GOVERNMENT EXCELLENCE AWARDS**Author:** Mayor Scott Ferguson**File No:** GO.ME.2**Recommendation:**

That all staff be congratulated for Council receiving a Highly Commended at NSW Local Government Excellence Awards held on 31 May 2018 for the Healthy and Happy Wellness Challenge; and Accountant Shaun May be congratulated on receiving the Dux of the Finance in Local Government Course 2017 Award.

Item:

On Thursday 31 May, I attended the Local Government Professionals Australia (LGPA) NSW annual dinner, where the NSW Local Government Excellence Awards were announced. Over 500 local government professionals gathered in Sydney to celebrate the outstanding achievements of the sector. These Awards recognise and showcase excellence in local government in NSW and acknowledges the significant achievements by Councils over the past year as well as the outstanding professional development achievements of LGPA NSW members.

This year there were a record number of nominations for the Awards which spanned 12 categories, reflecting the hard work of the professionals working in local government across NSW. Blayney Shire Council were awarded a Highly Commended in the Community Partnerships and Collaboration category which recognises genuine and effective partnerships and collaborations that have resulted in better outcomes for council, as well as initiatives that demonstrate a commitment to working with and/or in the community to achieve positive outcomes. This was for the Healthy and Happy Wellness Challenge.

Shaun May Blayney Shire Council Accountant received an award for attaining the position of Dux of the Finance in Local Government class of 2017. This annual week long training provided by Local Government Professionals NSW and participants have an exam and assignment to complete in order for formal recognition to be achieved. Shaun has been with Blayney Shire Council for nearly 2 years and is a valuable member of the organisation.

Enclosures (following report)

Nil

Attachments (separate document)

Nil

02) MINUTES OF THE PREVIOUS MEETING HELD ON MONDAY 21 MAY 2018**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 May 2018, being minute numbers 1805/001 to 1805/030 be confirmed.

**MINUTES OF THE BLAYNEY SHIRE COUNCIL ORDINARY MEETING
HELD IN THE CHAMBERS, BLAYNEY SHIRE COUNCIL COMMUNITY
CENTRE, ON 21 MAY 2018, COMMENCING AT 6.00PM**

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

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

WELCOME TO COUNTRY AND PRESENTATION OF PAINTING

Nyree Reynolds accompanied by local school students Dimity Parton, Caleb Atkin and Keanan Higgins presented Council with the Emu in the Sky Camp painting representing part of the night sky over Neville on 23 March 2017.

RECORDING OF MEETING STATEMENT

DISCLOSURES OF INTEREST

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

Councillor /Staff	Interest	Item	Pg	Report	Reason
Cr Ferguson	Pecuniary	16	91	Transfer of Lease for Visitor Information Centre Café	Related to Current Lessee

CONFIRMATION OF MINUTES

**MINUTES OF THE PREVIOUS MEETING HELD ON MONDAY
16 APRIL 2018**

1805/001 RESOLVED:

That the Minutes of the Ordinary Council Meeting held on 16 April 2018, being minute numbers 1804/001 to 1804/018 be confirmed.

(Reynolds/Ewin)
CARRIED

MATTERS ARISING FROM THE MINUTES

Nil

EXECUTIVE SERVICES REPORTS

DEVELOPMENT COORDINATOR PROGRAM - FOUR VILLAGES AND CARMANHURST VILLAGES ASSOCIATIONS

1805/002

RESOLVED:

That Council:

1. terminate the individual Funding Agreements between Council and both the Carmanhurst and Four Villages Associations;
2. as at 1 July 2018 assume the responsibility of the management, control and oversight of the Development Coordinator role objectives for these villages.

(Kingham/Somervaille)
CARRIED

ORGANISATIONAL STRUCTURE

1805/003

RESOLVED:

That Council, in determining that the General Manager is the only senior staff position within Council, approve the organisation structure as presented with the Directorates of Executive Services, Corporate Services, Infrastructure Services and Planning and Environmental Services.

(Reynolds/Ewin)
CARRIED

ARTS OUTWEST NEW CONSTITUTION

1805/004

RESOLVED:

That Council invite interested community members to nominate as Blayney Shire Council representatives on the Arts OutWest Advisory Council and a report be brought to the June meeting to determine this appointment.

(Newstead/Reynolds)
CARRIED

BLAYNEY SHIRE COMMUNITY STRATEGIC PLAN 2018-2028

1805/005

RESOLVED:

That Council endorse the Blayney Shire Community Strategic Plan 2018-2028, provide a copy of the plan on Council's website and notify the Office of Local Government.

(Ewin/Somervaille)
CARRIED

- 1805/006** **SERVICE NSW EASY TO DO BUSINESS**
RESOLVED:
That Council delegates authority to the General Manager to enter into an agreement with Service NSW for Easy to do Business and any necessary documents be authorised for execution under the Common Seal of Council by the Mayor and General Manager.
- (Kingham/Newstead)
CARRIED

- 1805/007** **STRONGER COUNTRY COMMUNITIES FUND ROUND 2**
RESOLVED:
That Council endorse the Stronger Country Communities Fund Round 2 projects as submitted; and advocate for approval of projects as prioritised or additional funding be provided.
- (Kingham/Denton)
CARRIED

- 1805/008** **RESIDENTIAL DEVELOPMENT PROJECT BLAYNEY**
RESOLVED:
That Council;
1. Undertakes the investigations for preparation of survey, design and plans for lodgement of a Development Application for a residential housing subdivision at Lot 1 DP 250822 (32 Plumb Street).
 2. Makes provision for a 10 year Principal and Fixed Interest Rate loan of \$1.32 million in the Operational Plan 2018/19 and Long Term Financial Plan 2018/2028 and undertakes statutory notification to TCorp and Office of Local Government of the proposed borrowing.
 3. Endorse the application of borrowings of \$1.32 million to fund the Plumb Street Residential Development Project as approved in Council's draft Operational Plan 2018/19 and 2018/22 Long Term Financial Plan.
 4. Submit an application to the NSW Government Low Cost Loan Initiative for a 50% interest subsidy for the 32 Plumb Street Residential Development Project for enabling infrastructure works and land purchase.
- (Newstead/Ewin)
CARRIED

CORPORATE SERVICES REPORTS

- 1805/009** **REPORT OF COUNCIL INVESTMENTS AS AT 30 APRIL 2018**
RESOLVED:
1. That the report indicating Council's investment position as at 30 April 2018 be received.
 2. That the certification of the Responsible Accounting Officer be received and the report be adopted.

(Kingham/Denton)

CARRIED**QUARTERLY BUDGET REVIEW STATEMENT – MARCH 2018**

1805/010

RESOLVED:

1. That the Quarterly Budget Review Statement for the quarter ending 31 March 2018 be received.
2. That the supplementary votes of (\$2,143k) proposed in the Quarterly Budget Review Statement be adopted resulting in a decrease to operating expenditure of \$114k, a decrease in operating income of \$821k and a decrease to Capital Expenditure of \$2,810k offset by Capital Income variations of \$816k.

(Denton/Ewin)

CARRIED**2018/2019 COUNCILLOR AND MAYORAL REMUNERATION**

1805/011

RESOLVED:

1. That in accordance with the 2018 determination from the Local Government Remuneration Tribunal, the Councillor annual fee be increased by 2.5% to \$11,567 and the additional Mayoral annual fee be increased by 2.5% to \$24,247 for the 2018/19 financial year effective from 1 July 2018.
2. That the data allowance for up to 50% reimbursement of data charges associated with home internet and telephone be set at a maximum of \$50 per month for 2018/19.

(Reynolds/Newstead)

CARRIED**ADOPTION OF 2018/19 - 2021/22 DELIVERY PROGRAM AND 2018/19 OPERATIONAL PLAN FOR EXHIBITION**

1805/012

RESOLVED:

1. That Council endorses the draft 2018/19 - 2021/22 Delivery Program and 2018/19 Operational Plan; and
2. That the draft 2018/19 - 2021/22 Delivery Program and 2018/19 Operational Plan be placed on public exhibition for a period of 28 days.

(Ewin/Newstead)

CARRIED**AMENDMENT TO BLAYNEY SHIRE COMMUNITY CENTRE TRUST**

1805/013

RESOLVED:

1. That Council endorse the incorporation of the property located at 39 Church Street, Blayney (Lot 23 Section 14 DP 758121) known as Crown Reserve R590102 with the Blayney Shire Community Centre Trust, encompassing 41 Church Street, Blayney (Lot 24 Section 14 DP758121) known as Crown Reserve R1000284; and

2. That Council make application to Crown Lands to combine Reserves R590102 and R1000284 under the Blayney Shire Community Centre Trust.

(Newstead/Somerville)

CARRIED**REVIEW OF COUNCIL POLICIES**

1805/014

RESOLVED:

1. That the following policies be adopted as part of Council's policy review process and be included in Council's policy register:

No.	Policy Name
3G	Procurement of Goods and Services Policy
9A	Work Health and Safety Policy
9I	Community Banner Usage Policy
11C	Privacy Management Plan

2. That the following policies be endorsed and placed on public exhibition for a period of not less than 28 days:

No.	Policy Name
11B	Records Management Policy

(Newstead/Reynolds)

CARRIED**MINUTES OF THE BLAYNEY SHIRE AUDIT, RISK AND IMPROVEMENT COMMITTEE MEETING HELD 27 APRIL 2018**

1805/015

RESOLVED:

That the minutes of the Blayney Shire Audit, Risk and Improvement Committee meeting held 27 April 2018 be received and noted.

(Somerville/Denton)

CARRIED

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

The Deputy Mayor, Cr Kingham, assumed the Chair.

TRANSFER OF LEASE FOR VISITOR INFORMATION CENTRE CAFE

1805/016

RESOLVED:

1. That Council approve transfer of the existing Lease Agreement of the Visitor Information Centre Café to the new proprietor.
2. That Council authorise the affixing of Council Seal and execution of the Visitor Information Centre lease and associated documentation by the Mayor and General Manager.

(Ewin/Denton)
CARRIED

Cr Ferguson returned to the meeting and assumed the Chair.

ENDORSEMENT OF RESOURCING STRATEGY

1805/017 RESOLVED:

That Council endorse the Resourcing Strategy which includes the following documents; Long Term Financial Plan 2018-2028, Workforce Management Plan 2018/2022 and Asset Management Plans 2018/2028; and place on Public Exhibition for a period of 28 days.

(Reynolds/Somerville)
CARRIED

INFRASTRUCTURE SERVICES REPORTS

DIRECTOR INFRASTRUCTURE SERVICES MONTHLY REPORT

1805/018 RESOLVED:

That the Director Infrastructure Services Monthly Report for May 2018 be received and noted.

(Somerville/Denton)
CARRIED

BLAYNEY SHIRE ASSET MANAGEMENT POLICY AND BLAYNEY SHIRE ASSET MANAGEMENT STRATEGY

1805/019 RESOLVED:

That Council endorse and place on public exhibition the Draft Asset Management Policy and Asset Management Strategy for a period of 28 days.

(Ewin/Reynolds)
CARRIED

CARCOAR ROAD BRIDGE - COWRIGA CREEK FUTURE OPTIONS

MOTION:

1. That Council approve the immediate demolition of the existing Carcoar Road Bridge.
2. That Council provision within the 2018/19 Operational Plan of \$40,000 for the undertaking of a Geotechnical Investigation, preparation of Review of Environmental Factors, and a Hydrological Study for a future bridge proposal.
3. That Council review all options provided within the Rare Innovation - Scoping Study for the Carcoar Road Bridge dated May 2018, for further consideration for funding in the Blayney Shire Council 2018/19 – 2021/22 Delivery Program and Long Term Financial Plan.

(Ewin/Somerville)

An **AMENDMENT** was moved by Cr Reynolds and seconded by Cr Kingham:

1. That Council approves the immediate demolition of the existing Carcoar Road Bridge.
2. That Council provisions within the 2018/19 Operational Plan \$40,000 for the undertaking of a Geotechnical Investigation, preparation of Review of Environmental Factors and a Hydrological Study for a future bridge proposal. The review, report and study be brought back to Council for consideration at the September 2018 Council meeting with proposed tender documents.
3. That Council review all options provided within the Rare Innovation – Scoping Study for the Carcoar Road Bridge dated May 2018 before the September 2018 meeting.
4. Funding in the Blayney Shire Council 2018/19 -2021/22 Delivery Program and Long Term Financial Plan of \$750,000 be made available in the 2018/19 Operational Plan and a loan of \$750,000 be included in the 2018/19 Operational Plan and the 2018/19 – 2021/22 Delivery Program and Long Term Financial Plan for the bridge construction and associated roadworks on Carcoar Road over Cowriga Creek.
5. Council staff present a recommendation on the successful tenderer by the December 2018 Council meeting.
(Reynolds/Kingham)

The amendment became the substantive motion and was put.

1805/020

RESOLVED:

1. That Council approves the immediate demolition of the existing Carcoar Road Bridge.
2. That Council provisions within the 2018/19 Operational Plan \$40,000 for the undertaking of a Geotechnical Investigation, preparation of Review of Environmental Factors and a Hydrological Study for a future bridge proposal. The review, report and study be brought back to Council for consideration at the September 2018 Council meeting with proposed tender documents.
3. That Council review all options provided within the Rare Innovation – Scoping Study for the Carcoar Road Bridge dated May 2018 before the September 2018 meeting.
4. Funding in the Blayney Shire Council 2018/19 -2021/22 Delivery Program and Long Term Financial Plan of \$750,000 be made available in the 2018/19 Operational Plan and a loan of \$750,000 be included in the 2018/19 Operational Plan and the 2018/19 – 2021/22 Delivery Program and Long Term Financial Plan for the bridge construction and associated roadworks on Carcoar Road over Cowriga Creek.
5. Council staff present a recommendation on the successful tenderer by the December 2018 Council meeting.

(Reynolds/Kingham)
CARRIED

CENTROC - REGIONAL ROAD LINEMARKING CONTRACT

1805/021 RESOLVED:

That Council agrees to participate in the Centroc Regional procurement for linemarking services, however recommends that the Centroc Contract Management Fee is replaced by an upfront Contract Management Fee that is determined by a transparent and accountable basis.

(Reynolds/Somervaille)
CARRIED

**MINUTES OF THE BLAYNEY TRAFFIC COMMITTEE
MEETING HELD FRIDAY 20 APRIL 2018**

1805/022 RESOLVED:

That the minutes of the Blayney Traffic Committee, held on Friday 20 April 2018, be received and noted.

(Reynolds/Newstead)
CARRIED

PLANNING AND ENVIRONMENTAL SERVICES REPORTS

**REQUEST FOR VARIATION - WASTE COLLECTION AND
PROCESSING CONTRACT**

1805/023 RESOLVED:

1. That Council delegate the Mayor and General Manager to approve by application of the Council Seal to vary the existing domestic waste and recycling contract between Blayney Shire council and JR & EG Richards Pty Ltd to pay for increased recycling processing costs by VISY Recycling up to \$60 (ex GST) per tonne.
2. That Council submit an application under the Recycling Relief Fund and understands NetWaste is supporting the Councils affected by this increase in the form of Strategic Plan development and Legal costs as per the funding requirements of the EPA.

(Somervaille/Reynolds)
CARRIED

CLOSED MEETING

1805/024 RESOLVED:

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

**LAND ACQUISITION FOR ROAD RE-ALIGNMENT
SOUTHERN CADIA ACCESS ROUTE - KNOX**

This matter is considered to be confidential under Section 10A(2)

(c) of the Local Government Act, as it deals with information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

**LAND ACQUISITION FOR ROAD RE-ALIGNMENT
SOUTHERN CADIA ACCESS ROUTE - CADIA HOLDING PTY
LTD**

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

**BROWNS CREEK ROAD BRIDGES - CONSTRUCTION
CONTRACT**

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

**TENDER NO 04/2018 CENTREPOINT SPORT AND LEISURE
CENTRE POOL HALL MECHANICAL SERVICES -
ADDENDUM**

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

GENERAL MANAGER'S ANNUAL PERFORMANCE REVIEW

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

(Kingham/Ewin)
CARRIED

CONFIDENTIAL MEETING REPORTS

**LAND ACQUISITION FOR ROAD RE-ALIGNMENT
SOUTHERN CADIA ACCESS ROUTE - KNOX**

1805/025

RESOLVED:

1. That Council approve the acquisition of land for the purpose of road re-alignment, being part of Lot 421 DP1084679 as required for road re-alignment safety improvements along the Southern Cadia Access Route and the land be classified as public road, as detailed in the report.
2. That Council authorise the Mayor and General Manager to affix the Council Seal to associated transfer documents required to facilitate the acquisition.

(Ewin/Somerville)

CARRIED

LAND ACQUISITION FOR ROAD RE-ALIGNMENT
SOUTHERN CADIA ACCESS ROUTE - CADIA HOLDING PTY
LTD

1805/026

RESOLVED:

1. That Council approve the acquisition of land for the purpose of road re-alignment, being part of Lot 3 DP 871086 and Lot 1 DP871851 as required for road re-alignment safety improvements along the Southern Cadia Access Route and the land be classified as public road, as detailed in the report.
2. That Council authorise the Mayor and General Manager to affix the Council Seal to associated transfer document required to facilitate the acquisition.

(Newstead/Reynolds)

CARRIED

BROWNS CREEK ROAD BRIDGES - CONSTRUCTION
CONTRACT

1805/027

RESOLVED:

That Council:

1. Accept that the designs proposed by VEC Civil Engineering valued at \$2,299,570 (exc. GST) represents the most effective design and the most efficient construction of the 2 bridges;
2. Approve delegation to the General Manager to execute a construction contract with VEC Civil Engineering to enable the construction of the Browns Creek Road bridges.

(Kingham/Ewin)

CARRIED

TENDER NO 04/2018 CENTREPOINT SPORT AND LEISURE
CENTRE POOL HALL MECHANICAL SERVICES -
ADDENDUM

1805/028

RESOLVED:

That Council accept the tender from Atlas Airconditioning Group for the CentrePoint Sport and Leisure Centre Pool Hall Mechanical Services, Tender No. 04/2018 for the value of \$247,510 ex GST subject to variations and authorise the General Manager to sign and execute contract documents.

(Kingham/Newstead)

CARRIED

GENERAL MANAGER'S ANNUAL PERFORMANCE REVIEW

1805/029

RESOLVED:

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

(Newstead/Ewin)

CARRIED

1805/030 RESOLVED:

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

(Reynolds/Ewin)

CARRIED

AT THE RE-OPENING OF THE MEETING TO THE PUBLIC, THE MAYOR ANNOUNCED THE OUTCOMES OF RESOLUTION NUMBERS 1805/025 TO 1805/029.

There being no further business, the meeting concluded at 8.27pm.

The Minute Numbers 1805/001 to 1805/030 were confirmed on 25 June 2018 and are a full and accurate record of proceedings of the Ordinary Meeting held on 21 May 2018.

Cr S Ferguson
MAYOR

Mrs R Ryan
GENERAL MANAGER

03) CENTRAL NSW JOINT ORGANISATION**Department:** Executive Services**Author:** General Manager**CSP Link:** 6.1 Good governance across our communities.**File No:** GR.LR.3**Recommendation:**

That Council receives and notes the report on the establishment of the Central NSW Joint Organisation and provides comment to the draft policies;

- i. Charter;
- ii. Policy for the Payment of Expenses and the provision of facilities to Board Members and the Chairperson; and
- iii. Code of Meeting Practice.

Reason for Report:

To provide Council with an update on the proclamation of the new Central NSW Joint Organisation (CSNW JO) and report on the inaugural meeting held on Thursday 31 May 2018.

To seek Council feedback on a number of draft CSNW JO documents requiring member Council comment including;

- Charter,
- Policy for the Payment of Expenses and the provision of facilities to Board Members and the Chairperson; and
- Code of Meeting Practice.

Report:

At the February 2018 meeting, Council recommended the establishment of the CNSW JO and formally notified the Minister for Local Government of its resolution to be a member Council (**Resolution No 1802/005**). On 11 May 2018, 11 NSW JO networks were established via proclamation and includes the following areas and member Councils.

Joint Organisation	Council areas forming the JO area
Canberra Region	Bega Valley, Eurobodalla, Goulburn-Mulwaree, Hilltops, Queanbeyan-Palerang, Snowy Monaro, Upper Lachlan, Wingecarribee, Yass Valley.
Central NSW	Bathurst, Blayney, Cabonne, Cowra, Forbes, Lachlan, Oberon, Orange, Parkes, Weddin.
Hunter Joint	Cessnock, Dungog, Lake Macquarie, Maitland, Mid-Coast, Muswellbrook, Newcastle, Port Stephens, Singleton, Upper Hunter.

Illawarra Shoalhaven	Kiama, Shellharbour, Shoalhaven, Wollongong.
Namoi	Gunnedah, Gwydir, Liverpool Plains, Tamworth, Walcha.
New England	Armidale, Glen Innes Severn, Inverell, Uralla, Moree Plains, Tenterfield.
Northern Rivers	Ballina, Byron, Kyogle, Lismore, Richmond Valley, Tweed.
Orana	Cobar, Gilgandra, Mid-Western, Narromine, Warrumbungle.
Riverina and Murray	Albury, Berrigan, Edward River, Federation, Griffith, Hay, Leeton, Murray River, Murrumbidgee.
Riverina	Bland, Coolamon, Cootamundra-Gundagai, Greater Hume, Junee, Lockhart, Temora.
Mid North Coast	Port Macquarie-Hastings, Kempsey, Bellingen.

Council will note that Lithgow City Council has determined to not join the CNSW JO and at this stage remains out of the JO network. The voting members of the CNSW JO are representatives of member councils; Bathurst Regional, Orange City, Oberon, Cabonne, Blayney, Cowra, Weddin, Forbes, Parkes and Lachlan Shire Councils.

The minutes of the inaugural meeting held on Thursday 31 May at Parliament House Sydney are included within the Delegate Report section of the Business Paper. The Mayor of Lachlan Shire Council, Cr John Medcalfe was nominated and elected Chair and Mayor of Blayney Shire Council, Cr Scott Ferguson was nominated and elected Deputy Chair of the CNSW JO.

The JO is required to consult with member councils on the content of a number of documents and policies. The draft Charter, draft Payment of Expenses and the provision of facilities to Board Members and the Chairperson; and draft Code of Meeting Practice were endorsed by the Board and now feedback sought for 42 days. These documents have been provided to Councillors under separate cover.

Charter

The draft charter is based on the model template provided by the Office of Local Government (OLG), with modifications that reflect the way Centroc has operated. The guiding principle is for the Charter not to be too restrictive or to contain unnecessary content. The following are the main substantive aspects for member councils to consider:

Functions

There is a distinction between 'Principal Functions' and 'Supplementary Functions'. The former are the functions that are prescribed by the Act to be the core business of each JO (see s.400R).

The Act allows a JO to undertake other functions, unless there is some restriction in the regulations (s.400S(1)). To date, there are no such restrictions. So the Charter contemplates the CNSW JO undertaking other functions, so long as they fit within the description of 'providing support for the operations of its member councils aimed at strengthening local government' in the CNSW JO area (see clause 2.3).

Board

There are 2 types of board Member. Voting representatives who are, by virtue of the Act, the Mayors of the member Councils (s.400T(1)(a)). The Act allows a JO to have one additional voting member for each member Council, but the draft NSW JO Charter does not take up this option.

The Deputy Mayor of a member Council for CNSW JO is the alternate of the Mayor as per the Act (s. 397E(1)).

The draft Charter provides that for CNSW JO Non-Voting representatives includes:

- the nominee of Department of Premier and Cabinet (this is required by the Act, (s. 400T(2)),
- the Chair of RDA Central West,
- the Chair of Central Tablelands County Council (CTW) whilst it remains an associate member,
- the General Managers of member councils and associate members.

Under the Act, General Managers are technically not members of the Board, but have a right to attend meetings (s. 400T(3)). The draft Charter actually provides for non-voting Board membership.

Note that under the regulations, a Council may appoint an alternate for a voting representative (reg. 397F). If a member Council does so, the alternate is taken to be a voting representative while acting in their place (see clause 4.1(b)).

The position of Chairperson of the JO is prescribed by the Act (s.400V) and the voting mechanism for election of the Chairperson is set out in a schedule to the regulations (reg. 397C). The Act and Regulations are silent of the position of Deputy Chairperson, so the draft Charter creates this position and provides for a term co-extensive with that of the Chairperson (clause 4.7(c)).

Meetings and Voting

The meeting rules that apply to meetings of councils, and committees of councils comprising only Councillors, also apply to meetings of Boards of a JO. The only differences are that meetings of a JO may be held by telephone or other electronic means and the chairperson does not have a casting vote.

Because a JO has both voting and nonvoting representatives, the JO needs to adapt their meeting practices to allow participation by non-voting representatives.

Under the Act, meetings of the Board must be held at least once in each quarter (s.400T(9)). This is reflected in clause 5.1, but the Charter is no more prescriptive than that. The draft Code of Meeting Practice provides more detail about the time and months for these meetings.

A quorum for a board meeting is a majority of voting representatives (this is prescribed by (s. 400T(7)). The CNSW JO charter requires the quorum to be present in person at the commencement of the meeting and at the time any particular item of business is transacted.

With 10 voting board members, this requires at least 6 mayors to be present in person. Note that the draft charter (clause 5.2) provides for the use of audio or audio-visual technology for Board meetings (as permitted under reg.397G), so up to 4 voting representatives may "dial in" for the meeting still to be validly held.

Under the Act, decisions of the board are made by majority of the voting representatives (ie more than 50%). As with the quorum, with 10 voting board members, this requires 6 votes in favour. The Act provides that the Chair does not have a casting vote, so a motion on which the voting is 5:5 would be lost.

The Act allows a higher threshold vote for certain types of decisions. The draft Charter provides for a 75% vote (called a special resolution – adopting the terminology and threshold which applies to companies) on the following decisions:

- amending the charter (clause 1.5);
- deciding on the JO undertaking Supplementary Functions (clause 2.3(b));
- admitting a new member council into the JO (clause 3.2(a)(ii));
- removing an associate member (clause 3.2(c)(ii));
- setting annual membership fees (clause 3.4(c)); and
- accepting a delegation by a member council of a function of that member council (clause 4.6).

With 10 voting Board members, a special resolution would require 8 votes in favour. All decisions are made by the board (ie by the 10 voting representatives). There is no concept of a meeting of the member Councils themselves, and therefore no requirement for an annual meeting.

Membership

There are 2 categories of members:

- a) 'Member Councils', which are the general purpose councils named in the proclamation; and
- b) 'Associate Members' which are named in the draft Charter. At this stage only CTW is listed (clause 3.2).

The Charter contains provisions relating to changes in membership (clause 3.3). The proposed mechanism for introducing a new member is:

- (i) an application in writing to join the JO;

whereby a special resolution of the board approving the application (this is consistent with the procedure for the initial member councils, who were required to nominate the other councils they wished to associate with in the JO) ; and

- (ii) an amendment to the proclamation.

For a withdrawal from the JO a member council is required to give 12 months' notice, in addition to procuring an amendment to the proclamation. The notice period for an associate member is 6 months.

Financial contributions

The regulations require the charter to set out the methodology for determining the financial contributions of member councils (reg. 397B(1)). The draft Charter simply says that there will be a base fee and a capitation fee (see clause 3.4). It is left to the Board to decide the amount of the fees at the start of each financial year, based on this methodology. The methodology and amount of the fee for associate members is left to the Board.

Delegations and Committees

The way in which the JO will operate is not prescribed by the Charter. This provides for maximum flexibility over time as to how the JO operates in performing its principal functions and any approved supplementary functions.

The Charter simply records the fact that it is the board which has power to direct and control the JO and to exercise all of its powers (see clause 4.3) and may delegate these powers (see clause 4.5) (except those which the Act provides which must not be delegated – see reg. 397K).

At its first meeting a comprehensive delegation was made to the Interim Executive Officer.

The Charter also provides for the board to establish committees and working groups (see clause 4.9). This provision facilitates the adoption of an operational structure similar to the way Centroc operated, with an executive, a GMAC, portfolio Mayors and sponsoring General Managers. The precise structure will need to be brought forward to the board for adoption. The structure may be modified over time by Board resolution without the need to amend the Charter.

Board member expenses and facilities

The JO and member councils' expenses and facilities policies is designed to complement and supplement the expenses and facilities policies of member councils. Membership of the JO Board is as a result of the role as Mayor (or Deputy Mayor) exercising their functions as JO Board members and in effect forms part of the exercise of their functions as Mayor or Deputy Mayor of a member council.

Board members are not entitled to make a claim under a JO expenses and facilities policy where the claim has been covered under a member council's policy and vice versa.

There are no sitting fees or payment of remuneration for JO Board members.

Risk/Policy/Legislation Considerations:

The NSW Government established joint organisations under the Local Government Act 1993 (the Act) in 2018.

As a long standing partner and insurance provider to the Local Government Industry in NSW, Statewide Mutual have confirmed their commitment to providing insurance cover for Public Liability, Professional Indemnity, Councillors and Officers Liability and Crime cover to the JO for no additional contribution. Statewide Mutual has always provided cover for committees established by member Councils under the Local Government Act, and other legislation, and the JO fits within the purpose of the Scheme.

Boards of JOs all have a Charter that outlines the key operational and governance structure of the organisation. This Charter includes provisions for such things as non-voting representation, requirements for decision making and financial contributions from member Councils. Alongside the Charter are other normal policies, Code of Conduct, Meeting Procedures, Designated Persons Reporting, Strategic Planning and Reporting etc. as prescribed by the OLG, similar to normal General Purpose and County Councils.

The NSW Government is committed to supporting the JO networks, and is giving much credence to their establishment and operations. State Government Agencies will be seeking engagement with the JO on their delivery and regional planning.

The day-to-day management of joint organisations is supported by an Executive Officer. All JOs are required to appoint an Executive Officer, who performs a similar role in a JO as that of a General Manager in a Council. With regard to progressing recruitment of an Executive Officer and strategy going forward, the Board authorised the Chair to undertake all necessary steps to commence a recruitment process for an Executive Officer with a report to be provided to the CNSW JO meeting in August.

The CNSW JO will commence the strategic planning process with member Councils and it is anticipated that there will be a period of transition from Centroc to CNSW JO over the next 12 months

A Centroc Board meeting was held in conjunction with the CNSW JO meeting. As a s355 Committee of Forbes Shire Council, it was necessary to put into place the arrangements for the assets, liabilities and contractual rights and obligations of Centroc to be transferred to or assumed by CNSW JO as the successor to Centroc. Upon completion of the transfer and with the agreement of Forbes Shire Council, Centroc as a s355 committee of Forbes Shire Council will be dissolved.

As per clause 5.11 of the Centroc constitution, any surplus remaining after the discharge of the debts and liabilities of Centroc will be transferred to CNSW JO and be held, as an internally restricted reserve to meet any contingent

liabilities of Centroc to Forbes Shire Council and any other contingent liabilities, including to those member Councils who hosted employment arrangements with Centroc staff members.

Centroc Board meetings and CNSW JO Board meetings will be held concurrently until Centroc as a s355 Committee of Forbes Shire Council is wound up.

Budget Implications:

Nil

Enclosures (following report)

Nil

Attachments (separate document)

- | | | |
|---|---|----------|
| 1 | Central NSW Joint Organisation Draft Charter | 10 Pages |
| 2 | Payment of Expenses and Provision of Facilities to Member Council | 4 Pages |
| 3 | Code of Meeting Practice | 9 Pages |

04) BLAYNEY SHIRE COUNCIL 40 YEAR ANNIVERSARY

Department: Executive Services

Author: General Manager

CSP Link: 6.3 A well-run Council organisation.

File No: CR.AR.1

Recommendation:

That Blayney Shire Council 40 year anniversary celebrations are held in conjunction with NSW Local Government Week in August 2018.

Reason for Report:

To advise Council of the upcoming 40 year anniversary of the election of Councillors for Blayney Shire Council in August 2018 and seek Council feedback for a proposed special Local Government Week Council and community celebrations to acknowledge past Councillors and Mayors.

Report:

Blayney Shire Council was proclaimed in July 1977, being the merger of Lyndhurst and Blayney Shires with further temporary transfers and provisions made in September 1977. In April 1978, the Governor of NSW Sir Arthur Roden Cutler transferred all the servants of the Council of the former Shire of Lyndhurst to the service of the Council of the Shire of Blayney and proclaimed that Saturday 12 August 1978 was the appointed day for the first election of Councillors of the Shire of Blayney, as constituted by proclamation in Government Gazette No. 84 (29 July 1977).

Local Government Week is being a traditional week of activities to promote Council services and this year is being held from 30 July – 5 August with the theme being The Power of Community. In addition to the community and schools program, it is proposed that Council hold a morning tea or lunch for past Councillors and Mayors.

Councillor input is sought to develop a program, invitations and activities with any volunteering for organising support appreciated.

Risk/Policy/Legislation Considerations:

Nil

Budget Implications:

Local Government Week programs are generally minimal. Council purchases seedlings and utilise staff resources in business hours, with some catering provided for morning teas or Mock Council meetings.

Budget provision has been made in the 2018/19 Operational Plan for \$500 for Local Government Week.

Should Council decide to host a past Councillor and Mayor event, subject to size and scale the cost would be incurred within current expenditure.

Enclosures (following report)

Nil

Attachments (separate document)

Nil

05) ARTS OUTWEST ADVISORY COUNCIL REPRESENTATIVE

Department: Executive Services

Author: General Manager

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

File No: RC.ME.2

Recommendation:

That Council nominate Ms Penny May as Blayney Shire Council representative on the Arts OutWest Advisory Council to be appointed for the remaining term of this Council until September 2020.

Reason for Report:

For Council to determine the appointment of the Blayney Shire Council representative on the Arts OutWest Advisory Council.

Report:

At the May meeting, Council were presented with a report regarding the implementation of the new Arts OutWest, the Regional Arts Development Organisation Board, Constitution and transition to a skills based board. Council were advised of the Board structure and the position for a Blayney Shire Council representative on the newly established Advisory Council.

Council resolved to invite interested community members to nominate as Blayney Shire Council representatives on the Arts OutWest Advisory Council and a report be brought to the June meeting to determine this appointment (**Resolution No 1805/004**).

The Advisory Council position is considered as providing specialist interest and arts/cultural expertise relevant to the Shire and Arts Outwest Board.

Council viewed this as an opportunity for another local artist to be more engaged in the delivery and communication of Arts OutWest programs from a new perspective. The Advisory Council position is considered as providing specialist interest and arts/cultural expertise relevant to the Shire and Arts Outwest Board.

Council advertised this Advisory Council opportunity in the Blayney Chronicle, Website and Social Media in addition to targeted invitations to local artists and art groups. Nominations closed Friday 15 June and one nomination was received verbally on Monday 18 June by Blayney artist, Ms Penny May. Penny is a member and current President of Textures Of One sub Committee of the Blayney Town Association. She is a member of Council's Cultural Centre Working Group representing local artists.

Risk/Policy/Legislation Considerations:

The NSW Local Government Act (1993) s377 provides for Council to delegate functions to others to act their behalf. This representative position, does not bind Council to any expenditure, decision making or action.

Council generally determines and formally appoints community representatives and committee delegates at the first Council meeting following the Council elections for the same Council term. It would be appropriate for this community representative to be appointed for the remaining term of this Council until September 2020.

Budget Implications:

Travel and out of pocket expenses for community members attending a meeting of Arts OutWest are funded by Arts OutWest.

Enclosures (following report)

Nil

Attachments (separate document)

Nil

06) APPLICATION FOR LEAVE OF ABSENCE

Department: Executive Services

Author: General Manager

CSP Link: 6.3 A well-run Council organisation.

File No: GO.CO.1

Recommendation:

That Council approve the Leave of Absence application submitted by Councillor Somerville for the July 2018 Council meeting.

Reason for Report:

Councillor Somerville is seeking Council approval for a Leave of Absence, for the July Council Meeting.

Report:

Councillor Somerville will be an apology for 16 July 2018 Council Meeting and has submitted an application for this Leave of Absence.

Risk/Policy/Legislation Considerations:

An application for a Leave of Absence is submitted and required to receive formal granting of leave as per s234 Local Government Act (1993), s235A Local Government Regulations (2005) and s4.4 and 4.5 Council's Meeting Code of Practice.

Budget Implications:

Nil

Enclosures (following report)

Nil

Attachments (separate document)

Nil

**07) BLAYNEY SHIRE FINANCIAL ASSISTANCE COMMITTEE -
POSITION OF CHAIR**

Department: Executive Services

Author: General Manager

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

File No: GO.ME.1

Recommendation:

That Council appoint Cr Somerville as Chair, and Cr Denton as member of the Financial Assistance Committee.

Reason for Report:

To advise Council of the resignation of Chair of the Financial Assistance Committee.

Report:

At the September 2017 meeting, Cr Denton was declared Chair, and Cr Somerville as a member of the Blayney Shire Financial Assistance Committee (**Resolution No 1709/009**).

Cr Denton tendered his resignation to the General Manager as Chair from the Financial Assistance Committee on 21 May 2018, and advised that he still wishes to serve on the Committee.

Risk/Policy/Legislation Considerations:

Council established the Blayney Shire Financial Assistance Program Committee as a Committee of Council to exercise its functions on Council's behalf as per (s355(b)) NSW Local Government Act (1993) and (division 5 (s259-271) Local Government Regulations (2005). The Committee undertake the assessment of applications received; provide detailed recommendations to Council for the granting or otherwise of such financial assistance; and review on an annual basis and make recommendations to Council Recurrent Annual Donations List in accordance with the Blayney Shire Community Financial Assistance Policy (2016) and current Blayney Shire Community Financial Assistance Guidelines.

The quorum of which is 4; includes 2 Councillors; the General Manager of Newcrest Mining or their delegate; and 4 community representatives.

Budget Implications:

Nil

Enclosures (following report)

Nil

Attachments (separate document)

Nil

08) MINUTES OF THE BLAYNEY SHIRE TOURISM, TOWNS AND VILLAGES COMMITTEE MEETING HELD 22 MAY 2018

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:

That the minutes of the Blayney Shire Tourism, Towns and Villages Committee meeting, held on Tuesday 22 May 2018, be received and noted.

Minutes:

MINUTES OF THE TOURISM, TOWNS AND VILLAGES COMMITTEE MEETING HELD ON TUESDAY 22 MAY 2018 AT THE BLAYNEY SHIRE COMMUNITY CENTRE

Meeting commenced at 6.05 pm.

PRESENT

Cr Reynolds (Chair), Rebecca Ryan (General Manager), Janelle Adams, Judy Belecky, Kerry Strom-Cook, Lorraine Dunkley, Mary Dowrick Debere, Tamara Miller and Vicki Pulling.

APOLOGIES

That the apologies received from Elizabeth Russ, Kim Martin, Richard Bloomfield, Evan Lee, John Burke and Jo Richardson be accepted.
(Judy Belecky / Kerry Strom-Cook)

DISCLOSURES OF INTEREST

Nil

ADOPTION OF MINUTES FROM PREVIOUS MEETING – 27 FEBRUARY 2018

Recommended that the minutes from the previous Tourism, Town and Villages Committee meeting held on 27 February 2018 be adopted.
(Kerry Strom-Cook / Judy Belecky)

BUSINESS ARISING

Nil

ORANGE REGION TOURISM BRAND

Presentation from Orange Regional Tourism Branding by Caddie Marshall

- Launch of branding 28 June 2018
- Website platform 28 June 2018
- Fire Festival 3-5 August 2018

COUNCIL BUDGET

The General Manager detailed the 2018/19 Operational Plan on public exhibition, the VEP allocation \$100K and other projects, fees and charges.

Development Coordinator Program as reported to Council funding provided \$70k.

STRONGER COUNTRY COMMUNITIES FUND – ROUND 1 AND 2

A summary of Rounds 1 and 2 was provided to committee members, with Round 2 submissions under assessment with announcements due August 2018.

REGIONAL TOURISM AWARDS

Applications are open for the Destination NSW Country and Outback Tourism Awards, with the regional awards night being held in Orange on 26 August.

DELEGATES REPORTS**Lyndhurst**

- ANZAC Day was very successful with a larger than usual turn out.
- The CWA are selling their building.
- The hall is still being used for the dance classes.
- The craft group is going strong.
- Landcare has surveyed the creek and are looking toward have walkway along creek and up to the school. A pathway from the bridge to Rec Ground would complement this.
- The drainage has been done at the Rec Ground.
- The BBQ slab is down at the Rec Ground.
- Exercise classes at the Rec Ground are proving very popular.
- The campground is popular with good report on Wiki Camps.

Newbridge

- Winter Solstice 23 June 2018, 12.00 – 5.00pm
 - Bonfire starts at 5.00pm
- Air-conditioning in the hall funded by VEP completed
- New pub lease has commenced with Sunday music

Hobbys Yards

- 2 air-conditioners installed and working well
- New stove purchased from hall funds
- New refrigerator donated
- Shutter for kitchen servery is up
- Hall warm for yoga now

- Hay bale challenge many locals participated
- Hall was broken into 3 May 2018
 - Attempted break in via men's toilet
 - Successful break in via door – broke timber door trim
 - Police notified – no finger prints taken due to hall hosting so many people at various times
 - Offenders apprehended
- Coming events
 - July Band – still working on details – 7 July tentative

Neville

- Neville Hall supper room floor replaced & kitchen painted
- Money from Financial Assistance Program for broken light also put towards exit light in kitchen
- Karate group started up again in 2018 on a weekly basis
- Equine Performance Group and Endurance riders Association had successful days at the Neville Showground
- Neville again hosted the annual Veterans Sunday Commemoration
- Show society held fundraising Bush Dance in early May
- Vintage car & motorbike groups stopover in Neville throughout Autum. The hotel does good trade at this time.
- Project – Erection of a “What’s On” sign similar to that of Hobbys Yards and Barry

Action:

General Manager to order a Community Changeable Sign with VEP funds.

Blayney

- Hay Bale Art Challenge
 - 16 official entries
- Farmers Market in recess till September
- FOOD Week event
 - 200+ people
 - Will be in Blayney for the next 4 years

Millthorpe

- Record takings for businesses in last 2 months due to
 - Millthorpe Markets
 - Orange FOOD Festival
 - Easter school holidays
- Business gaining momentum, open 6-7 days
- New businesses, including 2 new cafes and 3 retail stores
- Businesses meeting for second session with Caddie Marshall to complete a marketing plan for the village around weddings and conferences, functions
- Fire Festival to kick off in Millthorpe
- Village walking map installed in Victoria Street

Mandurama

- Successful Ball held on 5th May, raising \$1400 for the hall.
- Paul Toole announced building of covered area in the park to replace the tennis clubhouse - we are very appreciative of this.
- New Fire Shed Official Opening Saturday 26 May at 10am.

General Business

Arts OutWest

The General Manager advised committee members that Council would be inviting interested community members to nominate as Blayney Shire Council representative on the new Arts OutWest Advisory Council to be determined at the 25 June Meeting.

FUTURE MEETING DATES

- Tuesday 28 August 2018
- Tuesday 27 November 2018

MEETING CLOSE

There being no further business the meeting closed at 7.30pm.

Enclosures (following report)

Nil

Attachments (separate document)

Nil

09) REPORT OF COUNCIL INVESTMENTS AS AT 31 MAY 2018

Department: Corporate Services

Author: Chief Financial Officer

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 May 2018 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 May 2018.

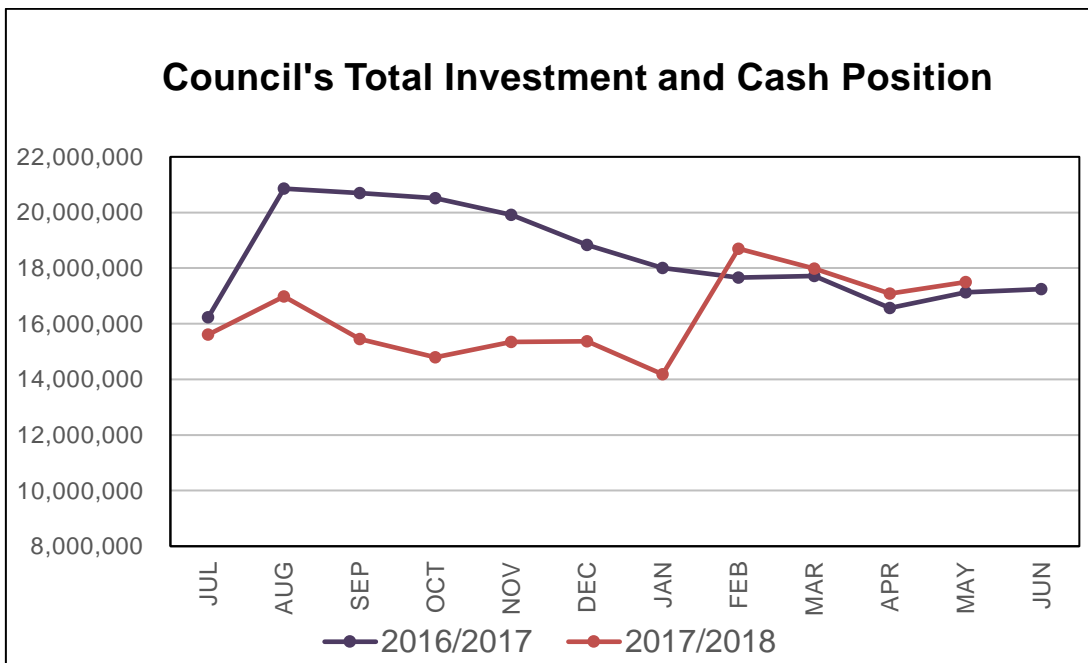
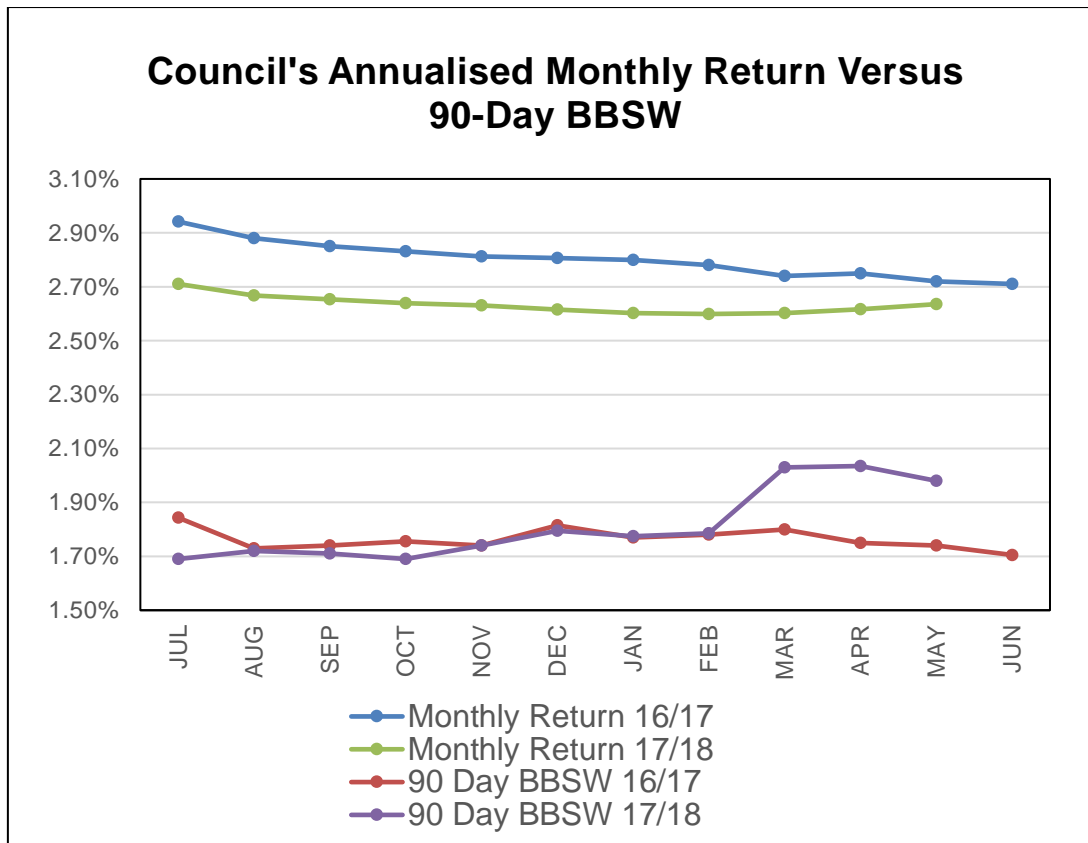
Report:

This report provides details of Council's Investment Portfolio as at 31 May 2018.

Council's total investment and cash position as at 31 May 2018 is \$17,500,343. Investments earned interest of \$36,535 for the month of May 2018.

Council's monthly net return on Term Deposits annualised for May of 2.64% outperformed the 90 day Bank Bill Swap Rate of 1.98%.

The 90 day Bank Bill Swap rate has reduced slightly this month, but the overall outlook for interest rates is looking stronger than the start of the year. As we continue to reinvest our maturing investments, our net return should continue to increase.



REGISTER OF INVESTMENTS AND CASH AS AT 31 MAY 2018				
Institution	Rating	Maturity	Amount \$	Interest Rate
Auswide Bank Ltd	A2/BBB	05/06/2018	500,000	2.800%
AMP Bank	A1/A	19/06/2018	500,000	2.600%
Bankwest	A1+/AA-	03/07/2018	500,000	2.550%
ME Bank	A2/BBB	17/07/2018	500,000	2.570%
ME Bank	A2/BBB	31/07/2018	500,000	2.570%
AMP Bank	A1/A	14/08/2018	500,000	2.600%
AMP Bank	A1/A	28/08/2018	500,000	2.600%
Bendigo & Adelaide Bank	A2/BBB+	04/09/2018	1,000,000	2.500%
ING Bank	A1/A	04/09/2018	500,000	2.600%
ING Bank	A1/A	18/09/2018	500,000	2.590%
Bankwest	A1+/AA-	02/10/2018	500,000	2.550%
Bankwest	A1+/AA-	16/10/2018	500,000	2.550%
Bankwest	A1+/AA-	30/10/2018	500,000	2.550%
Bankwest	A1+/AA-	13/11/2018	500,000	2.550%
AMP Bank	A1/A	20/11/2018	500,000	2.650%
Bendigo & Adelaide Bank	A2/BBB+	20/11/2018	500,000	2.550%
MyState Bank Ltd	A2/BBB	04/12/2018	500,000	2.650%
Auswide Bank Ltd	A2/BBB	11/12/2018	500,000	2.600%
Bankwest	A1+/AA-	08/01/2019	500,000	2.550%
NAB	A1+/AA-	22/01/2019	500,000	2.600%
MyState Bank Ltd	A2/BBB	05/02/2019	500,000	2.700%
MyState Bank Ltd	A2/BBB	19/02/2019	500,000	2.700%
MyState Bank Ltd	A2/BBB	05/03/2019	500,000	2.700%
AMP Bank	A1/A	19/03/2019	500,000	2.750%
ANZ	A1+/AA-	02/04/2019	500,000	2.770%
ANZ	A1+/AA-	16/04/2019	500,000	2.790%
AMP Bank	A1/A	14/05/2019	500,000	2.750%
ME Bank	A2/BBB	21/05/2019	500,000	2.750%
Total Investments			14,500,000	2.632%

Benchmarks:	BBSW 90 Day Index	1.980%
	RBA Cash Rate	1.500%
Commonwealth Bank - At Call Account	-	1.400%
Commonwealth Bank Balance - General	1,406,871	1.350%
Tcorp IM Cash Fund	1,593,473	2.040%
TOTAL INVESTMENTS & CASH	17,500,343	

* % Interest rates as at 31/05/2018

Summary of Investment Movements - May 2018		
Financial Institution	Invst/(Recall) Amount \$	Commentary
AMP Bank	(509,474)	Term Deposit Matured 15/05/2018
AMP Bank	500,000	Term Deposit Reinvested 15/05/2018
Auswide Bank Ltd	(513,655)	Term Deposit Redeemed 22/05/2018
ME Bank	500,000	New Term Deposit Invested 23/05/2018
AMP Bank	(509,688)	Term Deposit Matured 29/05/2018
AMP Bank	500,000	Term Deposit Reinvested 29/05/2018

Short Term Credit Rating*	Policy Maximum	Current Holding %	Current Holding \$
A-1+	100%	34%	5,000,000
A-1	80%	28%	4,000,000
A-2	60%	38%	5,500,000
A-3	40%	0%	-
			14,500,000

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

Individual Institution Limit	Rating	Policy Maximum	Actual Maximum
AMP Bank	A1/A	3,000,000	3,000,000
ANZ	A1+/AA-	3,000,000	1,000,000
Auswide Bank	A3/BBB-	3,000,000	1,000,000
Bankwest	A1+/AA-	3,000,000	3,000,000
Bendigo & Adelaide Bank	A2/BBB+	3,000,000	1,500,000
ING Bank	A1/A	3,000,000	1,000,000
ME Bank	A2/BBB	3,000,000	1,500,000
MyState Bank Limited	A2/BBB	3,000,000	2,000,000
NAB	A1+/AA-	3,000,000	500,000

RESTRICTED CASH, CASH EQUIVALENTS & INVESTMENTS

	\$ 000's
External Restrictions - Sewer*	5,342
External Restrictions – Unexpended Grants	132
External Restrictions - Other*	2,591
	8,065
Internal Cash Restrictions*	5,265
Unrestricted	4,170
	9,435
TOTAL CASH & INVESTMENTS	17,500

* Cash restrictions represent the audited balance as at 30 June 2017, adjusted for known changes to restrictions to the end of the current month.

CERTIFICATION – RESPONSIBLE ACCOUNTING OFFICER

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

Risk/Policy/Legislation Considerations:

The Responsible Accounting Officer must table a written report to Council on money invested pursuant to s625 of the Local Government Act (1993). Investments made are in accord with the framework established within Council's Investment Policy.

Budget Implications:

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

Enclosures (following report)

Nil

Attachments (separate document)

Nil

10) ADOPTION OF 2018/19 - 2021/22 DELIVERY PROGRAM AND 2018/19 OPERATIONAL PLAN

Department: Corporate Services

Author: Director Corporate Services

CSP Link: 6.3 A well-run Council organisation.

File No: CM.PL.1

Recommendation:

1. That in accordance with s404-405 of the Local Government Act (1993), the 2018/19 – 2021/22 Delivery Program and 2018/19 Operational Plan be adopted by Council;
2. That Council adopt the Statement of Rating Structure and their respective short names as contained in the Operational Plan 2018/19 and make the Ordinary Rate and charges; including sewer charges and domestic waste management charges, pursuant to s494 and s496 of the Local Government Act (1993) and Waste Management Levy pursuant to s501 of the Local Government Act (1993) detailed in the Tables (No's 1 - 3) below;
3. That Council adopt the Revenue Policy including fees and charges for 2018/19, as outlined in the 2018/19 Operational Plan;
4. that the schedule of financial assistance under the Community Financial Assistance Program pursuant to s356 Local Government Act be adopted; and
5. that the Village Enhancement Program incorporating the Development Coordinator Program and Local Heritage Assistance Program that financially assist others under s356 Local Government Act (1993) be adopted.

Table 1: Rating Structure

Rating Structure for the 2018/2019 Rating Year						
Name of Category/Sub Category	Number of Assessments (A)	Base Rate (B)	Ad Valorem (C)	Land Value (D)	Total Yield (E)	% Yield from Base Amount
Residential						
Ordinary Rate	1,140	\$250	0.00272910	\$144,855,484	\$680,325	41.89%
Sub Category – Blayney & Carcoar	1,346	\$300	0.00541290	\$90,160,348	\$891,829	45.28%
Sub Category - Millthorpe	321	\$300	0.00349660	\$44,145,065	\$250,658	38.42%
Business						
Ordinary Rate	142	\$300	0.00586270	\$15,206,110	\$131,749	32.33%
Sub Category - Business Blayney, Millthorpe & Carcoar	174	\$300	0.00931880	\$17,063,714	\$211,213	24.71%

Farmland						
Ordinary Rate	744	\$400	0.00335300	\$550,583,068	\$2,143,705	13.88%
Mining						
Ordinary Rate	1	\$1,000	0.04371800	\$324,000	\$15,165	6.59%
Sub Category - Mining Gold / Copper Combined	1	\$1,000	0.04201450	\$101,700,000	\$4,273,875	0.02%
Total	3,869			\$964,037,789	\$8,598,518	

Table 2: Sewer Charges

Residential			
	Access Charge	No of Properties	Total Yield
Connected	\$604	1,497	\$904,188
Vacant (Unconnected)	\$312	109	\$34,008
Estimated Total Yield			\$938,196

Commercial (Non-Residential)				
	Annual Charge (Prior to SDF Factor)	No of Properties	Quarter Charge before SDF applied	Min. quarterly amount charged
20mm Water Service	\$500	161	\$125	\$151
25mm Water Service	\$772	21	\$193	\$151
32mm Water Service	\$1,264	18	\$316	\$151
40mm Water Service	\$1,976	11	\$494	\$151
50mm Water Service	\$3,088	24	\$772	\$151
80mm Water Service	\$7,876	1	\$1,974	
100mm Water Service	\$12,344	6	\$3,086	
150mm Water Service	\$27,776	2	\$6,944	
Vacant (Unconnected)	\$312	51		
Estimated Total Yield				\$ 325,000

Non -Residential		
	Annual Fee	No of Properties
Annual Trade Waste Fee	\$93	64
Annual Trade Waste Fee (Large Dischargers Category 3)	347	1
Liquid trade Waste User Charges with Trade Waste Agreement (Category 1, Category 2/2s)	\$1.90	23
Liquid trade Waste User Charges with No Trade Waste Agreement	\$18.50	12
Excess Mass Chargers for Category 3 Dischargers	\$ per the table	
Water Testing Charges (if required)	\$250 per quarter	1
Estimated Total Yield		\$59,580

Charge Category and Description	Annual Charge	No. of Properties
Waste Management Levy		
Waste Management Levy <i>This is waste management charge is applied to all properties funding waste disposal services for the Blayney Shire.</i>	\$20	3,925
Domestic Waste Management		
Domestic Waste Management Service Charge <i>This is applied to properties that have a residence within the waste collection area.</i>	\$420	2,519
Domestic Waste Management Availability Charge <i>This charge is applied to properties within the waste collection area that do not have a service but it is available i.e. vacant land.</i>	\$60	301
Commercial (Non-Domestic) Waste Management		
Non-Domestic Waste Management Service Charge <i>This is applied to properties for non-domestic properties within the waste collection area.</i>	\$480	306
Non-Domestic Waste Management Availability Charge <i>This charge is applied to properties within the waste collection area that do not have a service but it is available i.e. vacant land.</i>	\$60	20
Extra Services		
Additional Garbage Charge – per red bin	\$280	93
Additional Recycling Charge – per yellow bin	\$220	24
Total Yield		\$1,333,940

Table 3: Waste Management Charges

Reason for Report:

For Council to adopt the 2018/19 – 2021/22 Delivery Program and 2018/19 Operational Plan, pursuant to s404 and 405 of the Local Government Act (1993).

Report:

Public exhibition of Council's 2018/19 – 2021/22 Delivery Program and 2018/19 Operational Plan concluded on 21 June 2018, in accordance with the Council resolution of 21 May 2018. Council adhered to the mandatory exhibition period of 28 days as required under the Local Government Act 1993, in order to allow sufficient time for all members of the community to become aware of the plans and programs proposed in the Long Term Financial Plan.

Fundamentally, the legislation requires the development and adoption of an operational plan and revenue policy annually and adoption of a Delivery Program after each ordinary election. Council's 2018/19 Operational Plan identifies the specific actions to be completed in year 1 under each of the 4 year objectives expressed in the 2018/19 – 2021/22 Delivery Program.

It is a requirement that any submissions received be considered by Council in the process of finalisation and adoption of the draft plans. At the time of report preparation, Council has received one submission on the 2018/19 – 2021/22 Delivery Program and 2018/19 Operational Plan. Should any further public submissions be received after preparation of this report they will be tabled at the Council meeting.

The submission has raised the following matters:

1. *The Proposed Rating Structure*

Submission raises the inequity of the increase of the base rate to \$400 for Farmland Rate Category as compared to other categories paying \$300 or \$250 and that increase is disproportionate to other categories.

Comment:

The increase to the base rate helps to bring equity within a rate category by bringing levels of rates paid by the lowest ratepayer and highest ratepayer closer. The base rate for each category is different and is subject to a mandatory seal of 50% of revenue from base rates. It is conceded that the ad valorem amount has increased slightly however the rateable land value of Farmland has declined however; income derived is only 1.4% higher than disclosed in the prior year Operational Plan. Should Council lower the base rate amount this would increase the ad valorem amount.

2. *Proposed Waste Management Levy*

Submission states that the Local Government Act does not allow Council to impose this levy. The \$20 levy is not based on financial analysis and is not evidence based. It also states that Council is unable to impose an Annual Charge to fund the Blayney Waste Facility operations under s.501 as s.502 allows Council to make a charge for a service referred to in s.496 and s.501. Further, there is no service no service, nor actual use of a service, provided to any parcel of rateable land, in relation to the proposed annual \$20 Levy.

Submission also states that any parcels of rateable land that do not have access to either of these waste collection services, can go to the Blayney waste facility and pay the relevant fees.

Comment:

Council is empowered under s.501 levy an annual charges for Waste Management Services, other than domestic waste. The proposed levy will spread more equitably the costs associated with services currently being provided including public litter, Village Recycling Bins, and Blayney Landfill and waste management services for all residents.

3. *The submission states that Council is a high cost Council and sites examples that photocopying fees are excessive and "Hard copy correspondence and scanning fee" of \$100, under Development p91 as outrageous.*

Comment:

Fees and charges referenced are determined on a User Pay basis seeking partial to full cost recovery. Photocopy charges and scanning charges determined factor associated administration and staff time associated with requests. Photocopy charges at the Library remain at \$0.20 per copy.

Statement of Rating Structure 2018/19

The rate peg increase for the 2018/19 financial year was set by IPART at 2.3%. Council has also increased the base rate for each rate category by \$30 and made a compensating reduction to the ad valorem rate to deliver equity within each rate category and sub-category.

Adoption of Council Fees and Charges for 2017/18

Council's Annual Charges and Schedule of Fees & Charges have also been exhibited. The Annual Charges for adoption are as shown in the recommendation of this report.

Capital Works Program 2017/18

Council's principal mechanism for carrying out capital works is a 4 year rolling capital works program and has been incorporated into the Delivery Program 2018/19 to 2021/22. The 2018/19 Capital Works Program included in the Operational Plan details the individual projects and works that will be undertaken in 2018/19 to achieve the commitments made in the delivery program.

The program:

- Defines the capital projects that will help ensure the continued delivery of Council services;
- Allows advance planning of projects, including investigation, design and documentation;
- Is a key component of Council's infrastructure financing, planning maintenance and replacement strategy;
- Is an information source for the community;
- Allows integration of issues where projects have a wide-ranging impact across the community.

While inevitably refinements to the program will be made, it is appropriate and necessary to have the basis of a longer term schedule to allow appropriate planning both within the community and Council.

Section 356 Financial Assistance

Also detailed within Council's Operational Plan is the Schedule of Annual Financial Assistance funded through the Blayney Shire Council Community Financial Assistance Program under s356 of the Local Government Act (1993). An amount of \$100,000 has been provided for in 2018/19 under this program.

Council also has provision in the 2018/19 Operational Plan for other programs that provide financial assistance including the Local Heritage Assistance Program and Village Enhancement Program incorporating the Development Coordinator Program.

Amendments since the draft Operational Plan

Amendments of significance are summarised below:

- Deferral of the Cowriga Creek (Carcoar Road) Bridge project from 2018/19 to 2019/20. This resulting in deferral of the first years interest costs of \$8k.
- Inclusion of the Browns Creek Road bridge replacement in the 2018/19 capital expenditure plan. These works were originally forecast for completion in 2017/18 but due to delays in the planning phase they will now be completed in 2018/19. Council was awarded co-funding of \$1,494k from State and Federal Government to fund this project resulting in an increase in capital grants & contributions.
- The s.356 Schedule of Financial Assistance has been amended to include waiver of hire fees for the Carcoar Sportsground for the annual Old Boys Rugby Union event.
- Council's Waste Contractor has recommended the following changes to the exhibited fees and charges regarding Waste Management:
 - Residential and Small Business waste fee for 20L drum disposal be reduced from the exhibited fee of \$3 to \$2.
 - Insertion of wording *organic material including grass clippings & branches* after residential green waste to reaffirm this does not include treated or processed timber.
 - Because there will be no charge for disposal of residential green waste, insertion of a line item, Timber Waste at a price of \$14 per m³ (for pallets, furniture and building timber materials etc that is not green waste and that cannot be shredded).

If this fee is not inserted this waste would be considered as unsorted waste and charged at \$54/m³. Timber waste is unable to be shredded and disposed of to landfill. This fee is consistent with the 2017/18 fee.

Summary

Council's 2018/19 Operational Plan budget proposes an operational surplus forecast of \$127k before capital grants and contributions, up from \$109k. This consists of a forecast surplus for the General Fund of \$259k up from \$241k and a deficit for the Sewer Fund of (\$132k).

The Delivery Program 2018/19 – 2021/22 and Operational Plan 2018/19 is the culmination of an intense period of work for Council.

Whilst the Integrated Planning and Reporting requirements now in place under the Act are the catalyst to the change, the key driver has been the community engagement underpinning and expressed through the Blayney

Shire Community Strategic Plan, and the framework this provides for the objectives and actions expressed in the Operational Plan.

Risk/Policy/Legislation Considerations:

The prepayment of the 2018/19 Financial Assistance Grant in 2017/18 has not been factored in the 2018/19 Operational Plan. Whilst no formal advice of early payments into the future has been provided, the prepayment of Financial Assistance Grants has occurred previously and continued over a number of financial years. An adjustment of budgeted income will not be made until formal notification of the year income is to be reduced is received.

Budget Implications:

The financial implications of this report are detailed in the 2018/19 – 2021/22 Delivery Program and 2018/19 Operational Plan.

Enclosures (following report)

1 Submission 2 Pages

Attachments (separate document)

2 2018/19 - 2021/22 Delivery Program & 2018/19
Operational Plan 110 Pages

From: [REDACTED]
To: [Blayney Shire Council](#)
Subject: IS/40856 - Submission Draft 2018/19-2021/22 Delivery Program and 2018/19 Operational program and Draft 2018/19-2027/28 Long Term Financial Plan
Date: Monday, 18 June 2018 9:48:21 AM

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

Dear General Manager,

Draft 2018/19-2021/22 Delivery Program and 2018/19 Operational program and 2018/19-2027/28 Long Term Financial Plan

We are making this submission in relation to the above draft plans.

1. Proposed Rating Structure 2018/19

There is nothing equitable about council's treatment of the farming community in the Farmland rating proposed. This category is to be subject to a base rate increase of \$55 or 16%. In the 21 May business papers, Council states that the base rate increase for each category is \$30. This is false.

The ad valorem rate also is increased. In the business papers, Council's statement that there has been a compensating reduction in this rate "to deliver equity", is also false.

There is no equity in farmers paying a base rate of \$400 and other categories paying \$300 or a low \$250. Farmers are doing it tough. The current drought has been described as the worst since 1902. Bathurst and Oberon Councils have announced cost subsidies for water. Blayney's response is to increase the farmland rate disproportionate to the other rating categories and subcategories. The increase for our property would be 4.65%.

2. Proposed Waste Management Levy

The General Manager provided answers to questions from us, in relation to this levy. From the answers provided, the \$20 levy is not based on financial analysis. The General Manager stated, "\$20 was considered a reasonable contribution to spreading equitably the costs associated with processing recycling and waste at the Blayney Waste Facility". There are no figures available for the period of 1 July 2017 to 31 May 2018 for the number of occasions on which the waste facility received recyclable waste and green waste. It can be concluded the \$20 amount is not evidence based.

The General Manager also advised that Council is relying on s501 of the Local Government Act to impose this levy. Section 501 does not allow the council to impose an annual charge to fund the operations of the Blayney Waste Facility. S501(3) states "an annual charge may be levied on each parcel of rateable land for which the service is provided or proposed to be provided". Section 502 of the Local Government Act allows a council to make a charge for a service referred to in section 496 or 501 according to the actual use of that service. There is no service, nor actual use of a service, provided to any parcel of rateable land, in relation to the proposed annual \$20 Levy.

The parcels of rateable land that have a domestic waste collection service, incur the annual Domestic Waste Management Service Charge, imposed under s496 of the Local Government Act. The parcels of rateable land that have a commercial (non-domestic) waste collection service, incur the annual Non-Domestic Waste Management Service Charge, imposed under s501 (waste management services) of the Local Government Act. Any parcels of rateable land that do not have access to either of these waste collection services, can go to the

Blayney waste facility and pay the relevant fees. Recyclables are free, as is residential green waste. The Blayney waste facility "operates on a full cost recovery basis from user charges to fund all operating and capital expenditure...". The forecast total cost to Council in 2018/19 for waste services at the Blayney waste facility is \$1,282,240 with an estimated projected income \$1,381,940. It is in the black.

The Local Government Act does not allow council to impose this levy and it should be deleted from the plans.

3. Fees and Charges

The photocopying fees are excessive. It could not cost Blayney Council \$3.10 for A4 black and white and \$3.10 for A4 colour. In Central Tablelands Water's Draft Operational Plan, the proposed charges are only \$0.60 A4 B&W and \$1.20 A4 colour. The majority of surrounding councils propose a fee of \$0.60 or less for B&W. Council is required under EP&A Act and other Acts to provide copies of council documents at a reasonable cost. These fees cannot be considered reasonable.

The new "Hard copy correspondence and scanning fee" of \$100, under Development p91, is outrageous. Whether correspondence is sent by hard copy or by electronic means, the registering of that record, is part of the administrative costs in any organisation. What does council define as correspondence? Is it \$100 per correspondence? There is already a \$100 file maintenance administration fee.

These two examples illustrate that Blayney is a high cost council.

Sincerely

[REDACTED]

This email has been scanned by the Symantec Email Security.cloud service.
For more information please visit <http://www.symanteccloud.com>

11) ADOPTION OF RECORDS MANAGEMENT POLICY

Department: Corporate Services

Author: Director Corporate Services

CSP Link: 6.3 A well-run Council organisation.

File No: PM.TN.8

Recommendation:

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

Reason for Report:

For Council to adopt the Records Management policy.

Report:

Council at its meeting held 21 May 2018 resolved to place the Records Management policy on public exhibition.

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

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

The closing date for public exhibition was 21 June 2018 and at the time of report preparation, Council had received no submissions on the draft policy. Should any public submissions be received after preparation of this report they will be tabled at the Council meeting.

At the May Council meeting it was raised that the policy does not discuss promotion and education of notation and recording of meetings in person with the community e.g. pre- development engagement.

The policy has been amended to include reference to capture of discussions and interviews as a record. Promotion and education will be encompassed through policy awareness and other operational activities to improve the record keeping culture of Council.

A copy of the policy for adoption is enclosed following this report.

Risk/Policy/Legislation Considerations:

Adoption of the policy will establish a framework for Records Management.

Budget Implications:

Nil

Enclosures (following report)

1 11B Records Management Policy

6 Pages

Attachments (separate document)

Nil



Records Management Policy

Policy	11B
Officer Responsible	Director Corporate Services
Last Review Date	25/06/2018

Strategic Policy

OBJECTIVES

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

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

1. BACKGROUND

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

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

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

2. DEFINITIONS

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

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

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

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

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

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

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

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

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

3. RESPONSIBILITIES

3.1. General Manager

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

3.2. Director Corporate Services

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

3.3. Records Supervisor

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

3.4. Directors and Managers

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

3.5. Information Technology (IT) Staff

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

3.6. Staff

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

These records will include:

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

All staff will:

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

3.7. Contractors

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

4. MANAGING RECORDS AND INFORMATION

4.1. Records Management Program

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

The objectives of the program are to:

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

4.2. Migration

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

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

4.3. Storage and Security of Records

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

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

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

4.4. Archiving, Disposal and Destruction of Records

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

Records covered under GA39 must be protected, maintained and accessible for duration of their required retention. Disposal of records will be undertaken in accordance with GA39, records cannot be disposed of without approval and signed authorisation by the General Manager.

5. ACCESS TO COUNCIL RECORDS AND INFORMATION

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

6. RELATED COUNCIL DOCUMENTS AND POLICIES

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

7. RELEVANT LEGISLATION AND STANDARDS

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

Adopted:	Date: 17/01/2000 & 13/11/2000	Minute: 12 & 647
Last Reviewed:	14/05/2007	Minute: 07/094
	10/12/2012	1212/004
Next Reviewed:	19/04/2021	

12) ADOPTION OF RESOURCING STRATEGY

Department: Corporate Services

Author: Director Corporate Services

CSP Link: 6.3 A well-run Council organisation.

File No: CM.PL.1

Recommendation:

That Council adopt the 2018/19 – 2027/28 Long Term Financial Plan and 2018/2022 Workforce Management Plan and Asset Management Plans for Buildings, Parks and Recreation, Sewer, and Transportation assets.

Reason for Report:

This report seeks Council adoption of the 2018/19 – 2027/28 Long Term Financial Plan, 2018/2022 Workforce Management Plan and Asset Management Plans for Buildings, Parks and Recreation, Sewer, and Transportation assets as part of the Resourcing Strategy.

Report:

The Local Government Act (1993) requires Council to have a long-term strategy, called its Resourcing Strategy, for the provision of resources required to implement the strategies established by the community strategic plan that the council is responsible for. The strategy must include provision for long term financial, workforce and asset management planning.

The following documents were placed on public exhibition and concluded on 21 June 2018, in accordance with the Council resolution of 21 May 2018:

- 2018/19 – 2027/28 Long Term Financial Plan;
- 2018/2022 Workforce Management Plan;
- Asset Management Plans including Buildings, Parks and Recreation, Sewer, and Transportation.

At the time of report preparation, Council had received no submissions on the documents and any public submissions received after preparation of this report will be tabled at the Council meeting.

The Resourcing Strategy forms part of the Integrated Planning and Reporting Framework and tests long term community aspirations and goals against financial realities. It helps to inform Council's Delivery Program and Operational Plan.

The amended draft Resourcing Strategy documents will be available on the Councillor Portal and Council's website at the following link on

<http://www.blayne.nsw.gov.au/your-council/council-meetings-and-committees/business-papers-and-minutes/business-papers-and-minutes> In addition, a hard copy for viewing will be made available at the Council Offices. Subject to amendments resolved by Council, the documents will be placed on Council's website upon adoption.

Amendments since the draft documents were placed on exhibition:

Resourcing Strategy: Long Term Financial Plan

The Long Term Financial Plan has been amended and includes the following significant changes:

- Deferral of the Carcoar Road – Cowriga Creek bridge project from 2018/19 to 2019/20. This resulting in deferral of the first year's interest costs of \$8k.
- Inclusion of the Browns Creek Road bridge replacement in the 2018/19 capital expenditure plan. These works were originally forecast for completion in 2017/18 but due to delays in the planning phase they will now be completed in 2018/19. Council was awarded co-funding of \$1,494k from State and Federal Government resulting in an increase in capital grants & contributions.
- March QBRS adjustments were included in the 2017/18 current budget to better align the beginning cash position at 1 July 2018.

Resourcing Strategy: Workforce Management Plan

The Workforce Management Plan has been amended to include an amendment of job title for the Manager Tourism to Manager Tourism and Communications under the Organisational Structure objective and development of staff retention / attraction strategies under the Labour Market Competition objective.

Resourcing Strategy: Asset Management Plans

The Asset Management Plans have included minor amendments for narrative and formatting. No amendments to figures have been effected.

Risk/Policy/Legislation Considerations:

Under the Local Government Act Council is required to adopt a Delivery Program by 30 June following an ordinary election. It is also required to adopt an Operational Plan annually that includes a Statement of Proposed Borrowings and Revenue Policy. Both plans are required to be placed on public exhibition for 28 days and Council is required to consider any submissions on both plans prior to adoption.

Council is required to post the Operational Plan on Council's website within 28 days of adoption.

Budget Implications:

Council has modelled its Long Term Financial Plan based on the assumptions detailed throughout the plan document. Over the 10 years, the plan

demonstrates achievement of the key financial performance measures that are benchmarked against on an annual basis including:

- Positive consolidated operating results annually before the inclusion of capital grants and contributions.
- Satisfaction of Own Source Revenue measure. Council is required to maintain a benchmark of greater than 60% of its Own Source Revenue generated. Council has modelled a number of major capital programs reliant on external grant funding that impacts on achievement of this benchmark initially however does recover. These projects detailed in the plan are tied to successful grant funding and would not be undertaken in the same capacity if funding was not received. It should also be noted that throughout the plan Council is heavily reliant on mining rate income and this ratio would be significantly impacted if there were a material change, be it positive or negative to the land valuation of the mining category assessments within the shire. The potential impacts are highlighted through the scenarios modelled in the Long Term Financial Plan.
- A strong cash flow position is forecast in the plan without a heavy reliance on additional new borrowings. Any new borrowings that are proposed throughout the plan still allow Council to maintain a relatively low level of debt with the benchmark maintained above the industry benchmark of >2.00x.
- A positive unrestricted cash position is also forecast throughout the plan demonstrating Council's strong ongoing cash position and ability to fund its cash flow obligations in line with the underlying assumptions made throughout the plan. Council's performance is measured through the Unrestricted Current Ratio which is maintained above the benchmark of 2.0 throughout the plan.

Enclosures (following report)

Nil

Attachments (separate document)

Nil

13) 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 Infrastructure Services Monthly Report for June 2018 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**Southern Lights Project

Over the past 18 months CENTROC has been involved in developing a proposal to Government to undertake the installation of LED's and "smart controls" across the street light network.

This project has grown to include REROC, RAMROC, CENTROC, CBRJO and Broken Hill City Council, and would see the replacement of over 75,000 street lights with state-of-the-art LED lighting and smart controls technology across 42 Local Government Areas covering almost all of southern NSW.

The Southern Lights Project Partners have appointed Next Energy Pty Ltd to provide expert assistance and advice on the development of the project.

Further information can be obtained by visiting the recently launched Southern Lights Project website at <https://www.southernlightsnsw.org.au>.

IPWEA Roads Congress

The Mayor and Director Infrastructure Services recently attended the IPWEA Roads Congress in Sydney. This annual event provides one of the single greatest opportunities for elected representatives and senior staff to advocate and discuss issues pertaining to the road and transport networks.

Speakers included: The Minister for Roads, Maritime and Freight, Melinda Pavey, Shadow Minister for Transport and Roads, Maritime and Freight, Ms Jodi McKay, Dr John Crozier from the Royal Australian College of Surgeons, and President of LGNSW, Clr Linda Scott.

The Congress developed a joint communique which follows this report, and lists measures each level of government may undertake including advocacy, continuation of funding programs, development by Councils of road safety plans, asset management performance, development of a skilled and qualified workforce for the effective stewardship of road infrastructure, and restoration of the quantum of Federal Assistance Grants (FAG) to 1% of Commonwealth tax revenue, and redistribution to regional NSW.

Major Works

Southern Cadia Access Route

Council has completed the base layer on Errowanbang Road from the Mid Western Highway through to Gap Road. All conformance testing has been completed with the results conforming to requirements. The sealing of this section was completed 14/15 June 2018.

Given the time of year, the seal design has been changed to a 10/5 primer seal that will necessitate a reseal in the summer months. This is in contrast to the 20/10 seal that has been undertaken on the rest of the works. This is unavoidable given Council's climate.

Road Rehabilitation Works

Works are continuing on Browns Creek Road, with subbase completed through to the end of the current works. Overlaying of the base material has commenced, with sealing programmed for 28 June for the next section.

Council's contractor has completed pavement strengthening and minor realignment works on Barry Road just outside Neville, with the bitumen seal placed in early June.

Road Maintenance Works

Council has worked with RMS to undertake 3 projects towards the end of the financial year. These included a headwall installation on the Mid Western Highway, the improvement of guardrail over the rail bridge on the Orange Road, and the renewal of pavement on Park Street near the pedestrian crossing at the school.

Bridges

Council has engaged a contractor to undertake the concrete lining of the base of an existing corrugated culvert on Errowanbang Road at Errowanbang. Works are currently programmed for late June.

Footpaths

Council has completed works along Montgomery Street, Millthorpe to provide a connection from Victoria Street to the pedestrian pathway between Crowson and Park Streets.

Major Contracts

Early contractor Involvement (ECI) – Browns Creek Road bridges

Council last month awarded the works to VEC Civil. Council is currently finalising documentation and awaiting a detailed project timeline.

Innovation Fund – Energy Efficiency Program

Solar Project:

Installation on the Depot, CentrePoint and Community Centre is now complete. We are awaiting electricity meter upgrades to allow for the provision of Solar. The system at the STP is due to commence in the coming weeks. The STP site has posed some difficulties due to remote location of the panels and cable paths requiring avoiding existing underground services. The project is approx. 2 weeks behind schedule due to wet weather and Essential Energy delays and is expected to be completed by 13 July.

Parks and Recreation

The provision of the air conditioning system at Barry Hall has been completed. This work was funded from the Barry/Hobbys Yards Village Enhancement Program allocation.

Works at the Lyndhurst Recreation Ground, is almost complete with the new BBQ and associated shelter installed, with associated electrical works still to be made. This work was funded from the Community Building Partnership Program.

Council has engaged a contractor to undertake the removal of willows on the Belubula River alongside the Carcoar Showground, with works programmed for commencement at the beginning of July. Due to the amount of tree work being undertaken across the shire at present has resulted in a delay to this project. The project is funded via the NSW Environmental Trust.

Land Development – 11 Frape Street

Works remaining to be completed are the telecommunications (NBN provisioning) and undergrounding of electricity from Beaufort Street to Frape Street. Council is currently working with its electrical contractor and Essential Energy to finalise the design and program works.

Assets

Assets staff have completed Asset Management Policy, Strategy and individual management plans for infrastructure assets as part of the IP&R requirements.

Council has uploaded asset layers onto Intramaps for use by internal staff. This will be made more widely available as the data is refined.

Assets staff attended a Regional Asset Management Workshop hosted by CENTROC. A proposal will be developed for undertaking a region wide assets management maturity assessment, which will provide Councils with an understanding of the strengths and weaknesses of their asset management processes and systems.

Wastewater

Council has replaced a failed sewerage pump at King George Oval this month and have undertaken an annual electrical maintenance regime at all other pump stations to ensure equipment at each pump station site is inspected for conformance and function.

Henry Street, Blayney sewerage pump station has faced issues over the past few weeks with ragging and overloading issues. These issues are partly due to the age of pumps and partly due to the waste people are flushing down the toilet. Pump 2 was removed from the wet well due to low flow and high vibration issues. On removal it was identified a large mass of wet wipes had blocked the impeller. Approximately a 20l bucket of wet wipes and rags were removed from the pump.

The construction of the upgrades of this pump station will commence on 25 June with new pump, pipes, valves, flow meter and electrical equipment being installed.

Whilst the new pumping equipment may handle the waste products slightly better than the previous pumps we intend undertaking a media campaign to educate people on what can be placed down the toilet to assist in preventing this issue from re-occurring.

Risk/Policy/Legislation Considerations:

Information report only

Budget Implications:

Information report only

Enclosures (following report)

1 IPWEA Congress Communique - Final

5 Pages

Attachments (separate document)

Nil

NSW LOCAL ROADS CONGRESS
Roads as Critical Infrastructure
4 June 2018
Congress Communiqué

The NSW Roads & Transport Directorate, a partnership between Local Government NSW (LGNSW) and the NSW Institute of Public Works Engineering Australasia (IPWEA NSW), in holding the 2018 NSW Local Roads Congress resolved to announce the following communiqué.

The Congress recognizes the contribution of other levels of Government in providing ongoing financial assistance for the management of local roads and infrastructure, particularly in regional areas through:

NSW Government

- Rebuilding NSW
- Fixing Country Roads
- Fixing Country Rail
- Fixing Country Truck Washes

Australian Government

- Bridges Renewal Program
- Heavy Vehicle Safety and Productivity Programme
- The current \$744.5m Black Spot Programme with a commitment to providing \$60m per year after 2021-22
- Roads to Recovery Program

The Roads to Recovery program will provide local Councils across Australia with a total of \$4.8 billion from the 2013-14 financial year to the 2021-22 financial year. The Australian Government has announced a commitment to increase R2R funding for Councils across Australia from \$350 million to \$400 million a year beginning 2019-2020¹. The Roads to Recovery Program is now a permanent feature under the National Land Transport Act 2014, allowing the program to continue beyond 2021-22. The R2R funding is critical to the effective management of Council roads and there is still a need for the quantum of this funding to be increased to sustain local road infrastructure, improve road safety outcomes, manage growing congestion, and provide improved freight connections to improve the efficiency of links between areas of production and national and international ports and markets.

The increase in the NSW road toll from 307 in 2014 to 392 in 2017 with almost 70% occurring on roads under the care, control and management of Local Government is a significant and growing concern. Current statistics point to this figure increasing to around 420 for the 2018 year. The Congress also notes with the same level of concern there were more than 12,000 serious crashes in NSW in 2017 and accepts that all levels of Government must give road safety greater attention.

¹ Chester, D. 2017, Road Safety focus for Roads to Recovery Program, media release 07 November, Canberra, viewed 5 June 2018, < http://minister.infrastructure.gov.au/chester/releases/2017/november/dc349_2017.aspx>

The 2017 Road Benchmarking Report shows that only 42 Councils have a Road Safety Plan in place and that half of these plans were prepared during 2017. The remaining 86 Councils must be encouraged and supported to develop Road Safety Plans to ensure all Councils are considering the road safety implications of all the activities they undertake.

There is still uncertainty surrounding the basis for funding of the NSW Local Government Road Safety Program. The NSW Road Safety Plan 2021 supports the LGRSP through to 2021 and beyond. The Congress calls on the State Government to confirm that funding for the NSW Local Government Road Safety Program is on a three-year rolling program basis and that this advice be formally confirmed for Councils.

The Congress notes the invaluable two-way partnership between Councils and the RMS in delivering the Roads Maintenance Council Contracts on State highways across regional NSW. The Congress supports the on-going direct delivery of the RMCC by Councils for the RMS, noting Councils should not be compelled to deliver the RMCC via Joint Organisations. The Congress encourages the RMS to work with Councils and the Roads & Transport Directorate to develop and imbed the new RMS system requirements for the effective delivery on RMCC and to further build capacity across the Local Government sector.

The Congress supports the on-going development of a skilled and qualified workforce as essential for the effective stewardship of road infrastructure for NSW communities. The Congress notes the research presented by IPWEA NSW which shows that:

- All Councils currently have qualified Engineers
- 29% of Engineer roles are filled by non-qualified personnel
- There is no requirement in NSW for Engineers to be registered (noting Queensland has had this in place for some time and Victoria is now implementing this legislation)
- Only 53% of Councils have a cadetship program to develop qualified Engineers for the future with the specific skills needed by Local Government.

The Congress fully supports the Australian Local Government Association's (ALGA) call for the Australian Government to commit to:

- Helping to maintain living standards and local economic growth by restoring the quantum of the Financial Assistance Grants to a level equal to at least 1 percent of Commonwealth tax revenue;
- Realising the productive potential of Australia's freight routes by establishing a Local Freight Productivity Investment Plan, funded at \$200 million per annum for five years, to ensure that first mile/last mile and freight connectivity issues are addressed;
- Improving the safety and management of local roads by doubling Roads to Recovery funding;
- Improving the safety and management of local bridges by making the Bridges Renewal Program permanent.

The Congress fully supports The Local Government NSW (LGNSW) submission to the Staysafe Committee's *Inquiry into Heavy Vehicle Safety and Use of Technology to Improve Road Safety* calling on ongoing funding to improve safety on Council managed roads:

“While LGNSW has welcomed the Government's recent announcement of a new \$125 million Saving Lives on Country Roads program, we believe there is ample justification for an additional \$125 million to specifically address road safety outcomes on the Council managed local and regional road network.”

To further the outcomes of this Congress, the Congress calls on Governments to take the following measures:

NSW Local Government

The Congress calls on Local Government in NSW to:

Progress the Congress Communiqué by writing to the relevant Ministers and their local NSW and Australian Government MPs seeking their support for the Congress outcomes

1. Continue to improve asset management performance by:
 - a. continuing to work with the Office of Local Government to improve the transparency and consistency of infrastructure measures within the Integrated Planning & Reporting framework, including incorporation of a Road Safety Plan within Council Resource Plan
 - b. building capacity within the Local Government industry by supporting ongoing training and knowledge sharing
 - c. taking responsibility for developing skilled professionals for tomorrow through cadetships, experiential development programs and supporting a phased requirement for the registration of Engineers
 - d. encouraging region based standing working groups on asset management to provide peer support to public works professionals and Councils in each area
2. Support the employment of better techniques and the importation of proven technology to better meet our community's needs.
3. Commit to encouraging modal change for people movement through promotion of public transport and active travel solutions in metropolitan and larger regional centres.

NSW Government

The Congress calls on the NSW Government to:

1. Develop a sustainable funding model for Local Government in NSW which removes the impediments to sustainable funding within the existing Integrated Planning and Reporting framework
2. Support the Notice of Motion before the Parliament to:
 - (1) Recognise the importance of qualified engineers and calls on the government, in consultation with key industry groups, to implement on a transitional phase in basis, a requirement for all local government authorities to have a suitably qualified engineer.
 - (2) Call on the Government to recognise engineers as a profession, through a state and national registration scheme, similar to Queensland and as raised at Council of Australian Governments in 2011-12.
 - (3) Support cadetships for civil engineering across all Government projects, in order to ensure the long-term workforce capabilities.
3. Redistribute Federal Assistance Grants to regional NSW to address social equity and reduce the infrastructure funding gap, with a more meaningful rate charged on urban land so large urban Councils are not financially disadvantaged.
4. Increase the existing Regional Road Block Grant and Repair Programme allocations to reflect increases in the construction cost index which is well above CPI.

5. Continue to support Local Government Reform through processes such as the IPART Review of the Local Government Rating System
6. Initiate consultation with Local Government to develop a Freight Strategy to increase productivity through targeted investment
7. Work through the RMS to support Councils needing assistance to achieve R2 prequalification to ensure Councils are strengthened in contracting to RMS to deliver Road Maintenance Council Contracts (RMCC).
8. Implementation of future RMCC Contracts be direct with Councils and any other arrangements only at the request of the individual Councils, avoiding the pitfalls of a one size fits all approach.
9. Support for Councils to work with local businesses and communities to implement local and regional Climate Change Plans - particularly in relation to infrastructure.
10. Support Councils in developing and implementing strategic Road Safety Plans as part of the implementation of the NSW Road Safety Plan 2021. This could be achieved through the:
 - a) Delivery of a capacity building program similar to the successful Local Government Road Safety Auditor Training Program delivered by IPWEA NSW to improve specialist skills and capacity within Local Government
 - b) Provision of funding support for the development of a Road Safety Plan for those Councils below a rating threshold to be determined in conjunction with LGNSW
11. Increase financial support for Weight of Loads groups for better road asset management and road safety.
12. Provide planning and funding for initiatives that contribute to the reduction of private car journeys across the state such as additional commuter and satellite parking facilities. This is a broad benefit initiative that will have a positive impact on road safety outcomes, reducing congestion, improving community health and optimizing asset useful lifecycle.
13. To improve systems for open reporting and sharing of data with Local Government including during emergency situations (eg road closures).
14. Support Regional NSW development by funding regional infrastructure to support and stimulate local economies and improve services in communities.
15. Continue to work with Local Government to develop a more equitable financial arrangement for the implementation of the use of day labour to repair road infrastructure when responding to undertake repairs resulting from natural disasters.

NSW & Australian Governments

The Congress calls on the NSW and Australian Governments to:

1. Continue the funding to Local Government under grant programmes such as *Fixing Country Roads* and the *Bridges Renewal Programme*
2. Build upon the Fixing Country Rail Programme to target the reduction of freight loads on local and regional roads, including resolving institutional impediments for access to existing rail
3. ALGA work with COAG, informed by State LG peak bodies and IPWEA NSW, to develop a new National Infrastructure Partnership for the three tiers of Government for smarter long term investment planning in transport and community infrastructure.
4. Provide new guidelines to allow National Disaster relief payments to be used by Local Government for betterment of affected assets and to allow the use of Council's day labor resources to assist communities during emergency response and recovery operations.

Australian Government

The Congress calls on the Australian Government to:

1. Review the distribution of Federal Assistance Grants, having regard to social equity for local Councils having lower populations
2. Increase the current level of Roads to Recovery funding and make the Programme permanent from the commencement of the 2019-20 financial year and commit to double available funding to at least \$700 million per annum
3. Progressively increase funding to Local Government tied to a percentage of the GST equivalent to 1% of National GDP

Australian Local Government Association

The NSW Congress seeks the support of ALGA to deliver the NSW Roads Congress outcomes.

Further enquiries:

Warren Sharpe OAM, President IPWEA (NSW) - 0409 398 358

Garry Hemsworth, Director IPWEA (NSW) – 0427 432 216

Mick Savage, Manager Roads & Transport Directorate - 0418 808 085

14) PROPOSED ROAD CLOSURE - PART FOREST REEFS ROAD, MILLTHORPE

Department: Infrastructure Services

Author: Director Infrastructure Services

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

File No: RD.RC.11

Recommendation:

1. That Council approve the part road closure of Forest Reefs Road, Millthorpe (in accordance with the Geolyse plan dated 31 July 2017), and classify the part road closure land as Operational Land.
2. That a further report be presented to Council to consider the transfer of the part road closure to the adjoining owner.

Reason for Report:

To seek Council approval for the closure of part Forest Reefs Road, alongside 38 Elliott Street, Millthorpe.

Report:

Councillors would recall in October 2017, the public exhibition of the proposed closure of part Forest Reefs Road, Millthorpe.

Councillors may also recall previous discussions held during Millthorpe Village Councillor walking tours, with members of the Millthorpe Village Committee seeking to address the provision of a footpath and improved access under the “subway” from the intersection of Elliott Street and Forest Reefs Road.

The matter is associated with DA2017/67. The owner has previously identified that part of the existing dwelling was encroaching on Council road reserve, and had contacted Council to investigate the opportunity to acquire part of the road reserve, to address the anomaly. The total area of land identified for closure is 309.5m² alongside Forest Reefs Road, and extends from the Elliott Street frontage to the Main Western Railway boundary.

In meeting with Council Planning and Infrastructure staff, it was noted the matter was a timely opportunity to start early investigations toward the future construction of the proposed footpath link through the “subway”, and to address the encroachment issue.

In accordance with NSW Department of Industry (Crown Roads) procedures, Council prepared referral letters to various Government agencies and neighbouring landholders in October 2017, and placed a public notice in the Blayney Chronicle on 5 October 2017.

Council initially received submissions, and Councillors verbal responses, relating to concerns about the roadway being closed to traffic. Following this Council communicated that the proposal was only for a strip of land on the eastern side of Forest Reefs Road between Elliott Street and the Main Western Railway, by providing clarification in the Blayney Chronicle on 12, 19 and 26 October 2017.

Following clarification Council received no further objections to the proposal, and submitted the application to NSW Department of Industry (Crown Roads) in November 2017.

Since November, Crown Roads have approached Council, with further information provided upon request.

Crown Roads are now seeking a formal Council resolution in order to finalise the matter, and upon receipt will provide Council with any requirements in regard preparation of a plan of survey for formal registration.

It is recommended that Council approve the closure of part Forest Reefs Road, in accordance with the plan enclosed following this report, prepared by Geolyse and dated 31 July 2017, and classify the part road closure as Operational Land for future transfer to the owner of 38 Elliott Street, Millthorpe.

Risk/Policy/Legislation Considerations:

At present matters associated with the proposed closure of Council Public Roads must be undertaken by the Department of Industry.

On 4 June 2018, Council was notified that the Crown Land Management Act (2016) will commence on 1 July (2018). Amendments to the Roads Act 1993 will commence on the same day as set out in Section 2 of the Crown Land Legislation Amendment Act (2017).

Upon commencement of Part 4 Division 3 of the Roads Act, Council will have the power to close council roads within their administrative area.

As this application was submitted prior to the amendments commencing, Council has undertaken the road closure proposal in accordance with Department of Industry arrangements, as revised in June 2014.

Budget Implications:

The owner of 38 Elliott Street has committed to funding all reasonable application, survey and legal fees related to this matter.

Council is yet to determine a consideration for the part road closure. Once the land has been valued a further report will be prepared for Council consideration.

Enclosures (following report)

1 Sketch Plan - 38 Elliott Street, Millthorpe 1 Page

Attachments (separate document)

Nil

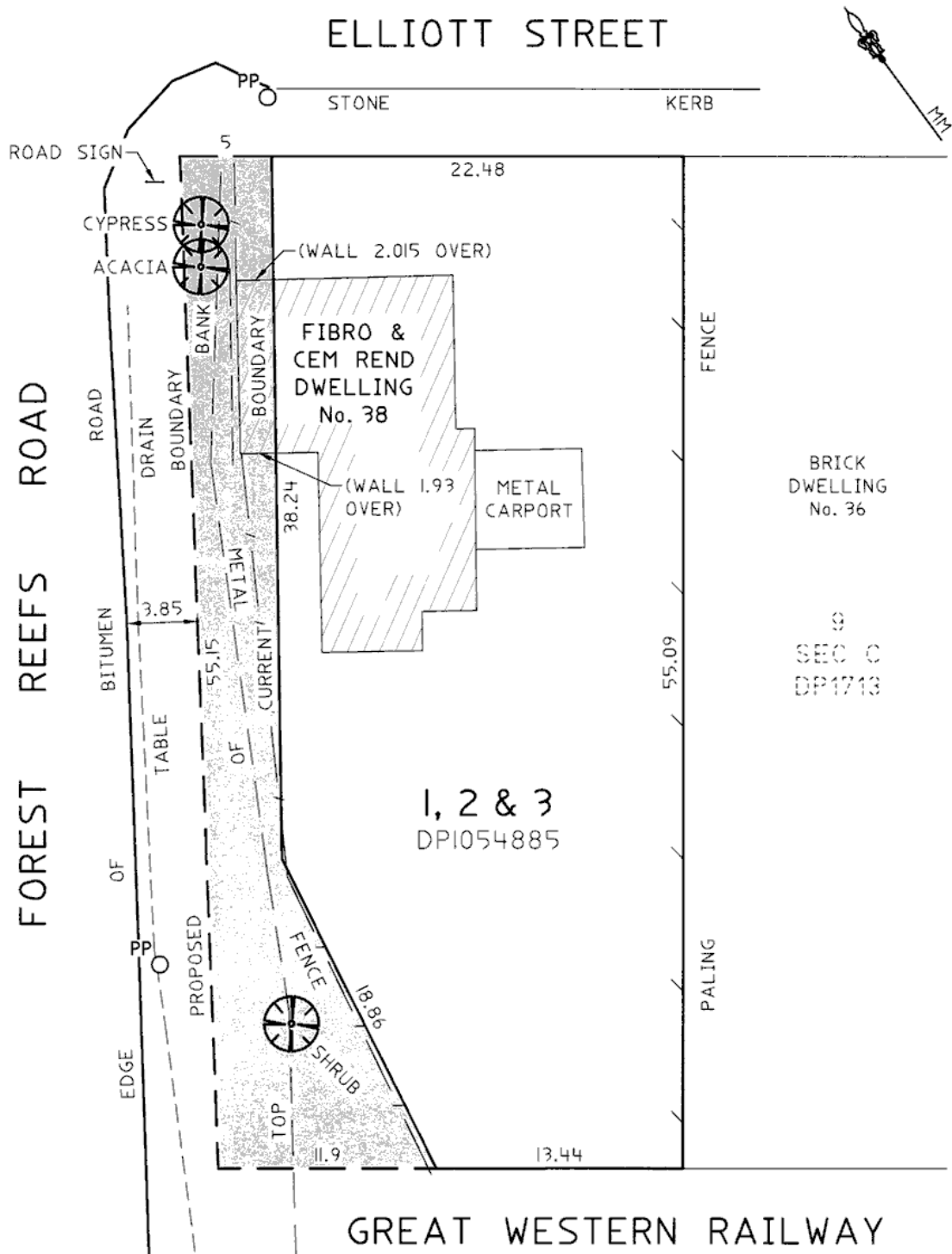


ORANGE
orange@geolyse.com
www.geolyse.com

154 PEISLEY STREET
P.O. BOX 1963
ORANGE, NSW 2800
Ph. (02) 6393 5000
Fx. (02) 6393 5050

PROPOSED ROAD CLOSURE
OF FOREST REEFS ROAD
AT 38 ELLIOTT STREET
MILLTHORPE

SUBJECT LOT 1, 2 & 3
LOCALITY MILLTHORPE
PROJECT NUMBER 217297
DRAWING FILE 217297_01B_ID01.dwg
DATE 31/07/17
ORIGINAL A4
SHEET ID01 OF ID01
DRAWING SCALE 1:300



□ PROPOSED ROAD CLOSURE AREA=309.5m²

PER *[Signature]*
LAND SURVEYOR REGISTERED UNDER THE
SURVEYING AND SPATIAL INFORMATION ACT 2002

15) LAND ACQUISITION FOR ROAD - FAIRFORD ROAD

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.AD.1

Recommendation:

1. That Council:-

- a. Make application to acquire part of Lot 268 DP723425 under the Land Acquisition (Just Terms Compensation) to provide for the continuity of the as constructed Fairford Road as identified in the Director Infrastructure Services Report.
- b. Approve the transfer of the Council maintained Fairford Road Crown Road Reserve as identified in the Director Infrastructure Services Report to Council and it be classified as Council Public Road Reserve.
- c. Delegate to the General Manager, the making of requests for the transfer of Crown Road Reserves to Council Public Road Reserves subject to there being a Council maintained public access road along the Crown Road Reserve.

Reason for Report:

To seek Council approval to make application to acquire part of Lot 268 DP723425, being a Crown Reserve for Travelling Stock, under the Land Acquisition (Just Terms Compensation) Act 1991, to provide for the continuity of Fairford Road.

To seek Council approval for the transfer of Fairford Road in its entirety to Council as Public Road Reserve.

Report:**Crown Reserve for Travelling Stock**

Council has been advised by NSW Department of Industry – Lands & Water (Crown Lands) that a section of Fairford Road, Neville is actually constructed on Lot 268 DP723425, being a Crown Reserve for Travelling Stock as identified on the enclosed maps.

Fairford Road as constructed extends from Kentucky Road in a westerly direction before turning in a north easterly/northerly direction before ending at its intersection with Mandurama Road.

Fairford Road is a Class 5 unsealed rural access road approximately 6.57km in length and 5.5m wide, currently maintained by Council.

The subject section of road that traverses across the Travelling Stock Reserve (TSR) is approximately 192m in length, and runs generally parallel to the lot boundary.

The application to seek consent to compulsorily acquire Crown Land currently has a fee of \$487.70. At this point in time it is expected (Crown Lands) will require Council to have prepared a plan of survey, undertake a valuation for the subject land and fund any acquisition costs. However Council is currently unaware of what the quantum of these costs may be.

It is recommended that Council make application to acquire a road reserve across the TSR, under the Land Acquisition (Just Terms Compensation) Act 1991 as Council Public Road to formalise the continuity of Fairford Road in its entirety.

Crown Road Reserve

Council has been advised that Fairford Road is constructed on a Crown Road Reserve, and not a Council Public Road Reserve.

Across NSW, many constructed roads are currently located on Crown Road Reserves, including within Blayney Shire.

Council is aware of this, and has previously had a program of working with Crown Lands to have these transferred to Council ownership where Council maintains a constructed road along the Crown Road Reserve. Upon identification a report would be prepared for Council consideration and a request then made to Crown Lands to have the subject road transferred to Council. This program ceased due to other work priorities in approximately 2012.

Crown Lands has since informed Council it is willing to undertake these transfers without a formal Council resolution, and simply upon a request being submitted to the local Crown Lands office.

In the case of Fairford Road, the entire length of the road (excluding the TSR) is constructed on Crown Road Reserve.

It is recommended that Council seek to transfer Fairford Road as shown on the enclosed plan, between Kentucky (A), Glenarvon (B) and Mandurama (C) Roads, to its control as Council Public Road.

As previously mentioned, Council is aware of this situation across the Shire, and due to other work priorities had ceased to seek transfer of these roads, due to the work required to prepare reports for Council approval.

If Council were willing, in order to simplify and progress these transfers in a more efficient manner, it may wish to delegate to the General Manager, the making of requests for the transfer of Crown Road Reserves to Council Public Road Reserves subject to there being a Council maintained public access road along the Crown Road Reserve.

Risk/Policy/Legislation Considerations:

In relation to the acquisition, the Roads Act 1993, states:-

12 Minister may open road over unoccupied Crown land

- (1) The Minister may, by notice published in the Gazette, dedicate any unoccupied Crown land as a public road.*
- (2) The notice must declare whether or not the road is to be a Crown road.*
- (3) On the publication of the notice, the land is dedicated as a public road and (if the notice declares it to be a Crown road) becomes a Crown road.*

145 Roads authorities own public roads

....

- (2) All Crown roads are vested in fee simple in the Crown as Crown land.*
- (3) All public roads within a local government area (other than freeways and Crown roads) are vested in fee simple in the appropriate roads authority.*
- (4) All public roads outside a local government area (other than freeways and Crown roads) are vested in fee simple in the Crown as Crown land.*

151 Transfer of Crown road to council

- (1) The Minister may, by order published in the Gazette, transfer a specified Crown road to another roads authority.*
- (2) On the publication of the order, the road ceases to be a Crown road.*

....

190 Entitlement to compensation

....

- (4) The provisions of sections 49, 50, 52 and 53, and Division 4 of Part 3, of the Land Acquisition (Just Terms Compensation) Act 1991 apply to compensation to be paid or otherwise provided for the acquisition of land under this Division as if references in those provisions to an authority of the State were references to the Minister.*
- (5) Interest under section 49 of the Land Acquisition (Just Terms Compensation) Act 1991 is not payable on any amount of compensation paid within 28 days after the date of acquisition.*
- (6) The applicant must pay to the Crown the amount of any compensation to be provided under this Division, together with any costs incurred by the Crown in connection with the provision of any such compensation.*

249 Evidence as to whether a place is a public road

(1) Evidence that a place is or forms part of a thoroughfare in the nature of a road, and is so used by the public, is admissible in any legal proceedings and is evidence that the place is or forms part of a public road.

Per the above mentioned sections, provision exists within the Act to undertake the acquisition, and outlines the responsibilities of Council in regards to costs.

In order for Council to ensure protection by its insurer, Council should accept ownership of Crown Road Reserves where Council maintains a Council Public Road, and for it to be managed under the provisions of the Roads Act 1993.

Budget Implications:

The application to seek consent to compulsorily acquire Crown Land can be funded out of the existing unsealed roads allocation.

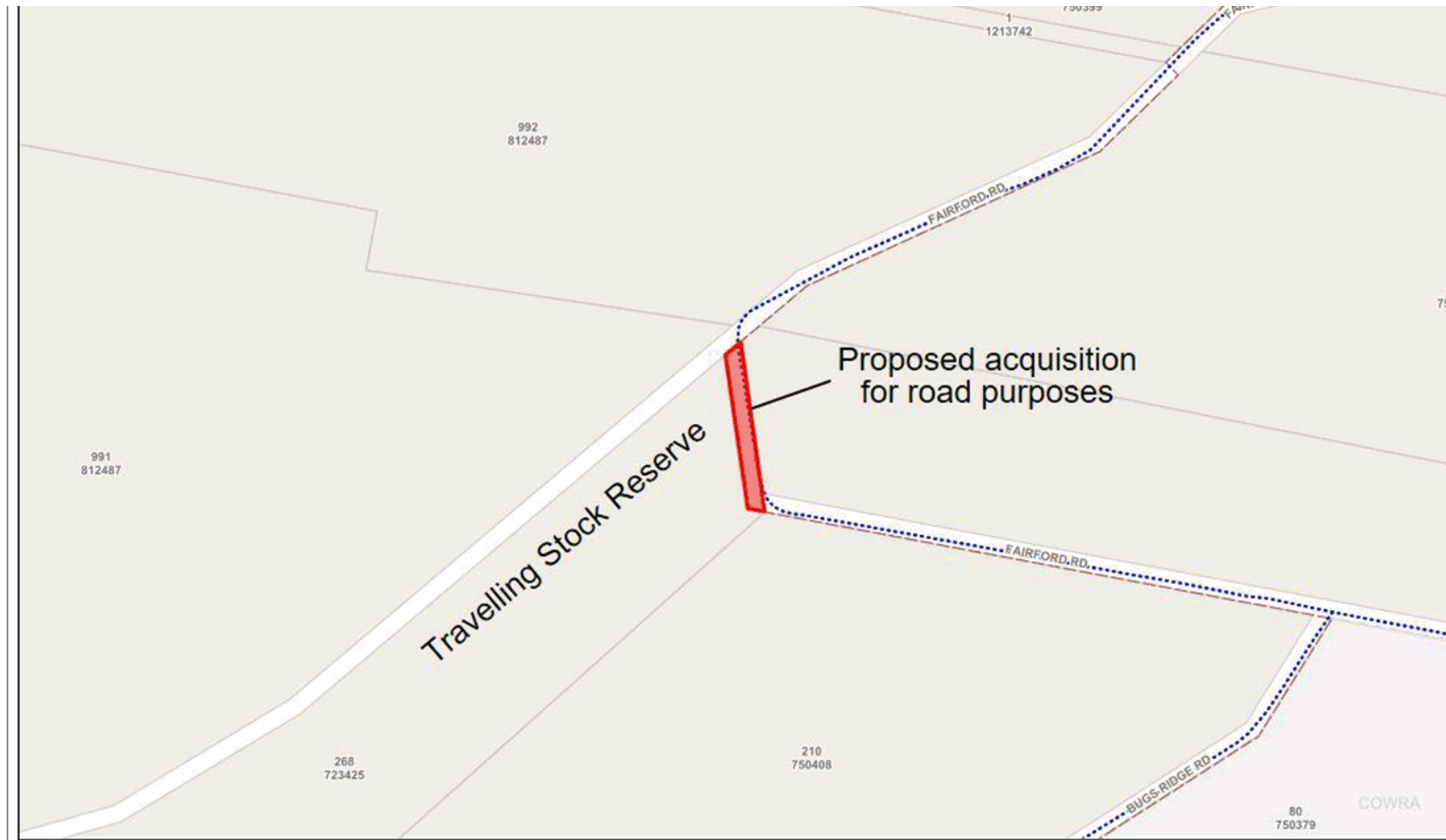
NSW Department of Industry, Lands & Water has advised it will waive the fees associated with the transfer of Fairford Road. As Council has previously sought to work proactively with the Department to address these matters, Council has never been required to pay a fee to undertake these transfers, and is unaware of what the fee may be, if it was to be applied.

Enclosures (following report)

1	Fairford Road - Proposed Acquisition	1 Page
2	Crown Road Reserve - Kentucky to Glenarvon Rds	1 Page
3	Crown Road Reserve - Glenarvon to Mandurama Rds	1 Page

Attachments (separate document)

Nil



© Blayney Shire Council.
© LPI Department of Finance and Services, Panorama Avenue, Bathurst, 2795. www.lpi.nsw.gov.au
While every care is taken to ensure the accuracy of this product, Blayney Shire Council and the Local / State / Federal Government departments and Non-Government organisations whom supply datasets, make no representations or warranties about its accuracy, reliability, completeness or suitability for any particular purpose and disclaims all responsibility and all liability (including without limitation, liability in negligence) for all expenses, losses, damages (including indirect or consequential damage) and costs which you might incur as a result of the product being inaccurate or incomplete in any way and for any reason.





Projection: GDA94 / MGA zone 55

Date: 15/06/2018

Created By: Grant Baker

Fairford Road Proposed Acquisition



 <p>Blayney Shire Council PO Box 62 BLAYNEY NSW 2799 Ph: (02) 6368 2104 Fax: (02) 6368 3290 Web: www.blayney.nsw.gov.au</p>	<p>© Blayney Shire Council. © LPI Department of Finance and Services, Panorama Avenue, Bathurst, 2795. www.lpi.nsw.gov.au While every care is taken to ensure the accuracy of this product, Blayney Shire Council and the Local / State / Federal Government departments and Non-Government organisations whom supply databases, make no representations or warranties about the accuracy, reliability, completeness or suitability for any particular purpose and disclaims all responsibility and all liability (including without limitation, liability in negligence) for all expenses, losses, damages (including indirect or consequential damage) and costs which you might incur as a result of the product being inaccurate or incomplete in any way and for any reason.</p>		<p>Projection: GDA94 / MGA zone 55 Date: 15/06/2018 Created By: Grant Baker</p>	<p>Fairford Road Crown Road Reserve Kentucky to Glenarvon Rds</p>
--	---	---	--	--

16) MILLTHORPE SKATE PARK - YOUTH ART PROJECT

Department: Infrastructure Services

Author: Director Infrastructure Services

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

File No: RC.PR.2

Recommendation:

1. That Council:-
 - a. Support the Millthorpe Youth Club street art initiative.
 - b. Approve the use of the Millthorpe Skatepark for the installation of street art.

Reason for Report:

To seek Council approval for the use of the Millthorpe Skatepark as a “canvas” for local street art by the Millthorpe Youth Club.

Report:

Councillors may recall previous discussions held during Millthorpe Village Councillor walking tours, with members of the Millthorpe Village Committee seeking to address the issue of graffiti (tagging) of the Millthorpe Skate Park.

In recent years, and with the completion of major upgrade works at Redmond Oval, the Millthorpe Village Committee has recognised a need to work closely with local youth and in March 2018 comprised the Millthorpe Youth Club (MYC) as a sub-committee of the Millthorpe Village Committee.

In seeking to engage local youth the MYC has proposed to run some skateboarding skills sessions, and a street art workshop to address the graffiti issue at the skatepark.

The MYC has successfully obtained funding from the Small Grants for Rural Communities program through the Foundation for Rural & Regional Renewal (FRRR) to deliver skateboarding skills sessions and for a street art workshop.

The workshop is proposed to be delivered by an Orange based street artist business, 8aesthetix.

The MYC proposes to engage the Millthorpe youth themselves to apply a base colour to the skatepark to address the current graffiti, and provide a “canvas” to apply street art to.

The street art is proposed to be determined through a competition undertaken by MYC, where Millthorpe area residents are asked to enter artworks for consideration to be included. Winning entries will then be invited to work with 8aestetix to paint the artwork on the skatepark surface.

The judging criteria, will include:-

- Appropriateness of the artwork for viewing by children and young people
- The suitability of the artwork to be scaled up in size
- Originality and positivity

And is proposed to be judged by a panel of 3 people selected by the MYC.

It is recommended that Council provide approval to the Millthorpe Youth Club to undertake the application of street art to the Millthorpe Skatepark surface.

Risk/Policy/Legislation Considerations:

Graffiti writing (tagging) and street art take a diverse range of forms, can be found in various locations and generate a variety of responses.

In NSW, all graffiti on public or private property, unless the property owner has given permission, is a criminal offence. This also includes pictorial and street artworks. It is against NSW law for a person under 18 to be in possession of a spray paint can in public places.

Within context the Blayney Shire does not have a large problem with graffiti.

Millthorpe skatepark has been a focus for illegal graffiti, generally by way of tagging and inappropriate language, and Council has received requests, primarily from adjoining residents to remove/cover up this, multiple times.

There is a risk that adjoining residents are not supportive of the proposal.

Notwithstanding this, Council has recognised the opportunity to help mitigate the placement of graffiti, by providing facilities to minimise “damage” to property from illegal graffiti and allow the legal placement of such activities (approved street art). The proposed Blayney Skatepark includes the installation of a graffiti wall to mitigate the risk of such activity occurring.

Formalised street art has been found to have positive impacts, including:-

- Contributing to youth engagement
- Diversionary potential for “at risk” young people
- A contribution to community development
- As a form of public expression

The NSW Government and local councils have sought to tackle the issue of graffiti in varied ways, including the ability to report graffiti via the NSW Police Community Portal, the Service NSW hotline, and other online tracking platforms, and refocussing perpetrators by offering graffiti walls, permitted locations for graffiti, and street art classes.

Advice from Council's insurer is that should illegal activity, as a result of the provision of approved locations for street art, be redirected to other private property, Council cannot be found liable for the illegal acts of others.

Blayney Shire Council, Vandalism Policy (28A) currently states:-

- a. That Blayney Shire Council offer a reward for information leading to the conviction of person or persons involved in the vandalism of Council assets, in particular, street signs, Council buildings and the destruction of street trees in Adelaide Street, Blayney.
- b. That the value of the reward be up to \$2,000.

It is noted the Vandalism Policy is currently under review.

Budget Implications:

The MYC has received \$5,000 from FRRR to deliver a skateboarding skills session and street art workshop.

Millthorpe Village Committee has committed to purchasing the base colour paint to prepare the skatepark surface and cover up the existing graffiti.

There is no direct financial implication to Blayney Shire Council from this proposal, however there may be an indirect financial benefit, being a reduction in maintenance costs to Council in undertaking graffiti removal by the provision of legal placement of street art.

Enclosures (following report)

Nil

Attachments (separate document)

Nil

17) EXTENSION OF BITUMEN SEALING CONTRACT

Department: Infrastructure Services

Author: Manager Operations

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

File No: RD.TN.28

Recommendation:

That Council approve the 12 month extension of Council's sealing contract with Downer EDI Works Pty Ltd in accordance with Contract No. 657857.

Reason for Report:

To extend Council's sealing contract with Downer EDI Work for a further 12 months.

Report:

In September 2015, Council awarded a sealing contract to Downer EDI Works Pty Ltd for a period of 3 years, with a possible extension of 12 months. In May 2018, Downer wrote to Council requesting a 12 or 24 month extension to the contract. In accordance with the contract, Council can only consider a 12 month extension, which is proposed for approval in this report.

The contract allows for rise and fall in the price of bitumen, dependent on the bitumen price per tonne from the refinery. Downer have proposed to maintain the tendered unit rates, with rise and fall of bitumen to remain within the contract.

Downer's request also include a request to modify extend the small volume surcharge to include quantities of bitumen ordered between 15,001 and 22,000 litres. The contract already includes small volume surcharges that are applied up to 15,000 litres.

An analysis of Council's seals throughout the contract show that Council would have incurred this charge on 2 occasions, one of which was a job for Roads and Maritime Services, where Council can pass 100% of this cost on. Through packaging of works, it is possible for Council to avoid paying this surcharge.

Downer have provided a high level of service throughout this contract, with minimal reworks required, and responsive service to Council's needs. Given their equipment is located in Forbes, it is relatively easy for Council to arrange for works to be done. They have also utilised their crews from Narrabri and Albury to supplement their Forbes crew to provide Council with the service required in a timely manner.

The importance of their availability for new works cannot be understated. Maintaining pavement that is prepared for sealing is a costly exercise. Having certainty of service is a valuable consideration given the quantity of pavement rehabilitation that Council is undertaking.

Given their excellent service, and a commitment to continue with the same unit pricing as tendered 3 years ago, it is considered that the extension offers good value to Council.

Risk/Policy/Legislation Considerations:

The initial tender was undertaken in accordance with the Local Government Act and Regulations, with the option to extend explicitly stated in the contract.

Budget Implications:

There is no guaranteed quantities within the contract, all works are undertaken as needed in accordance with Council's budget allocations

Enclosures (following report)

Nil

Attachments (separate document)

Nil

18) BLAYNEY SHIRE ASSET MANAGEMENT POLICY AND BLAYNEY SHIRE ASSET MANAGEMENT STRATEGY

Department: Infrastructure Services

Author: Manager Infrastructure

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

File No: CM.PL.3

Recommendation:

That Council adopt the Blayney Shire Asset Management Policy and the Blayney Shire Asset Management Strategy.

Reason for Report:

This report seeks Council adoption of the Blayney Shire Asset Management Policy and the Blayney Shire Asset Management Strategy.

As per the 21 May 2018 resolution of Council to place the Blayney Shire Asset Management Policy and the Blayney Shire Asset Management Strategy on public exhibition for a period of 28 days, ending the 21 June 2018.

It is a requirement that any submissions received be considered by Council in the process of finalisation and adoption of the draft plans, at the time of report preparation, Council had not received any submissions on the Blayney Shire Asset Management Policy, or the Blayney Shire Asset Management Strategy. Should any public submissions be received after the preparation of this report they will be tabled prior to the Council meeting.

Report:

There are no changes to the Blayney Shire Asset Management Policy. The only change to the Blayney Shire Asset Management Strategy was the inclusion of a reference to the renewal percentages for Councils assets in the Strategy Outlook, within the Executive Summary.

Section 403 of the Local Government Amendment (Governance and Planning) Act 2016 requires that a council must have a long-term strategy (called its resourcing strategy) for the provision of the resources required to perform its functions (including implementing the strategies set out in the community strategic plan).

The draft Asset Management Policy and Strategy documents are attached under separate cover. These documents have been on public exhibition on Council's website at the following link <http://www.blayney.nsw.gov.au/your-council/on-exhibition>

In addition, a hard copy for viewing has been made available at the Council Offices.

Risk/Policy/Legislation Considerations:

In adopting the Asset Management Policy and Strategy Council is meeting its obligations under the Local Government Act and Integrated Planning and Reporting framework.

Once adopted the Blayney Shire Asset Management Policy and the Blayney Shire Asset Management Strategy will be placed on Council's website.

Budget Implications:

Nil.

Enclosures (following report)

Nil

Attachments (separate document)

- | | | |
|---|---------------------------------|----------|
| 1 | Draft Asset Management Policy | 3 Pages |
| 2 | Draft Asset Management Strategy | 28 Pages |

19) DEVELOPMENT APPLICATION NO.6/2018 - MULTIPURPOSE COURTS - 4 CROUCH STREET NEVILLE

Department: Planning and Environmental Services

Author: Director Planning and Environmental Services

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

File No: DB.AB.1226

Recommendation:

That Council approve Development Application 6/2018 for the construction of a multi-purpose court, Lot 9 DP 662515 and Lot 10 Section 7 DP 758767, on 4 Crouch Street and 51 Carcoar Street, Neville, subject to the conditions contained in enclosure 6.

Reason for Report:

For Council to consider and determine Development Application 6/2018 for the construction of a multi-purpose court, on Lot 9 DP 662515 and Lot 10 Section 7 DP 758767, 4 Crouch Street and 51 Carcoar Street, Neville, as 8 submissions were received during the notification period of the application.

Report:

The proposed development is for the installation of a multi-purpose court (22 metres x 37 metres), on Lot 9 DP 662515 and Lot 10 Section 7 DP 758767, 4 Crouch Street and 51 Carcoar Street, Neville. The proposed development will be a community recreational facility for the village of Neville.

The site is located on the corner of Carcoar and Crouch Street and has an area of 4921.22m². The Presbyterian Church fronts Carcoar Street and is an Environmental Heritage Item, pursuant to the Blayney Local Environmental Plan 2012. Vegetation is scattered throughout the site, including an established hedge located at the rear of the Church and along the eastern boundary of the allotment.

The surrounding land is mixed use, with residential development to the north and south, agricultural land to the west and the Neville War Memorial Park adjoining the site to the east. Six (6) Environmental Heritage Items, pursuant to the Blayney Local Environmental Plan 2012 surround the site and Councils Heritage Advisor has provided an assessment with regard to the proposed development.

Councillors; Kingham, Newstead and Reynolds, General Manager and Director of Planning & Environmental Services undertook a site inspection with the applicants and objectors on Thursday 14 June 2018.

Section 4.15 Evaluation – matters for consideration

4.15 (1) (a) (i) the provisions of any environmental planning instrument

1. State Environmental Planning Policies

There are no particular SEPPs that are relevant to this development.

2. Regional Environmental Planning Policies

There are no particular REPPs that are relevant to this development.

3. Local Environmental Plans

The land is zoned RU5 Village under the Blayney Local Environmental Plan 2012 and the proposed development is permissible subject to development consent from Council.

The proposed development is defined as a **recreational facility (outdoor)** means a building or place (other than a recreation area) used predominantly for outdoor recreation, whether or not operated for the purposes of gain, including a golf course, golf driving range, mini-golf centre, tennis court, paint-ball centre, lawn bowling green, outdoor swimming pool, equestrian centre, skate board ramp, go-kart track, rifle range, water-ski centre or any other building or place of a like character used for outdoor recreation (including any ancillary buildings), but does not include an entertainment facility or a recreation facility (major).

The objectives of the zone are considered as follows:

- To provide for a range of land uses, services and facilities that are associated with a rural village.

Comment: The proposed development will provide an additional community facility to the village of Neville.

- To minimise conflict between land uses within this zone and land uses within adjoining zones.

Comment: The site is suitable for the proposed development due to the mixed land use surrounding the site which are predominantly community based, therefore, reducing land use conflict.

- To encourage and provide opportunities for population and local employment growth commensurate with available services.

Comment: The proposed development will provide the opportunity for employment during the construction phase and also value add to the village that may attract additional population growth.

- To minimise the impact of non-residential uses and ensure those uses are in character and compatible with the surrounding residential development.

Comment: The site is suitable for the proposed development due to the mixed land use surrounding the site which is predominantly community based, therefore, reducing land use conflict and impact on the character of the area.

Clause 5.10 Heritage Conservation

The Presbyterian Church is located on site and is an Environmental Heritage Item, pursuant to the Blayney Local Environmental Plan 2012. Six (6) Environmental Heritage Items, pursuant to the Blayney Local Environmental Plan 2012 surround the site, they include, War Memorial Park and Memorial, Neville Public School, St. Luke's Anglican Church, Streetscape of Crouch Street, Shop and Residence (Valley Store) and Neville Uniting Church and Churchyard.

In accordance with 5.10(4), Council is required to consider the effects of the proposed development on the heritage significance of the item and area concerned. It is considered that the site location is appropriate due to the proximity to existing buildings and services within the village of Neville.

The surrounding area is a mix of land uses and a variety of buildings and structures dominate Crouch Street, including outbuildings at the War Memorial Park and Neville Public School. Accordingly, it is considered that the proposal will have minimal impact on the streetscape and surrounding heritage items and will complement the surrounding land uses and provide an ancillary use for the village of Neville.

Council's Heritage Advisor has provided an assessment with regard to the proposed development, which is included as an enclosure to this report. Whilst, the Heritage Advisor does state in his recommendation he is unable to support the proposal, it is proposed to require the mitigation measures recommended by Council's Heritage Advisor, particularly landscaping into the development. Additionally it will be conditioned the fencing bounding the facility be a powdered coated in a black colour finish.

4. Guidelines and Policies

The development was notified for 14 days from the 29 January 2018 and 8 submissions were received and are addressed in 4.15 (1) (d) of this report.

4.15 (1) (ii) the provisions of any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority that apply to the land to which the development relates

There are no such proposed instruments relevant to this development.

4.15 (1) (a) (iii) any development control plan that applies to the land to which the development relates

There are no development control plans that apply to this application.

4.15 (1) (a) (iiia) any planning agreement that has been entered into under section 93F, or any draft planning agreement that a developer has offered to enter into under section 93F, that apply to the land to which the development relates

There are no such agreements relevant to this development.

4.15 (1) (a) (iv) any matters prescribed by the regulations that apply to the land to which the development relates

There are no such matters relevant to the development.

4.15(1) (a) (v) any coastal zone management plan (within the meaning of the Coastal Protection Act 1979), that apply to the land to which the development relates

Not applicable to this application.

4.15 (1) (b) the likely impacts of that development

Context and Setting

The proposal is for the installation of a multi-purpose court (22 metres x 37 metres), on Lot 9 DP 662515 and Lot 10 Section 7 DP 758767, 4 Crouch Street and 51 Carcoar Street, Neville and will be a community recreational facility for the village of Neville.

The site is located on the corner of Carcoar and Crouch Street and has an area of 4921.22m². The Presbyterian Church fronts Crouch Street and is an Environmental Heritage Item, pursuant to the Blayney Local Environmental Plan 2012. Vegetation is scattered throughout the site, including established hedge located at the rear of the Church and along the eastern boundary of the allotment.

The surrounding land is mixed use, with residential development to the north and south, agricultural land to the west and the Neville War Memorial Park adjoining the site to the east. Six (6) Environmental Heritage Items, pursuant to the Blayney Local Environmental Plan 2012 surround the site and Councils Heritage Advisor has provided an assessment with regard to the proposed development.

Access, Transport & Traffic

Carcoar and Crouch Street are 2 lane sealed carriageways, with no kerb and guttering. The existing access and onsite parking is informal and is located off Carcoar and Crouch Street.

Parking is proposed onsite (off street) on Crouch Street, conditions of consent will apply to ensure that the access and internal road construction is constructed to Councils standard.

Due to the nature and location of the proposal, it is considered that any increase of traffic will be minimal and the proposed car parking arrangements are considered appropriate.

Services & Utilities

No additional services or utilities are required for the proposal.

Site Design, Internal Design and Construction

The proposal will be a community recreational facility for the village of Neville, therefore, the site location is considered appropriate due to the proximity to existing community buildings and services within the village of Neville.

To reduce the impact of the development on the area, conditions of consent will apply to ensure that the proposal is setback from Crouch Street, approximately 15 metres, that landscaping be placed along Crouch Street and the fencing of the court be a powdered coated in a black colour finish.

Hazards, Technological and Natural

There are no known technological or natural hazards relevant to site.

Noise and Vibration

Due to the location and nature of the development it is considered that an increase in noise and vibration will be minimal. No lighting is proposed, therefore, the facility will only be used during daylight hours.

Environmental Impact, flora, fauna, land resources, air and water pollution, micro climate

There are no known environmental impacts relevant to the site.

Water

There are no water requirements for the proposal.

Waste

Any waste generated during the construction phase will be removed from the site by the appointed contractor.

Any waste generated during use of the facility will be collected via existing waste bins.

Safety, Security and Crime Prevention

A proposed fence will bound the facility and will provide safety, security and crime prevention measures.

Economic Impact

The economic impacts from the proposal will include employment opportunities during the construction phase and the increased use and support of local businesses during the construction phase and use of the facility.

Social Impact

The social impacts from the proposal include the development of a community recreational facility for the village of Neville.

Cumulative impact, principles of Ecological Sustainable Development, Sustainability and Climate Change**Cumulative Impact**

The proposal will be a community recreational facility for the village of Neville, therefore, the site location is considered appropriate due to the proximity to existing community buildings and services within the village of Neville. Therefore, the cumulative impact of the development in the community and locality is considered appropriate.

Climate Change

The NSW Government no longer prescribes state wide sea level rise projections for use by councils. Councils in NSW now have the flexibility to determine their own sea level rise projections to suit their local conditions. It is unlikely that the proposed development would significantly contribute to climate change and it will not change the risk profile of the site in regard to the impacts of sea level rise.

Ecological Sustainable Development

All potential environmental interactions should have regard for the Precautionary Principle (prevent environmental degradation and protect local environment), Inter- generational Equity (not to compromise the environment for future generations), Improved Valuation and Pricing of Environmental Resources (to utilise the land with minimal environmental impact to result in an economic benefit to the community) and conservation of biological diversity and ecological integrity.

Other

The Presbyterian Church is located on site and is an Environmental Heritage Item, pursuant to the Blayney Local Environmental Plan 2012. Six (6) Environmental Heritage Items, pursuant to the Blayney Local Environmental Plan 2012 surround the site, they include, War Memorial Park and Memorial, Neville Public School, St. Luke's Anglican Church, Streetscape of Crouch Street, Shop and Residence (Valley Store) and Neville Uniting Church and Churchyard. An assessment has been carried out in section 4.15 of this report.

4.15 (1) (c) Suitability of the site for the development

The proposal will be a community recreational facility for the village of Neville, therefore, the site location is considered appropriate due to the proximity to existing community buildings and services within the village of Neville.

4.15 (1) (d) Any submissions made in accordance with this Act or the Regulations

The development was notified for 14 days from the 29 January 2018 and 8 submissions were received. The issues raised are summarised as follows:

- Site location is inappropriate, due to the heritage items located along Crouch Street

Comment: The Presbyterian Church is located on site and is an Environmental Heritage Item, pursuant to the Blayney Local Environmental Plan 2012. Six (6) Environmental Heritage Items, pursuant to the Blayney Local Environmental Plan 2012 surround the site, they include, War Memorial Park and Memorial, Neville Public School, St. Luke's Anglican Church, Streetscape of Crouch Street, Shop and Residence (Valley Store) and Neville Uniting Church and Churchyard.

In accordance with 5.10(4), Council is required to consider the effects of the proposed development on the heritage significance of the item and area concerned. It is considered that the site location is appropriate due to the proximity to existing buildings and services within the village of Neville.

The surrounding area is a mix of land uses and a variety of buildings and structures dominate Crouch Street, including the outbuildings at the War Memorial Park and Neville Public School. Accordingly, it is considered that a minimal impact on the streetscape and surrounding heritage items will occur and the proposal will complement the surrounding land uses and provide an ancillary use for community purposes.

Council's Heritage Advisor has provided an assessment with regard to the proposed development, which is included as an attachment to this report. As such, the Heritage Advisor has suggested mitigation measures to reduce the impact on the area, conditions of consent will apply to ensure that the proposal is setback approximately 15 metres from Crouch Street, that landscaping be placed along Crouch Street and the fencing bounding the facility be a powdered coated in a black colour finish.

- Noise impacts to the surrounding locality

Comment: The site is surrounded by existing community and educational services, therefore, it is considered that an increase in noise and vibration will be minimal. No lighting is proposed, therefore, the facility will only be used during daylight hours. A condition of consent will apply.

- Removal of vegetation along Crouch Street

Comment: No trees along Crouch Street are proposed to be removed. A landscaping plan is to be submitted and approved by Council which will provide visual screening along Carcoar and Crouch Streets.

- Increase in traffic and parking along Crouch Street

Comment: Parking is proposed onsite and off street on Crouch Street, conditions of consent will apply to ensure that road construction is constructed to Councils standard. Due to the nature and location of the proposal, it is considered that an increase of traffic will be minimal due to the use being irregular and the proposed car parking arrangements are considered appropriate.

- Maintenance and management of the multi – purpose court

Comment: At the August Council Meeting 2017, Council resolved 'That subject to the agreement by the Presbyterian Church, Council provides approval and support for the Neville Multipurpose Court Project and formalise a long term or licence agreement for part of Lot 9 DP 662515 then lodge a Development Application' (Resolution No. 1708/010).

- Impact on views to heritage items

Comment: The Presbyterian Church is located on site and is an Environmental Heritage Item, pursuant to the Blayney Local Environmental Plan 2012. Six (6) Environmental Heritage Items, pursuant to the Blayney Local Environmental Plan 2012 surround the site, they include, War Memorial Park and Memorial, Neville Public School, St. Luke's Anglican Church, Streetscape of Crouch Street, Shop and Residence (Valley Store) and Neville Uniting Church and Churchyard.

The surrounding area is a mix of land uses and a variety of buildings and structures dominate Crouch Street, including the outbuildings at the War Memorial Park and Neville Public School. Existing landscaping behind the Presbyterian Church and along the eastern boundary of the site provides screening, which will not be removed to accommodate the proposal.

Accordingly, it is considered that a minimal impact on the streetscape and surrounding heritage items will occur and the proposal will complement the surrounding land uses and provide an ancillary use for the village of Neville.

Councils Heritage Advisor has provided an assessment with regard to the proposed development, which is included as an attachment to this report. As such, the Heritage Advisor has suggested mitigation measures to reduce the impact on the area, conditions of consent will apply to ensure that the proposal is setback approximately 15 metres from Crouch Street and in line with the Presbyterian Church, that landscaping be placed along Crouch Street and the fencing bounding the facility be a powdered coated in a black colour finish.

- Blayney Draft Development Control Plan 2017

Comment: The Draft Development Control Plan 2017, Part H4. Development in the Vicinity of a Heritage Items states:

Siting, Scale and Proportion

1) *The setbacks of new development from any street should generally be equal to or greater than that of the heritage item and the streetscape.*

Comment: A condition of consent will apply to ensure that the proposal is setback approximately 15 metres from Crouch Street.

2) *Development should not be of such bulk or height that it visually dominates the heritage item or streetscape.*

Comment: The proposed development is not considered to be dominating in bulk or height, due to the nature of the development. The height of the bounding fence will be finished in a powdered coated black finish to reduce visual impact on the streetscape.

3) *Important views to or from a heritage item should not be unreasonably obscured by new development.*

Comment: Conditions of consent will apply to ensure that the proposal is setback approximately 15 metres from Crouch Street, that landscaping be placed along Crouch Street and the fencing bounding the facility be a powdered coated in a black colour finish.

4) *Where a heritage item is part of a streetscape of buildings of consistent style, form and materials, development in the vicinity of the heritage items should incorporate elements of the dominant style, form and materials in the streetscape.*

Comment: Conditions of consent will apply to ensure that the proposal is setback approximately 15 metres from Crouch Street, that landscaping be placed along Crouch Street and the fencing bounding the facility be a powdered coated in a black colour finish.

5) *Development in the vicinity of a heritage item is to minimise the impact on the setting of the item by:*

a) *Providing an adequate curtilage to the heritage item to allow its interpretation.*

b) *Retaining original or significant landscaping associated with the heritage item, if the landscaping is listed on the Heritage Inventory Sheet.*

c) *Protecting and allowing the interpretation of archaeological features associated with the heritage item.*

Comment: Conditions of consent will apply to ensure that the proposal is setback approximately 15 metres from Crouch Street, that landscaping be placed along Crouch Street and the fencing bounding the facility be a powdered coated in a black colour finish.

Materials and Colours

Materials and colours for development in the vicinity of a heritage item shall be selected to avoid stark contrast with the adjacent development where this would result in the visual importance of the heritage item being reduced.

Comment: Conditions of consent will apply to ensure that the proposal is setback approximately 15 metres from Crouch Street, that landscaping be placed along Crouch Street and the fencing bounding the facility be a powdered coated in a black colour finish.

- No amenities or facilities

Comment: There is a toilet facility, BBQ area, seating and shelter at the War Memorial Park adjoining the site.

- Lack of community consultation

Comment: The development was notified for 14 days from the 29 January 2018 and 8 submissions were received.

4.15 (1) (e) The public interest

The matter was notified to adjoining owners and submissions considered. There are no other matters of public interest relevant to this development, which has not already been considered in this report.

Conclusion

The proposed development has been assessed under the provisions of all relevant legislation, and found to be suitable for the site and the locality, subject to conditions of consent. Therefore, it is recommended that Council approve Development Application 6/208 for multi-purpose court, Lot 9 DP 662515 and Lot 10 Section 7 DP 758767, on 4 Crouch Street and 51 Carcoar Street, Neville, subject to the conditions contained in enclosure 6.

Risk/Policy/Legislation Considerations:

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

Budget Implications:

Nil.

Enclosures (following report)

1	Site Plan	1 Page
2	Statement of Environmental Effects	5 Pages
3	Submissions	18 Pages
4	Submission Response	7 Pages
5	Heritage Advisor Report	14 Pages
6	Proposed Conditions	5 Pages

Attachments (separate document)

Nil





STATEMENT OF ENVIRONMENTAL EFFECTS

LEGISLATION

In accordance with Schedule 1 of the *Environmental Planning and Assessment Act Regulation 2000*, a development application must be accompanied by a Statement of Environmental Effects (SEE).

This SEE is suitable for minor impact developments such as dwellings, subdivisions, dwelling alterations, additions and outbuildings. It may be necessary for Council to request additional information depending on the nature and impacts of a proposal.

PLEASE NOTE: LARGER SCALE DEVELOPMENT SHOULD BE ACCOMPANIED BY A DETAILED AND SPECIFIC STATEMENT OF ENVIRONMENTAL EFFECTS PREPARED BY A SUITABLY QUALIFIED CONSULTANT

(Please provide additional comment if answering 'yes' to any of the questions. If necessary attach additional information)

ASSISTANCE

This is a legal document & Council staff are not permitted to complete the form when blank spaces are left. Please answer every question. Where not relevant, please write N/A.

Please refer to the Development and Building Guide for assistance in completing this form.

Definition – LEP means Local Environmental Plan, Blayney 2012

DETAILS

Site address... LOT 9 DPG62515 4 CROUCH ST NEVILLE 2709.....

Development... MULTI PURPOSE SPORTS COURT.....

DEVELOPMENT STANDARDS

What is the zoning of the land? RUS VILLAGE.....(please obtain from Council's Staff or written Planning and Development Advice received)

Is the proposal permissible within this zone? (Please refer to the LEP link on Council's website) Yes No

Is the proposal consistent with the zone objectives? (Please refer to the LEP link on Council's website) Yes No

Please list the relevant Development Control Plans that apply to the development? A list of DCPs is available on Council's website or from Council. If you are unclear please check with Council Staff.

DCP No. DCP No.

DCP No. DCP No.

DCP No. DCP No.

Is your proposal consistent with the selected Development Control Plans? If not, please indicate how the development is not consistent.

Comments:

Document review January 2017

SITE SUITABILITY

Is the development in an area that may be prone to natural hazards such as bushfires or floods? (please check with Council's Staff) Yes No

Describe the physical features of the site such as, slope, vegetation, any waterways... GENERAL FLAT GRASSY AREA, NEXT TO CHURCH, ESTABLISHED TREES.

CURRENT AND PREVIOUS USES

What is the current use of the site? CHURCH LAND - VACANT Date present use commenced (if known)

Previous Use (if known) VACANT CHURCH LAND

What is the present use(s) of the adjoining land? PRESBYTERIAN CHURCH TO THE LEFT, WAR MEMORIAL PARK TO THE RIGHT RESIDENTIAL FUTURE ON

Is it possible that the site could be contaminated from current or previous usage? Yes No

Comments: ONE MARKED GRAVE

Is it possible that asbestos will be removed as part of this application? Yes No

OPERATIONAL DETAILS (if applicable)

For applications that involve a usage other than residential, describe how the establishment will operate.

What is the type of business you wish to operate? MULTI PURPOSE COURTS

Number of staff

Days of operation: Mon Tues Wed Thurs Fri Sat Sun

Hours of operation TO BE OPEN WHEN REQUIRED

Comments:

ACCESS, TRAFFIC & UTILITIES – please refer to Council's website

Will the development increase local traffic movements and volumes? Yes No N/A

If yes, will this be significant? POSSIBLE INCREASE

Has vehicle manoeuvring and onsite parking been addressed in the design? ON STREET PARKING Yes No N/A

Will vehicles, pedestrians, bicycles and disabled persons be able to access the development? Yes No N/A

Is there vehicle access to a public road? Yes No N/A

Are the following utilities readily available to the site?

Water	<input type="radio"/> Yes <input type="radio"/> No	Telecommunications	<input checked="" type="radio"/> Yes <input type="radio"/> No
Electricity	<input checked="" type="radio"/> Yes <input type="radio"/> No	Sewer	<input type="radio"/> Yes <input type="radio"/> No

Comments:

Document review January 2017

SOCIAL AND ECONOMIC IMPACTS Note: Impacts can be positive or negative

Will the proposal have any social or economic consequence for the area? Yes No
 Positive Negative

Comments:

THE PURPOSE IS TO IMPROVE AND PROVIDE A SPORTS AREA FOR THE LOCAL RESIDENTS TO ATTEND AND ALSO SOCIAL INTERACTION LOCALITY MAY BOOST TOURISM BEING OPPOSITE TO THE SIDING ACCOMMODAT

CONTEXT AND SETTING Note: Impacts can be positive or negative

Will the development:-

- be visually prominent in the surrounding area? Yes No
- be inconsistent with the existing streetscape or council setback policies? Yes No
- be out of character with the surrounding area? Yes No
- have a negligible impact Yes No

Is there any significant impact on neighbouring properties relating to:

Visual Privacy YES NO (If yes please comment)

If yes, what mitigation measures will be put in place? STREET TREES SHOULD HIDE ANY VISUAL IMPACT

Views YES NO (If yes please comment)

If yes, what mitigation measures will be put in place?

Overshadowing YES NO (If yes please comment)

If yes, what mitigation measures will be put in place?

ENVIRONMENTAL IMPACTS Note: Impacts can be positive or negative

Air and Noise

- Will any form of air pollution be created from the development? Yes No
- Will the development create any noise impacts? Yes No

If yes, what mitigation measures will be put in place?

Soil and Water

- Does the development have the potential to result in any form of water pollution? Yes No
- Will the development require any significant excavation or filling? Yes No
- During & after construction could the development cause erosion or sediment run-off? Yes No

Document review January 2017

Comments/Mitigation measures put in place?:

.....

Heritage (please check with Council's Staff)

- Is the development a heritage item as listed in Council's LEP or the State Heritage Register? Yes No
- Is the development located in a defined heritage conservation area? Yes No
- Will the development be adjoining a listed heritage item? Yes No
- Will the development have an impact on any listed heritage item or defined heritage conservation area? Yes No
- Will the development disturb any known Aboriginal artefacts? Yes No

If yes, list Aboriginal artefact

1. If yes to any of the above questions a *Heritage Impact Statement* **may** be required for any work to a heritage item or a building within a Heritage Conservation Area that requires consent under Council's Local Environment Plan. Where a Heritage Impact Statement is required it must be prepared by a suitably qualified heritage advisor/consultant.

The statement must address:

- Historical development of the site
- Description of the item and its setting (e.g. garden, fences, ancillary buildings, etc)
- Contribution to the streetscape: height, scale, mass, setback, fenestration, architectural style and period
- Heritage significance (use heritage manual criteria)
- Affect of proposal on the heritage significance of the building and its setting
- Design options and rationale for the preferred option
- Relevant conservation principles in accordance with ICOMOS Burra Charter

The NSW Heritage Manual, Heritage Impact Guideline and the Burra Charter can be obtained from Department of Planning - NSW Heritage Branch.

2. Alternatively, a statement of mitigation measures should be provided, and comment sought from Council's Heritage Advisor.

Sites adjoining a listed heritage item will require assessment in relation to the impact of any proposed development on the heritage item.

Comments:

.....

Flora and Fauna

Will the development:

- Result in any removal of vegetation on the site? Yes No
- Be likely to have an impact on threatened species, populations or ecological communities, or their habitats? Yes No
- Be subject to any significant landscaping treatments? Yes No
- Is the development in a koala habitat? Yes No
- Is the land a critical habitat? Yes No
- Is the development biodiversity compliant? (EP&A Regulation, Schedule 1, 1(2)) Yes No

Document review January 2017

Comments:

.....

Waste

Will the development provide adequate waste (domestic/construction/demolition) facilities and controls? (collection, storage and disposal)

Yes No

Comments:

TOP SOIL WILL BE REMOVED ALONG WITH ANY TREES REQUIRED TO BE REMOVED. THIS WASTE WILL BE TAKEN AWAY AND DISPOSED OFF. WASTE BINS WILL BE PROVIDED FOR USE.

Energy

Is the development considered to be environmentally sustainable in terms of energy consumption?

Yes No

BASIX Certificate supplied?

Yes No

Comments:

.....

DECLARATION

I declare to the best of my knowledge and belief that all particulars herein are correct in every detail and all information required has been supplied.

Applicant Signature/s..... *M. Mh* Date..... *8/1/18*

Document review January 2017

From: [Patsy Moppett](#)
To: [Planning and Environmental Services Records](#)
Subject: FW: Neville Draft Plan
Date: Monday, 12 February 2018 8:32:12 AM

For registration. Ta.

Patsy Moppett
Senior Town Planner
Blayney Shire Council

From: Patsy Moppett
Sent: Monday, 12 February 2018 8:18 AM
To: [REDACTED]
Subject: RE: Neville Draft Plan

Hello [REDACTED]

Thank you for your submission. Your concerns will be considered and I will keep you in touch with what happens.

Patsy Moppett
Senior Town Planner
Blayney Shire Council

From: [REDACTED]
Sent: Friday, 9 February 2018 3:35 PM
To: Patsy Moppett <PMoppett@blayney.nsw.gov.au>
Cc: Rebecca Ryan <RRyan@blayney.nsw.gov.au>
Subject: Neville Draft Plan

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

Hello Patsy & Rebecca,

This is a note to you as the Neville Village Town & Village Ass. representative. I have had a few people contact me with concerns about the proposed Multi Purpose Court to be built here in Neville.

These concerns are:

- 1: It will spoil the heritage nature of the street scape.
- 2: It would be better if it was positioned further back on the block so as not to block access

to the church.

3: Why can't it be located up at the Showground as that is designated for recreation?

4: If the facility is locked who will have the key?

5: Is there enough parking along Crouch Street for people using the court?

I need to say that some of the people who have spoken to me were not actually at the village meetings when this proposal was put forward and some that were felt intimidated by others who were present.

I well understand that anything new in a small community will have those for and against, my understanding from those who have spoken to me is that they are not against the court as such, just the location?

I have encouraged them to put in their own submissions but as the [REDACTED]

[REDACTED] I feel I need to let the council know there is some disquiet about the location of the proposal.

Thankyou for your time,
regards,

[REDACTED]

This email has been scanned by the Symantec Email Security.cloud service.
For more information please visit <http://www.symanteccloud.com>



Blayney Shire Council
91 Adelaide Street,
BLAYNEY NSW 2799

15th January 2018

Dear Sir/Madam,

APPLICANT: K Radburn
DA No: 6/2018
PROPERTY: Lot 9 DL662515 – 4 Couch Street Neville NSW 2799
DEVELOPMENT: Multi-Purpose Court

We would like to tender our submission of opposition to the above development relating to land located near our property.

Our concerns are:

- **Heritage listings** - It is going to be located near seven heritage-listed properties or sites in the immediate area nearby including the proposed development site. (Please see attached)
- **Proposed 24 hours access 7 days a week** – We have concerns regarding security and pose the questions, Will the courts be locked or unlocked? If locked where will the key be kept? Will security devices be put in place?
- **Lighting** – We are concerned, if the courts are going to operate 24 hours a day the strong lighting, which will be required at night, will disturb and shine through our house. As we have plans to extend this will become a significantly bigger issue in the future.
- **Noise** – Being the proposal is for 7 day 24 hours access the noise level will undoubtedly rise and will become an environmental and privacy issue.
- **Parking** – Crouch Street does not have room for excessive parking especially where the proposed courts are to be situated. This will cause a concern regarding children running out behind cars parked on the roadway. Whilst we realise this can be a problem in any situation we are concerned for the schoolchildren nearby or any children participating in the courts. In addition, the increase in traffic will affect the flow decreasing traffic safety. The area is a 50km zone reducing to a 40km zone during school times and being these speed zones are often abused now we cannot see how placing multipurpose courts in that area will improve the situation.
- **Memorial Gardens** - The land in the proposal is right next to the Memorial Gardens. These gardens are used by the village to commemorate our fallen men and women from the area who have perished in a multitude of wars. To place a multipurpose court there will take away the significance of the gardens, which is, also Heritage listed.

We are not in total objection to the multipurpose courts; we just do not feel the proposed area is the best place for it. We feel it would be better situated in the Neville Showgrounds where all of the above issues would be satisfied for all.

We thank you for the opportunity of tendering our concerns.

Yours sincerely,

A large black rectangular redaction box covers the signature and name of the sender. Below it, a smaller black rectangular redaction box covers a line of text, likely a title or contact information.



From: [Patsy Moppett](#)
To: [Planning and Environmental Services Records](#)
Subject: FW: Multi Purpose Court.
Date: Monday, 12 February 2018 3:24:33 PM

For registration. Ta.

Patsy Moppett
Senior Town Planner
Blayney Shire Council

From: [REDACTED]
Sent: Monday, 12 February 2018 3:21 PM
To: Patsy Moppett <PMoppett@blayney.nsw.gov.au>
Subject: Multi Purpose Court.

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

Dear Ms Moppett,

We have been made aware of the recent application by Mr K Radburn for the proposed development of a Multi Purpose Court (DA No: 6/2018)
Contrary to what has been indicated not all the community is agreeable to this proposal or were approached.

We are not against the construction of a Multi Purpose Court however the position that has been chosen has considerable drawbacks.

These include:

- # The whole of Neville "streetscape" is of Heritage significance and a modern court area would interrupt that presentation
- # Noise problem - not only to the residents who live nearby but to the church goes during a service and/ or other occasions such as funerals etc and school lessons.
- # Tree damage and removal of same which would be significant to the natural corridor
- # Traffic issues are a concern as even now there are speeding and parking issues that already are a hazard. The park at present is used to service truck drivers and coaches of possibly three in a day to use the existing facilities. The incorrect use of the Fire Station area for parking could also be a problem.
- # Supervision of usage could present a problem as is the cleanliness and maintenance of the court area.
- # Incorrect usage of the court itself - ie hard ball, wheeled and animal sports.

Surely if the people of Neville consider that there is an advantage to have a Multi Purpose Court in the village there are other options that would be less invasive to privacy and the Heritage factor of the Neville Village.

Perhaps Council should take into consideration some of the environmental effects of the site chosen and reconsider the location.

Yours faithfully,



This email has been scanned by the Symantec Email Security.cloud service.
For more information please visit <http://www.symanteccloud.com>

[REDACTED]

[REDACTED]

11 February 2018

Patsy Moppett
Senior Town Planner
Blayney Shire Council
Blayney NSW 2799
Reference DA NO: 6/2018

Dear Ms Moppett

I wish to object to the location of the proposed multi-use court as outlined in the above mentioned DA. My reasons are as follows:

1. The development sits in a highly significant heritage area, as identified by Council itself, and is incompatible with the heritage significance of the surrounding built and natural environments.
2. It is not sympathetic to the heritage values of the adjacent church and especially the Memorial Park which I use for quiet contemplation of the sacrifice of our those who served during wartime.
3. Court fencing is normally 3.6 metres high and as such would dominate the adjacent heritage areas and streetscape. This visual prominence is confirmed in the DA. Trees would not adequately screen the court from neighbouring properties.
4. The court could not incorporate elements of the dominant style of the streetscape, as it would be totally alien to the surrounding heritage sites.
5. I have personal experience of installing a multi-use court and it would generate significant noise, creating significant impact on surrounding residents.
6. The DA states that the court would be open when required and that electricity is available, which implies that it will be lit. That would cause light pollution and noise pollution to nearby properties.

I do not object to the court being built in the village but it needs to be placed in a location where it has less impact on the significant heritage areas in this precinct. I would suggest that the show ground would be more appropriate, as this is already scheduled as recreational and it would have minimal impact visually & acoustically.

Sincerely yours

[REDACTED]

From: [Patsy Moppett](#)
To: [Planning and Environmental Services Records](#)
Subject: FW: DA No: 6/2018 Lot 9 DP662515 - 4 Crouch Street Neville Multi Purpose Court
Date: Monday, 12 February 2018 8:32:28 AM

For registration. Ta.

Patsy Moppett
Senior Town Planner
Blayney Shire Council

From: Patsy Moppett
Sent: Monday, 12 February 2018 8:20 AM
To: [REDACTED]
Subject: RE: DA No: 6/2018 Lot 9 DP662515 - 4 Crouch Street Neville Multi Purpose Court

Hello [REDACTED]

Thank you for your submission. Your concerns will be considered and I will keep you in touch with what is happening.

Patsy Moppett
Senior Town Planner
Blayney Shire Council

From: [REDACTED]
Sent: Sunday, 11 February 2018 11:55 AM
To: Patsy Moppett <PMoppett@blayney.nsw.gov.au>
Subject: DA No: 6/2018 Lot 9 DP662515 - 4 Crouch Street Neville Multi Purpose Court
Importance: High

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

Hi Patsy

I hope this email is an appropriate way to make a submission to Council concerning the proposal for a multi-purpose court at Neville.

I have concerns about the appropriateness of the court to be built in the middle of Neville's central Heritage area. The court is to be built in between the heritage - listed Presbyterian Church and the Heritage - listed War Memorial Park, in what seems to be a small space between these two, and quite close to the road, much closer to the road than the church, so that the court will impact on the sight lines. It will be quite visible, and is out of keeping with its heritage surroundings.

Another concern I have with the court in this location is that trees will be removed from the site to build the court, which will diminish the natural amenity of the War Memorial Park, as trees and plants from areas surrounding it add to the attractiveness of the park itself. As for the church, there will be nothing obscuring the view between it and the court.

The DA proposal does not address these kinds of issues.

When the DA proposes that trees will be removed for the building of the court, does this include removing trees from the roadside as well, to allow any delivery trucks, etc., access to the building site?

That end of Crouch street itself is Heritage-listed, and the road's lovely line of very tall, old trees deserves the listing. It's part of what makes this area of heritage-listed buildings, park and road, such an attractive draw card for both tourists and inhabitants. Any possible removing of trees by the road would be entirely inappropriate.

My other concern with Crouch street is that the road is quite narrow, and while the sides of the road are quite wide, but without curbing or footpaths, the long line of very big, tall trees does somewhat restrict a driver's view of the area. The DA proposal suggests parking for those using the courts will be on the roadside. My worry is that if there are team sports/ tennis club held at the proposed courts, and a lot of cars parked between the trees by the proposed court site, this would further obscure a driver's view, particularly trying to keep an eye out for pedestrians, especially children, trying to cross the road, coming out from behind parked cars. People like to park their cars right near a venue rather than walk any distance, so congested roadside car parking could be a problem.

While the idea for the multi-purpose court seems good, I don't know the likelihood of its use. There doesn't seem to have been a wide consultation of Neville residents about the proposal. I have talked to 1 or 2 people who hadn't heard anything about it, nor received a copy from Council of the DA proposal. So I am not sure how likely the court is to be used. I believe that the proposed multi-purpose court is very inappropriate for a heritage-listed complex area between the church and War Memorial park, alongside a heritage-listed streetscape. If a more appropriate space could be found in Neville, and I am sure there could be a number of sites, including around by the showground, then a multi-purpose court could be an asset to the community

Yours sincerely

[Redacted signature]

This email has been scanned by the Symantec Email Security.cloud service.
For more information please visit <http://www.symanteccloud.com>

From: [Patsy Moppett](#)
To: [Planning and Environmental Services Records](#)
Subject: FW: DA 6/2018 Multi Purpose Court
Date: Monday, 12 February 2018 8:27:54 AM

For registration. Ta.

Patsy Moppett
Senior Town Planner
Blayney Shire Council

From: [REDACTED]
Sent: Sunday, 11 February 2018 5:20 PM
To: Patsy Moppett <PMoppett@blayney.nsw.gov.au>
Subject: DA 6/2018 Multi Purpose Court

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

Dear Patsy,

As a resident of Neville I wish to submit my objection to the proposed siting of the multi-purpose court. while I am not against Neville having this type of facility, the proposed site is inappropriate. I would also like to add that a proper unbiased poll of residents should have been carried out or a dedicated meeting set up and not included as an extra to a village meeting as it would appear that many residents were not aware of this proposed court myself being one.

I base my objections on Blayney Shire Development Control Plan 2017 whereby the proposed siting of the court contravenes several sections thereof.

H1.2 Objectives of Heritage Conservation

- 1) To conserve the heritage significance of the built and natural environments.
- 4) To conserve the heritage significance of the natural and built environment and ensure new development is sympathetic to the identified heritage values.

This court will do neither of the above.

H3.2 Subdivision

- 2) Subdivision of land that includes a heritage item or recognised archaeological site should not be

allowed unless it can be established that proposed or future development on the created allotments will not impact on important views to or from the heritage item.

The proposed court will undoubtedly impact on views to and from the Presbyterian church.

H4 Development in the Vicinity of Heritage Items

H4.1 Siting, Scale and Proportion

1) The setbacks of new development from any street should generally be equal to or greater than that of the heritage item and the streetscape.

According to the DA the court will be adjacent to the road and thereby in front of the church.

2) Development should not be of such bulk or height that it visually dominates the heritage item or streetscape.

The court will definitely be of such height and bulk that it will dominate the church and the war memorial park which i find disrespectful to those wishing quiet times within the park beside the memorial.

3) Important views to or from a heritage item should not be unreasonably obscured by new development.

Views of the church from either Carcoar Street coming into the village and from Crouch Street will be obscured .

4) Where a heritage item is part of a streetscape of buildings of consistent style, form and materials, development in the vicinity of the heritage items should incorporate elements of the dominant style, form and materials in the streetscape.

Being a modern sporting facility the very design and materials used cannot possibly blend in with the existing heritage buildings and streetscape.

5) Development in the vicinity of a heritage item is to minimise the impact on the setting of the item by:

- a) Providing an adequate curtilage to the heritage item to allow its interpretation.
- b) Retaining original or significant landscaping associated with the heritage item, if the landscaping is listed on the Heritage Inventory Sheet.

This court will do neither.

H4.2 Materials and Colours

Materials and colours for development in the vicinity of a heritage item shall be selected to avoid stark contrast with the adjacent development where this would result in the visual importance of the heritage item being reduced.

A stark contrast to the adjacent heritage buildings would be inevitable given the nature of the proposed development.

. In short, a public sporting facility would be a carbuncle in the middle of our pretty heritage village centre and given Blayney Shire promotes it's heritage villages for tourism purposes it will be contradicting itself by approving such a development.

. The most obvious place to site it would be the show ground - the very location designated for sporting activities.

. in addition I would also like to add that the proposed siting would indeed affect the quality of nearby residents peace and quiet - these courts do generate noise and with parking being on the street, will create a hazard for people, especially children walking on the road.

. if floodlighting is proposed it would create an inevitable nuisance to neighbouring residencies.

. Will there be a key holder to avoid inappropriate use and if so who?

Kind regards,

[REDACTED]

This email has been scanned by the Symantec Email Security.cloud service.
For more information please visit <http://www.symanteccloud.com>

9th February 2018

Patsy Moppett
Senior Town Planner
Blayney Shire Council
91 Adelaide Street
BLAYNEY NSW 2799

Dear Ms Moppett,

RE: DA No: 6/2018
Property: Lot 9 DP662515 – 4 Crouch Street Neville
Proposed Development: Multipurpose Court

Please accept this letter as a summary of our objections to the abovementioned development application.

Whilst the idea of a multipurpose court in Neville may be a good one, we believe the proposed location is inappropriate as the building of a multipurpose court on this site would significantly diminish the historic value and heritage nature of the Presbyterian Church, War Memorial Park and the precinct that surrounds them, for the following reasons:

1. The proposed site has three boundaries onto heritage listed sites. It is nestled in a precinct of seven heritage listed homes or sites and the development also utilises what would be considered by many in our community to be “holy ground”, particularly since the church is still in use today.
2. Changing the nature of the land use from church grounds to a public sporting facility is not an appropriate reuse of the land. The court’s size and visual impact would impinge on the historical integrity of the church and the precinct. It is out of character with the environment.
3. The proposed development is inconsistent with Council’s draft Development Control Plan (DCP) for the following reasons:
 - a. Section H1.2 of the DCP - A public sporting facility will not conserve the heritage significance of the environment but will impinge upon and degrade it. It is unsympathetic to the heritage values of the surrounding “built environment”, i.e. the heritage precinct and particularly the adjacent church and park. No adequate association can be made between a heritage listed church and a public sporting facility in this heritage environment.
 - b. Section H3.3 - Although relating to the adaptive reuse of a building, the intention of minimal change being made to the significant “fabric of the place” should be interpreted here with respect to the neighbouring church, park, and heritage precinct. Changing church grounds to a public sporting facility cannot be considered a minimal change. It is a significant change and an unsympathetic and inappropriate reuse of the land.
 - c. Section H4.1
 - 1) The proposed setback of the proposed development is not “equal to or greater than that of the heritage item”.

- 2) Due to its size, bulk and location, the court would visually dominate the church, the Crouch Street streetscape and the view of the area from the Carcoar Street approach to the village. Landscaping would not be adequate to conceal the court and prevent its dominance in the environment.
 - 3) The view between the church and the adjoining park would be obscured by the court.
 - 4) The development is totally inconsistent with the surrounding environment, therefore cannot meet the requirements of H4.1. point 4.
 - 5) Due to the width of the proposed development (22 metres), adequate curtilage to the eastern side of the church will not be available. Given the fixed location of the church building and memorial park, there will be minimal and insufficient buffer areas on both sides of the court.
- d. Section H4.2 – The construction materials will clearly contrast with the adjacent church and surrounding heritage buildings and will result in a reduction in the visual importance of the church, streetscape and the precinct as a whole.
 - e. Section H5 - Although the area may not be listed as a Heritage Conservation Area, this section of the DCP should be taken into account in relation to the proposed development as the area is predominantly heritage buildings and sites. This section of the DCP describes the need to conserve heritage areas and streetscapes and quite clearly this precinct in Crouch Street needs to be preserved, with inappropriate facilities or uncomplimentary buildings or erections **not** being allowed to be constructed.
 - f. Section D2.6 point 3 - The development's height and bulk are not sympathetic to the adjacent church.
 - g. Section G – The design of the proposed development does not, and could not by its very nature, positively “respond” to the environment or character of the site and surrounds. The size of the land does not appear to be sufficient to allow the incorporation of appropriate buffers or setbacks.
 - h. A sporting facility will generate significant noise in this normally exceptionally quiet precinct which will impact on those living in close proximity to the proposed development.
4. The proposed on-street parking will be problematic and may be a pedestrian safety hazard. Observation has shown that most vehicles park in this area either on the verge or at right angles across it. This forces pedestrians to walk on the road. This is of particular significance as children walk between the nearby school, park and Carcoar Street. Parking could also inhibit rapid emergency egress by fire trucks from the Rural Fire Services sheds.
 5. The development will have negative impacts on the surrounding homes in this quiet residential area. Tennis courts, by their nature, generate significant noise. If approved, the court's hours of use would have to be restricted to 8.30am to dusk to lessen the impact of noise on the nearby residents. Increased traffic and parking would also create further noise disturbance. Lighting would need to be restricted, if not prohibited, to avoid having lights shining into neighbouring homes.
 6. Strict implementation of locking the court would be vital to avoid out of hours use, loitering, skateboarding, roller skating and any other inappropriate use of the facility.

7. Serious consideration must be given to this development proceeding at an alternate site in Neville, which could be land already designated for recreation, or other land owned by Council or Crown Lands. For example, the Neville Showground already has facilities and services and adequate space for parking. Fewer homes are within such close proximity to the Showground as are to the proposed site. The impact of a multipurpose court being erected there, or elsewhere, will have a less detrimental effect on the heritage nature of the village proper and decrease the inconvenience to those living nearby.

The lack of community consultation around this proposed development is also of concern to us. We are not aware of any poll, survey or questionnaire that was conducted to assess community support for this proposed development. Furthermore, not all Neville residents have been formally advised of the proposed development and therefore have not had the opportunity to have their say. Due to the proposed site being church land for over 150 years, with the church being part of the religious and community life of many Neville residents, it is important that all of the community has the opportunity to be heard on this important matter.

“Heritage abounds”, “immerse yourself in unspoilt beauty” and “historical villages which capture the essence of life from a bygone era of early settlement” are quotes from a publication supported by Council. In concert with Council’s DCP these documents display a need and intent to preserve the heritage significance of the villages in the Shire. These ideals must be embraced and now is the perfect opportunity to continue the preservation of Neville’s heritage by **not** allowing this DA to proceed. It is not essential that the proposed multipurpose court be located on the proposed site, therefore serious consideration must be given to the proposed development being built on a site which has less negative impact on its environment, surrounds and local residents.

[REDACTED]

c.c. David Scobie
Councillor Scott Ferguson



Blayney Shire Council
Attn. Ms Patsy Moppett
Po Box 62
Blayney NSW 2799

12 February 2018

Dear Ms Moppett,

Re: Development Application Multi Purpose Sports Court, 4 Crouch Street, Neville

It has come to my attention that an application for a Multi Purpose Sports Court at 4 Crouch Street, Neville, has been lodged by Mr. K Radburn.

Although a landholder and rate payer at Neville, I was not informed of this application by Council and I would like to make it known that I am most unhappy about this oversight. I am aware that Council did hold a meeting at which this application was apparently discussed but I need to state that for health reasons I am not able to attend evening meetings. I would think it too important a decision not to inform rate payers in writing of such a proposal.

I would like to state that I support the building of a Multi-Purpose Sports Court at Neville but I would like to register my opposition to the proposed location at 4 Crouch Street Neville for the following reasons:

- The proposed property in Crouch Street is situated in the residential area of the heritage village of Neville. The property is located between the historical Presbyterian Church and Heritage Park and is in close proximity to the Heritage school and two other churches in the vicinity. A sports facility would be completely out of character with the surrounding area.
- A modern Sports facility would not be consistent with the historical streetscape of the area and would have a great and negative impact.
- Furthermore, there is not enough room to provide adequate parking. Both parking on the verge and the increased traffic would negatively affect the safety of other street users who

would be forced to walk in the street. It would need to be ascertained that parking would not affect the safe and speedy use of the nearby fire brigade.

- There are other, more suitable properties available in Neville, namely the Showground. It would be very desirable to add an additional development to this excellent, already established facility. It would not disturb residents with additional traffic or noise created during sports activities nor would parking pose a problem. Having lived near a sports facility in the past, I can attest to the noise and traffic levels created, especially if the facility is used by school groups.
- A Sports facility would need to provide toilets and showers and it is clear from the DA that neither water nor sewer utilities are present at the proposed location. The Showground already offers such utilities.
- It is agreed that a Multi-Purpose Sports facility would boost tourism and community interaction and that would especially be true of the Showground area, which is often used by campers. Patrons of the Siding accommodation would find it easy to access the facility.

Whilst this proposal doesn't affect my property directly I would like to state that I am concerned that the historical nature of the village of Neville be preserved whenever possible. It is one of the features that have attracted many of us to choose to live at Neville.

I am aware of a property near Crouch Street which has been purchased recently for the very reason that the village offers a peaceful and quiet lifestyle

I would like to urge Council to reject the proposal as it stands and perhaps consider a different, less impactful position for a sports facility.

Yours faithfully

██████████

DA No 6/2018 Multipurpose Court - Lot 9 DP 662515 4 Crouch Street Neville

Background

This Development Application whilst lodged by Kevin Radburn, is in fact on behalf of the Neville community as has been a collaboration between the Neville community and Blayney Shire Council. The Multipurpose Court will become a community recreational facility asset for Neville, under the care and control of Blayney Shire Council.

This project has been discussed at Blayney Shire Council on a number of occasions; firstly at the May 2017 meeting, Council agreed to provide in principle support for the Neville Multipurpose Court Project and undertake further investigation as required to develop and progress this proposal with the community (Resolution No 1705/003).

Then in August 2017 Council resolved 'That subject to the agreement by the Presbyterian Church, Council provides approval and support for the Neville Multipurpose Court Project and formalise a long term lease or licence agreement for part of Lot 9 DP662515 then lodge a Development Application' (Resolution No 1708/010).

And finally in October 2017, Council received a report in regards to priority projects for the Stronger Country Communities Fund, and the Neville Multipurpose Court was noted as a potential Round 2 project.

The Lease or Licence Agreement, DA and Construction Certificate (CC) costs were estimated to be approximately \$3,020 in total, which have been funded from the Village Enhancement Plan (VEP) for Neville. This expenditure was endorsed by the Neville community to progress this project to 'shovel ready' status.

An initial estimate to construct the Multipurpose Court, fence and surrounding parking, kerb and drainage works is \$150 - \$200K. There is no budget allocation or funding commitment provided by Council for this project and is contingent of external grant funding.

In providing support for this project Council will need to account for the annual depreciation and maintenance of \$1,000; property insurance premium of \$480 as additional ongoing costs to Council's Operational Plan. Public Liability would not attract additional premium.

In response to the letter Reference IAPPD/37898 dated 19 February 2017, the following comments have been provided which address the questions raised in submissions receive by Council during the public exhibition period.

A meeting is being held with Council's Heritage Advisor on Monday 19 March to address specific Heritage Report items.

DA No 6/2018 Multipurpose Court - Lot 9 DP 662515 4 Crouch Street Neville

1. At the meeting that was held, not all ratepayers could attend when the matter was discussed. Some that did attend were intimidated by others who were present.

On 29 November 2017, a meeting was held at the Neville Hall to review and update the Neville Village Community Plan. Those people who could not attend added their name to support this project, and those ratepayers who could attend supported the Multipurpose Court.

Each participant were provided the opportunity to vote for their most important project, via the sticking on of dots onto the Project List sheets. The Multipurpose Court received the most votes.

2. Not all of the Neville community were approached about this proposal and not all are agreeable to it. The principle of a court is not the issue, but the location.

Most community members had been spoken to prior to the meeting held on 29 November, 2017 and there was a list of 60 families who added their name to support the new Multipurpose Court.

There are a number who have voiced their concerns about the location, however there is overwhelming support next as proposed in between the Church and the Park.

3. Lack of community consultation is a concern

Community consultation has been ongoing for the past 12 months within the Church. Local advocate, Kevin Radburn initially spoke with the Neville Church goers, then attended 2 Blayney Services speaking with Blayney Congregation. Support was received from both Neville and Blayney congregations.

The proposal was raised at the Orange congregation, again supported prior to final approval by the NSW Presbyterian Church to which formal written support has been provided.

The Principal of Neville Public School has supported the proposed location.

4. The actual use of the court by the wider community is doubtful.

There are young families in the village. And there are children at local school, attending high school or still living at home but working away who really want to see this happen.

DA No 6/2018 Multipurpose Court - Lot 9 DP 662515 4 Crouch Street Neville

The Neville Public School do not have such a facility and is already planning how it can be used. The attraction of this is that children will be able to walk safely the short distance to court next to park.

5. The site has been church land for over 150 years and being part of the religious and community life of many Neville residents, all of the community should be heard.

This project has the full support of Presbyterian Church people. In particular Mr Scally Radburn, who has been a devoted volunteer and caretaker of the Church and the Park (in conjunction with Council) for more than 60 years can remember old tennis courts at the back of the Church and how this added to the village social amenity.

6. Other location options should be considered – less invasive to privacy and without heritage issues e.g. the showground, which is dedicated for recreation and where amenities and parking are provided. A court in a more appropriate location would certainly be an asset to the community.

The Showground was considered an option however is too far away from the village. The location next to Park is perfect for school and locals with the Toilet and BBQ next door.

The Neville Siding is not an option. The size is for Tennis only and the proposal is for a Multipurpose Court. As is privately owned there are no grants available and the cost of refurbishment would be much more than construction of this new one.

7. Patrons of the siding accommodation could access the showground just as easily as the proposed location.

Not relevant

8. Impact on Neville streetscape by a modern court area.

The Neville streetscape includes RFS Shed, Church, Park, Public School, Hall and Housing. This project is reflective of recreational open space and with planting of shrubs and trees, the project will fit in well with the leafy tree lined streets.

9. Out of character with the adjoining heritage church, heritage park and other adjacent heritage sites and the surrounding area.

The fencing will be sympathetic to heritage colours. There are other new courts built or being built in Millthorpe at Redmond Oval, at Newbridge and at Carcoar

DA No 6/2018 Multipurpose Court - Lot 9 DP 662515 4 Crouch Street Neville

where the streetscape and Heritage aspects are addressed more than adequately whilst the community has benefit from a modern surface.

10. Impacts on the heritage significance and visual amenity of these heritage items, and the use of heritage park for the quiet contemplation of those who served during wartime.

The Heritage Park has a BBQ, Shelter, Seats, Lights, Children's Play Equipment, and the Toilets (which are proposed to be upgraded) are all assets which attract families, visitors, Church goers, local young people and passersby.

11. The surrounds of the church are generally considered to be 'holy ground', given the church is still in use.

The Neville Church is typical of many churches in Australia with Tennis Courts or a horse paddock at the back of the church grounds. The Neville Church Tennis Courts are now overgrown however evidence is there of their existence.

12. Noise to nearby residents as well as church goers during a service or other events such as funerals, when used especially if by school groups.

The noise of children playing is no different to children running around in the school yard, riding their bikes or horses around the village or playing in the Park as they currently enjoy. On occasions when there is a funeral, and last one held was attended by 200+ people. With cars parked on all road sides and on the Neville Church grounds and it would be very unusual for any member of the community or school group to be unaware of a funeral.

13. Tree damage or removal would be significant to the natural corridor.

No trees will be damaged or removed.

14. Traffic issues – speeds and parking are already an issue. Access to the amenities at the adjoining park serves truck drivers and coaches, and these would be affected. Increased traffic would cause excessive noise as well.

On occasion there are buses and trucks which stop to use the Park public amenities, which will have no impact or be impacted upon by a few people playing Tennis or Basketball.

15. Use of the fire station parking area would be inappropriate, and may prevent the safe and speedy use of this facility.

The RFS parking area is not intended to be used.

DA No 6/2018 Multipurpose Court - Lot 9 DP 662515 4 Crouch Street Neville

16. Not enough room to provide adequate parking.

Vehicles will be able to park next to or behind the Multipurpose Court. The Neville Church are intending to move the existing northern boundary fence back to provide more room for parking and tree planting.

17. Parking on the verge would negatively affect the safety of other street users, especially passing pedestrians, obscuring the views of passing drivers. Many of these pedestrians would be children.

There is more than adequate parking in Neville, the streets are wide and sight distances are good.

18. Hours of operation should be restricted to lessen noise impacts on residents.

There will be no lights on the Multipurpose Court which means it will be used in daylight hours only.

19. Lighting needs to be restricted if not prohibited, to avoid impacts on neighbouring homes.

There is no proposal for any lighting on the Multipurpose Court.

20. Supervision would be a problem, as well as the cleanliness and hygiene of the courts. Need to avoid loitering, skateboarding, roller skating and other inappropriate uses. Who would the key holder be?

This is no different to any other facility in Neville. On the positive, it is a very open and visible location for passing people/traffic to see if there were any unacceptable behaviour.

A user group will be established to assist with keeping clean and tidy. The court will not be locked. Similar courts in Millthorpe, Newbridge and Lyndhurst are not locked and there has not been any problem or concerns raised in regards to lack of supervision been a problem.

21. Incorrect usage of the courts – hard hall, wheeled sports and animals.

This is a community facility and any incorrect usage will be self-monitoring, as are the courts in Millthorpe, Newbridge and Lyndhurst.

22. The courts are not providing toilets and amenities.

The current toilet at the Park next door is being upgraded. There is already a BBQ area, seating and shelter.

DA No 6/2018 Multipurpose Court - Lot 9 DP 662515 4 Crouch Street Neville

The Multipurpose Court will be a valuable addition to the recreational facility providing local amenity and opportunity for socializing and community gatherings.

23. The village offers a quiet and peaceful lifestyle which would be affected by this proposal.

Being quiet and peaceful does not prohibit nor should discourage all members of the Neville community (young and old) enjoying a healthy lifestyle with adults or older people been provided an opportunity to exercise and participate in social sporting activities.

24. The development is inconsistent with several of the provision of Council's draft Development Control Plan (DCP):

- a. Section H1.2 – conservation of the heritage significance of the environment, and unsympathetic to the heritage values of the surrounding built environment.**

The Church has maintained over the years Tennis Courts behind the church and where competitions were played. There was a fence around the Church where local cattle or horses were grazed.

- b. Section H3.2 – the proposed court will impact on views to and from the church.**
- c. Section H3.3 – changing church grounds to a sporting facility could equate to change to the significant fabric of the place ie. The church grounds. An unsympathetic and inappropriate reuse of the land.**
- d. Section H4.1 – the setback is not equal to or greater than that of the heritage item. The court would dominate the street due to size, bulk (3.6m high fences) and location. Landscaping would not screen the court, and views would be obscured. Inconsistent with the surround environment, and does not provide adequate curtilage to the church.**
- e. Section H4.2 – construction materials will contrast with surrounding heritage buildings, and reduce visual importance of them.**
- f. Section H5 – it is not a heritage conservation area, but due to the cluster of heritage buildings, it is HCA in character.**
- g. Section D2.6, point 3 – height and bulk are not sympathetic to the adjacent church.**
- h. Section G – design does not respond to the environment or character of the site and surrounds. No buffers or setbacks.**
- 25. "Heritage abounds", "immerse yourself in unspoilt beauty", and "historical villages" – are quotes from a publication supported by Council. This displays a need to preserve heritage significance in the villages. This should be continued in not allowing this DA to proceed.**

DA No 6/2018 Multipurpose Court - Lot 9 DP 662515 4 Crouch Street Neville

The Neville Village Community Plan (2018-28) also mentions;

- broadening the range of activities and events that bring the community together
- enhancing and improving the community assets to provide for sporting and cultural pursuits and ensure there is a place for community events

Without this the Church may actually close, and this was considered an opportunity to add value to the precinct and encourage people to stay in Neville.

Planting of shrubs, sympathetic fencing and court colours will ensure the new facility will blend in well with the heritage aspects.

There is one known grave (David Scott) and possibly one next to it (where Irises are growing). Mr Scally Radburn who is 90 years old and member of the Neville Presbyterian Church congregation built the original fence around Church and this area designated for the Multipurpose Court was a grazing paddock for local cattle and horses.

Blayney Shire Council Heritage Advisory Service

David Scobie Architects

Heritage

Introduction

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

DA6/2018: Multi-purpose court at Lot 9, DP 662515 – 4 Crouch Street, Neville

Attention: Patsy Moppett

Site

The site is within the vicinity of a number of heritage buildings and places including the Presbyterian Church, War memorial Park adjoining, the former St. Lukes Church and the Valley Store building in Carcoar Street opposite



Aerial map courtesy Google Maps

Proposal

A surfaced multi-sport court nominally 33m x 21.35m with the marked court 3m in from the perimeter is to be constructed on land leased from the Presbyterian Church. The works described include removal of

David Scobie Architects Pty Limited
 ABN 64 079 683 079

February 2018

Blayney Shire Council Heritage Advisory Service

topsoil and trees. A site plan indicates that the court will be oriented nominally north south and midway between the rear of the Church building and the western boundary of the War Memorial Park.

Issues

The Heritage Study identified 17 properties in Neville as having heritage significance. Those in the vicinity of the site include the War Memorial Park, the former St. Luke's Church, the Presbyterian Church, the Public School.



Photo 1

View upon arrival in the village from Blayney noting the Church and proposed site to the left of the building. The site is generally surrounded by large trees from this viewpoint. The site has the capacity for additional planting.

David Scobie Architects Pty Limited
ABN 64 079 683 079

February 2018

Blayney Shire Council Heritage Advisory Service



Photo 2 The inundation area and two large trees which appear to have significance and should be retained. Confirmation of whether they are affected is requested.



Photo 3 The gas bottle has been detached from the Church and left in the bushes. This hazard should be removed asap.

David Scobie Architects Pty Limited
ABN 64 079 683 079

February 2018

Blayney Shire Council Heritage Advisory Service



Photo 4 View of the Church and site from the street corner. The existing trees provide some screening to the subject site and divide the Church from the adjoining space.



Photo 5 The lawn area at the Memorial Park is well screened from the adjoining site by the continuous trees with joined canopies.

David Scobie Architects Pty Limited
ABN 64 079 683 079

February 2018

Blayney Shire Council Heritage Advisory Service



Photo 6 View from the site to the property opposite. There is no perimeter planting between the fence line and residence.



Photo 7 The War Memorial Park and the range of perimeter planting

David Scobie Architects Pty Limited
ABN 64 079 683 079

February 2018

Blayney Shire Council Heritage Advisory Service



Photo 8 The planting common boundary between the two sites



Photo 9 Looking across the proposed site with the dense planting screening the Church. Currently the proposed site is grass and has no planting other than the Council well maintained street trees which are a feature of the vaillage.

David Scobie Architects Pty Limited
ABN 64 079 683 079

February 2018

Blayney Shire Council Heritage Advisory Service



Photo 10 View from the rear corner of the site looking at the dense planting on the wear Memorial Park boundary



Photo 11 View across the proposed site towards the Church and the main road.

David Scobie Architects Pty Limited
ABN 64 079 683 079

February 2018

Blayney Shire Council Heritage Advisory Service



Photo 12 View of the gate in the rear boundary of the site – to be removed. This is nominally 20m from the front street boundary while the park rear fence extends some 10m extra beyond this fence line



Photo 13 The fence line which is nominally 7m behind the Church. The proposed court extends some 17m beyond the fence line to the left above.

David Scobie Architects Pty Limited
ABN 64 079 683 079

February 2018

Blayney Shire Council Heritage Advisory Service



Photo 14 A single marked grave not affected but an indication of what lie beneath.



Photo 15 The existing tennis court on a front boundary in the village.

David Scobie Architects Pty Limited
ABN 64 079 683 079

February 2018

Blayney Shire Council Heritage Advisory Service



Photo 16 One example of a similar court in Blayney at the netball complex

Summary of the local character in the vicinity

- The site is defined by the closed landscape screening on two sides – more extensive to the War Memorial Park and shorter on the Church side and the open ends on the two sides – the road and the planted inundation area.
- The one uncharacteristic structure in the visual vicinity is the green steel RFS shed where no effort has been made to screen the site or building on the two street frontages.
- An alternate space on the same site could be to the other side of the Church at right-angles to the current proposal although the slope may require cut and fill to a greater extent than the existing site

The places which are formally listed on the Blayney LEP are as follows and the places outlined are those in the vicinity of the proposal:

Neville	Shop (former) and residence	43 Carcoar Street	Lot 6, Section 13, DP Local 758767	I318
Neville	Shop and residence (“Valley Store”)	52–54 Carcoar Street	Lots 1 and 3, Section 18, DP 758767	Local I319
Neville	Streetscape including avenue tree planting, natural swale drains and grassed verges	Crouch Street (between Carcoar and Bathurst Streets)	Road reserve	Local I320
Neville	Neville Presbyterian Church	4 Crouch Street	Lot 9, DP 662515	Local I321
Neville	War Memorial Park and Memorial	6 Crouch Street	Lot 1, DP 402145	Local I322
Neville	Neville Public School	8 Crouch Street	Lot 3, Section 7, DP 758767	Local I323
Neville	St Luke’s Anglican Church	13 Crouch Street	Lots C and B, DP 305804	Local I324
Neville	Neville Hotel	24 Crouch Street	Lot 2, Section 9, DP 757767	Local I325

David Scobie Architects Pty Limited
ABN 64 079 683 079

February 2018

Blayney Shire Council Heritage Advisory Service

Neville	Neville Cemetery	Kentucky Road	Lot 7017, DP 96965	Local	I326
Neville	Neville Uniting Church and churchyard	15 and 32 Macquarie Street	Lots 15 and 16, Section 13, DP 758767	Local	I328
Neville	“Coombing Vale”, homestead and outbuildings	1377 Mandurama Road	Lot 2, Section 9, DP 758902	Local	I329
Neville	Cottages	10, 14 and 15 Moorilda Street and 44 Crouch Street	Lots 11 and 12, Section 10, DP 758767; Lot B, DP 392121; Lot 2, DP 1127621	Local	I330
Neville	Lake Rowlands including lake, dam and spillway	776 Mount Macquarie Road	Lots 1 and, 3–10, DP 130251; Lots A and C, DP 383395; Lot 1, DP 395131; Lot 56, DP 750407	Local	I332
Neville	“Fernhill”, Dan Charter’s cottages and stables	798 Neville Road	Lot 1, DP 774943	Local	I333
Neville	Neville Showground	54 Pascoe Street	Lot 1, Section 24, DP 758767; Lots 1–10, Section 25, DP 758767	Local	I334
Neville	Cottage	4 Teesdale Street	Lot 6, Section 11, DP 758767	Local	I335

- The site has archaeological potential in the form of an unmarked grave. The potential of such a find would indicate that an archaeological assessment would be recommended and should the project proceed any excavation would need to be supervised by an experienced archaeologist.

Assessment

The following aspects of the proposal respect or enhance the heritage significance of the item or conservation area for the following reasons:

[List in point form. List also, any other completed or proposed future works, such as the implementation of maintenance plans, interpretation strategies or archival recording.]

- The recreational facility may bring additional visitors to the village although there are no other commercial or retail facilities to benefit from this. These could develop in time although the single facility is not designed for large groups like the Blayney facilities.
- There could be synergy with the war Memorial Park which has shelter and barbecue site and toilet

The following aspects of the proposal could detrimentally impact on heritage significance. The reasons are explained as well as the measures to be taken to minimise impacts:

[List the ways in which the item or area is significant and the way/s they could be affected; why the work is necessary for the ongoing viability; and, the steps taken to minimise negative impacts. (Consider addressing significance under each of the seven criteria used to define heritage significance)]

- The court proposal and assumed wire fencing is uncharacteristic of the vicinity of the streetscape
- There is no indication of parking provision and so it could be presumed that the verges would be utilised. Council would be responsible for the costs associated with maintenance and future hardening should damage occur

David Scobie Architects Pty Limited
ABN 64 079 683 079

February 2018

Blayney Shire Council Heritage Advisory Service

- The proponent could be required to provide on-site parking and the other side of the Church has this capacity. The impact of the parking would need to be considered
- The full extent is unclear and this needs to be set out on site to review the full impacts and if any of the substantial trees are to be removed.
- The current grass area would be replaced with a coloured hard surface while the perimeter would be fenced to the standard 3600mm or similar and there is likely to be some excavation and retaining walls – review the local tennis court.

The following sympathetic solutions have been considered and discounted for the following reasons: [List alternatives (especially those identified in a conservation management plan or other study) and clearly argue why these cannot be implemented.]

- There is no evidence currently that alternate sites have been considered. Currently there is a single tennis court near the siding holiday complex and other sporting areas are located at the showground. While the showground could be discounted for the distance from the village centre a walking/shared trail could be provided should there be sufficient demand.

Attachments:

[List. For example, statement of heritage significance, study, State Heritage Inventory form, conservation policy or conservation management plan, building condition report, engineer's report and/or archaeologist's report.]

- Simple statements of significance are available from the SHI records held by Council for the heritage items
- Council has a range of tourism materials which describe the attractions and character of Neville

Change of Use:

- Has the advice of a heritage consultant or structural engineer been sought?
 - There is no additional information provided with the DA
- Has the consultant's advice been implemented? If not, why not?
- Does the existing use contribute to the significance of the heritage item?
 - The grassed area adjoining the Church complements the structure and allows for a range of uses for the parishioners and for parking for those using the Church venue
 - The change of use would have no synergy with the Church other than it could be used for group functions and events however this has not been canvassed
- Why does the use need to be changed?
 - Yes as the uses are entirely different and the Church is not the proponent
- What changes to the fabric are required as a result of the change of use?
 - The grass would be changed to a concrete base with marked courts in colour while the perimeter would be fenced with cyclone or similar mesh and frames and gates. The extent of retaining walls is unknown
 - While no tree planting is shown this is possible although it appears that the proponent has not offered this and would need to be compelled to do so by Council conditions.
- What changes to the site are required as a result of the change of use?
 - Car parking and vehicle access is a major unknown both in relation to the court and in relation to the space foregone by the Church

New development adjacent to a heritage item:

David Scobie Architects Pty Limited
ABN 64 079 683 079

February 2018

Blayney Shire Council Heritage Advisory Service

- How is the impact of the new development on the heritage significance of the item or area to be minimised?
 - There is no evidence of mitigating features
- Why is the new development required to be adjacent to a heritage item?
 - There is no evidence of other sites being considered
- How does the curtilage allowed around the heritage item contribute to the retention of its heritage significance?
 - The grass area provides for recreational space and vehicle parking for Church users and others using the church as a venue. Traditionally Churches occupied sites considerably larger than a single building as this allowed for expansion typically for a hall and or residence
- How does the new development affect views to, and from, the heritage item? What has been done to minimise negative effects?
 - The coloured contemporary surface replacing the grass and the 3600mm high fencing would alter the setting of the Church considerably as indicated with the examples.
- Is the development sited on any known, or potentially significant archaeological deposits? If so, have alternative sites been considered? Why were they rejected?
 - It is quite possible that graves may be in the vicinity and an archaeological assessment would be standard practice to confirm one way or the other. OEH NSW Heritage Division guidelines on archaeology.
- Is the new development sympathetic to the heritage item? In what way (e.g. form, siting, proportions, design)?
 - In the current form, the proposal is not similar in sue, design or visual impact and no forms of mitigation are proposed.
- Will the additions visually dominate the heritage item? How has this been minimised?
 - It is likely and to a lesser extent other significant buildings in the vicinity that the proposal will visually dominate views to and from the Church
- Will the public and users of the item, still be able to view and appreciate its significance?
 - In the current form views of the Church will be available without the fencing and court affecting the photo views from the frontage of the Church entry only while oblique vies on both roads will be affected due to the size of the fenced court compound.

Heritage Issues in relation to the Development Control Plan

- H1.2 The proposal is not similar in scale, character or use
- H3.2 The Court compound will affect views to and from the Church and other listed buildings.
- H3.3 The use is not consistent with the Church function and has no direct relationship with the Church or the building as venue.
Removal of the space from the Church grounds affects the capacity of the Church to meet the demands of its visitors in terms of parking, access and recreation
- H4.1 The location of the court does not respect the visual boundaries of the Church and owing to the size no setbacks appear possible or tree planting within the confines of the site
- H4.2 While the fencing is generally transparent the character is industrial and not in keeping with the building or landscape
- D2.6 The bulk is not in keeping with or has any relationship with the Church
- G No mitigation has been proposed

Recommendations

- The Heritage Advisor is not able to support the proposal given the inconsistency with the use and character of the proposal on the site and context established by the heritage buildings in the vicinity

David Scobie Architects Pty Limited
ABN 64 079 683 079

February 2018

Blayney Shire Council Heritage Advisory Service

David Scobie
Heritage Advisor to Blayney Shire

David Scobie Architects Pty Limited
ABN 64 079 683 079

February 2018

Schedule A
Conditions of Consent

CONDITIONS ISSUED WITH DEVELOPMENT APPLICATION No. 6/2018

STATUTORY

REASON: To comply with legislative statutory requirements.

1. Development is to take place in accordance with the attached stamped plans for Development Application No. 6/2018, documentation submitted with the application and subject to the conditions below, to ensure the development is consistent with Council's consent.
*Note: Any alterations to the approved development application plans must be clearly identified **WITH THE APPLICATION FOR A CONSTRUCTION CERTIFICATE**. The Principal Certifying Authority (PCA) for the project may request an application for modification of this consent or a new application in the event that changes to the approved plans are subsequently made.*
2. The developer shall provide a clearly visible sign to the site stating:
 - a) Unauthorised entry is prohibited;
 - b) Builders name and licence number; or owner builders permit number;
 - c) Street number or lot number; and
 - d) Contact telephone number/after hour's number.
3. Prior to commencement of any works, a Construction Certificate is to be obtained, and where Council is not the PCA, a copy is to be submitted to Council.
4. The building work must be carried out in accordance with the requirements of the Building Code of Australia.

CONSTRUCTION

REASON: To comply with legislative statutory requirements.

5. Construction only be carried out between 7.00 am and 6.00 pm on Monday to Friday, and 8am to 5pm on Saturdays. No construction is to be carried out at any time on a Sunday or a public holiday.
Note: The principal contractor shall be responsible to instruct and control their sub-contractors regarding the hours of work.
6. All excavation and backfilling associated with the erection/demolition of the building must:
 - a) be executed safely and in accordance with appropriate professional standards, and
 - b) be properly guarded and protected to prevent them from being dangerous to life or property.

AMENITY**REASON: To comply with Council's statutory requirements.**

7. That the multi-purpose court be setback 15 metres from the seal of Crouch Street, (approximately in line with the flag pole on the War Memorial Park).
8. That Lot 9 DP 662515 and Lot 10 Section 7 DP 758767 be consolidated into one allotment prior to the issue of the final occupation certificate. Alternatively a boundary adjustment can be undertaken to place the multipurpose court on its own allotment.
9. That the fencing of the multi-purpose court be a powdered coated in a black colour finish.
10. A detailed landscaping plan is required to be lodged with Council to the satisfaction of the Director Planning and Environmental Services, prior to the issue of the construction certificate of the development.

The landscaping plan, shall outline and/or detail;

- Existing landscaping that will remain in place,
- Existing landscaping that will be required to be significantly trimmed and/or removed due to the location of proposed dwellings and/or installation of infrastructure,
- Species of existing landscaping and heights,
- Locations, species and heights of any new proposed landscaping,
- Maintenance program for all landscaping,

All components of the landscaping plan are to be implemented prior to an occupation certificate being issued for stage 1.

The person/s or company having the benefit of the development consent is to ensure the landscaping is appropriately maintained and in place for the life of the development.

11. That no external lighting be installed without the prior modification to this development consent.

ENVIRONMENTAL**REASON: To comply with Council's statutory requirements.**

12. All rubbish and debris associated with the development, including that which can be windblown, must be contained on site in a suitable container at all times. The container shall be erected on the development site prior to work commencing. Materials, sheds or machinery to be used in association with the development must be stored and stacked wholly within the worksite unless otherwise approved by Council.
Note 1: No rubbish or debris associated with the development will be placed or permitted to be placed on any adjoining public reserve, footway or road.
Note 2: Offenders are liable for prosecution without further warning.
13. There shall be no burning of waste material, felled trees or other material on the site.

ENGINEERING**REASON: To comply with Council's statutory requirements.**

14. The applicant is to submit three (3) copies of engineering plans, specifications and calculations in relation to Condition(s) 19, 20 and 21. Further, the works are to comply with *WBC Guidelines for Engineering Works*.
15. The applicant is to prepare and implement a Traffic Management Plan that provides necessary direction to traffic or pedestrian movement through or past the work site. The Traffic Management Plan is to be prepared by a suitably qualified person in accordance with the provisions of the relevant Australian Standards and is to be submitted to Council for approval PRIOR to its implementation.
16. The developer is to submit a soil and water management plan for the site in accordance with *WBC Guidelines for Engineering Work*. No building, engineering, or excavation work, or topsoil stripping or vegetation removal, is to be carried out in relation to this development until such time as the plan has been approved by Council and the measures detailed in the plan are in place prior to works commencing. The measures detailed in the plan are to remain in place until all landscaping is completed.
17. Prior to the commencement of any works on Council or Roads and Maritime Services (RMS) controlled land including a public road, the applicant is to affect Public Liability Insurance to the minimum amount of \$20 million. This insurance is to note Council's interest and is to remain current for at least the period from the issue of the Construction Certificate until the issue of a Compliance Certificate or final inspection report for the works. Documentary evidence of the currency of the cover is to be provided to Council prior to the commencement of works within the road reserve.

18. The applicant is to arrange an inspection of the development/subdivision works by Council's Engineering Department, at the following stages of the development. This condition applies notwithstanding any private certification of the engineering works.

	COLUMN 1	COLUMN 2
A	Road Construction	<ul style="list-style-type: none"> * Following site regrading, and prior to installation of footway services; * Excavation and trimming of subgrade; * After compaction of sub-base; * After compaction of base, and prior to sealing; * Establishment of line and level for kerb and gutter placement; * Subsoil Drainage; * Road pavement surfacing; * Pavement test results (compaction, strength).

19. The road shoulder is to be constructed and sealed, from the extends of on - street parking spaces to the edge of seal in Crouch Street, to comply with *WBC Guidelines for Engineering Works*.
20. Off street car parking shall be provided for the development in accordance with Council's relevant Development Control Plan and/or *Australian Standard AS 2890.1 – 2004 Car Parking*:
- a) Provision shall be made within Crouch Street for 3 vehicular parking spaces, each to be of minimum dimensions 5.5 x 2.5 metres, separately and clearly delineated.
 - b) The proposed car parking and access areas are to be constructed of material that would avoid the potential raising of dust.
21. Off street car parking is to be provided for the development:
- a) Each car parking space for the disabled is to be in accordance with the provisions of the Building Code of Australia.
 - b) All car parking spaces are to be line-marked and sealed with a hard standing all weather material, and maintained at all times.
22. A minimum of 1 space, separately delineated and individually marked, shall be provided for persons that are access impaired. The car parking spaces together with continuous paths of travel to the main entry of the premises, or reasonable equivalent are to be constructed in accordance with AS 1428.
23. All road and inter allotment drainage is to be conveyed to a legal point of discharge in accordance with *WBC Guidelines for Engineering Works*.
24. The developer is to relocate any utility services if required, at the developer's cost.

ADVICE AND NOTES**Inspection Schedule**

The Principal Certifying Authority is required to ensure all work is carried out in accordance with the consent, Building Code of Australia (BCA), and relevant standards, which is done during inspections at nominated stages of the work. The "Inspection Schedule" lists the mandatory and other required inspections that must be carried out by Blayney Shire Council during construction of the work.

As the Principal Certifying Authority, Council must be contacted to undertake inspections of the various stages of construction as follows:

- a. Final/stormwater inspection at time of completion of all works.

Notice of Commencement

Notice of commencement of building works – The attached form needs to be completed and emailed, faxed or mailed to Council at least 2 days before any work commences on the site.

Occupation Certificate

Prior to the occupation or use of the building an Occupation Certificate is to be obtained, and where Council is not the PCA a copy is to be provided to Council.

20) DEVELOPMENT CONTROL PLAN 2018**Department:** Planning and Environmental Services**Author:** Director Planning and Environmental Services**CSP Link:** 5.4 Capable, self sufficient communities engaged in decision making about issues that affect them.**File No:** DB.PO.2

Recommendation:

That Council;

1. Notes the submissions received during the public exhibition of the draft Blayney Shire Development Control Plan 2017,
2. Approves the Blayney Shire Development Control Plan 2018 attached to this report, as amended and altered following the public exhibition,
3. Provides public notice in the Blayney Chronicle that Blayney Shire Development Control Plan 2018 will commence on Monday 2 July 2018,
4. By approving the Blayney Shire Development Control Plan 2018, that the following Development Control Plans are now repealed;
 - North Blayney,
 - Millthorpe – Heritage Conservation,
 - Blayney – Rural Residential Development,
 - Carcoar – Heritage Conservation,
 - Blayney – Medium Density Housing,
 - North Millthorpe.
5. Provides a copy of the Blayney Shire Development Control Plan 2018 to the Secretary of the Department of Planning and Environment.
6. Authorise the General Manager to approve any minor formatting amendments to correct minor clerical errors or issues which do not change or alter the content or intent of the document.

Reason for Report:

For Council to endorse the Blayney Shire Development Control Plan 2018, after completion of the public exhibition of the draft plan. It is noted changes have been made to the draft 2017 version that was exhibited.

Report:

Council at its meeting of 18 December 2017 resolved (**Resolution No 1712/019**) to exhibit the draft Blayney Shire Development Control Plan 2017.

Public exhibition of the draft Blayney Shire Development Control Plan 2017, included;

1. Public exhibition for 49 days of the Draft DCP from Thursday 25 January 2018 until 5pm Thursday 15 March 2018.

2. Public notice was given in the Blayney Chronicle on Thursday 25 January.
3. Notification of the DCP exhibition also formed part of the GM conversation on Thursday 25 January 2018 and also Thursday 1 March 2018.
4. One paper copy of Draft DCP was made available for inspection at Councils Administration Centre, 91 Adelaide St Blayney (no copies were requested).
5. Draft DCP was placed on Councils website for the public exhibition period.
6. Posts placed on Facebook.
7. Emails were sent to:
 - To all Construction and Development Professionals who have recently dealt with Council (approx. 60 addresses) advising of the Draft DCP public exhibition.
 - To the Blayney Shire Tourism, Town and Village Committee advising of the Draft DCP public exhibition.
 - Through Councils connect newsletter (approx. 300 addresses) advising of the Draft DCP public exhibition.
8. Briefing sessions, included:
 - 20 February 2018 – Millthorpe Village Committee Executive
 - 1 March 2018 – Newbridge Progress Association
 - 8 March 2018 - Construction & Development Professionals briefing (builders, developers, consultant town planners, surveyors, architects and drafts people etc) which approximately 25 people attended.
9. Council staff were available during office hours to answer questions at Customer Service Counter during public exhibition period.

A total of 4 written submissions were received during the public exhibition period. The relevant DCP relevant content has been summarised into a table with the original submissions also included for Councils consideration. The summary table and submissions are enclosed at the end of this report.

It is noted whilst only 4 submissions may have been received, during the exhibition period a number of discussions were had with various community members and development professionals discussing; “what if”, “I am about to” or “can I do this” scenarios.

These conversations led to staff discussing and hypothetically testing many of these scenarios against the proposed DCP provisions. As a result of these discussions and testing hypothetical scenarios changes not outlined in the written submissions are proposed, for the final 2018 version for Councils endorsement.

The DCP is attached in ‘track changes’ format so Council and the public can easily see what changes are proposed for the final version of the 2018 DCP, compared to the 2017 version that was publically exhibited.

Two specific parts of the DCP within Part G Environmental Management & Hazards, are proposed to be delayed;

- Part G4 – Flooding
Delayed until the Planning Proposal changing the Flood Map of the Blayney Local Environmental Plan 2012 is finalised and that the proposed flooding provisions within the DCP are further verified against other Councils DCP provisions.
- Part G7 – Significant Vegetation & Biodiversity
Delayed, so the provisions within the draft DCP can be considered against the NSW Government Biodiversity Conservation Reform. A Local Government Support Officer has recently been appointed by Cowra Council (for the Centroc region) in relation to Biodiversity reforms. This officer has advised the NSW Government will be releasing in the near future guidance for DCPs in relation to Biodiversity reforms.

It is anticipated these two parts will be finalised by 31 December 2018. The delay of the abovementioned 2 parts will also provide an opportunity to undertake a mini review for any issues that arise in the first 6 months.

Risk/Policy/Legislation Considerations:

Development Control Plans must be prepared and repealed in accordance with Division 3.6 of the Environmental Planning and Assessment Act 1979 and part 3 of the Environmental Planning and Assessment Regulation 2000.

It is acknowledged the 2018 DCP attached to this report and seeking Councils approval of is slightly different to the draft 2017 DCP that was publically exhibited. The changes are considered minor and generally consistent with the draft DCP 2017 that was exhibited. As the changes are not considered significant it not considered necessary to re exhibit the 2018 DCP for further public exhibition prior to the final endorsement of Council.

In March 2018 the NSW Government announced amendments to Environmental Planning and Assessment Act 1979 and Regulation 2000 which includes the proposal to standardising the formatting for DCPs.

The DCP changes are programmed to commence until mid-2020 and the composition of the changes is not yet known.

It is acknowledged that with the Blayney Shire being such a diverse LGA, and that every development is unique, in time it may be identified that some of the provisions require alteration. The adequacy of the DCP will not fully be known until it is ultimately in place and regularly tested against proposed developments.

If Council is required to alter the structure of the Draft Blayney Shire DCP 2018, this would be considered as an opportunity to review and undertake any necessary amendments to the DCP to ensure that the document continues to set the preferred planning outcomes for the Blayney Shire.

Council should note that the Director of Planning and Environmental Services and Manager Planning can determine any development application which proposes the variation to the acceptable solutions where the variation is equal to or less than 10% where compliance with those standards would, in any particular case, be unreasonable or unnecessary.

Budget Implications:

The project is currently within the budget within the 2017/18 operational plan.

Enclosures (following report)

1	Submissions	11 Pages
---	-------------	----------

Attachments (separate document)

2	Development Control Plan 2018	203 Pages
---	-------------------------------	-----------

	DCP provision and Council Comment
Submission 1	<p>Point 1 C6.2 4 (c) p39 of part C Engineering report needs to be provided with Construction Certificate to ensure the building is structurally adequate for the Blayney Shire loadings (particularly wind and snow)</p>
	<p>Point 2 C6.2 4 (d) p39 of part C A report needs to be provided by an Occupational Hygienist with lodgement of the DA that there is either no asbestos in the building, or if there is asbestos how it will be treated and or managed during the moving of the building.</p>
	<p>Point 3 Note on p40 of part C Whilst Council had previously allowed a dwelling to remain on a semi-trailer on a one off incident, no second hand building should be relocated to site without a prior Development Consent being in place.</p>
	<p>A geotechnical report must be supplied for consideration with the DA to ensure that the allotment and proposed development can adequately dispose of effluent.</p>
Submission 2	<p>Point 1 - Our 'past is our future' Part H Heritage Conservation significantly strengthens the heritage provisions across the Blayney Shire.</p>
	<p>Point 2 - Its all about the lifestyle Identification of any new small acreage lots is a matter for consideration in the Blayney Settlement Strategy.</p>
	<p>Point 3 - Preserving Carcoar's natural setting All lands surrounding Carcoar are currently zoned RU2 Rural Landscape, rather than RU1 Primary Production in order to place a greater emphasis on protecting the surrounding landscape of Carcoar.</p>
Submission 3	<p>Point 1 – General No comment required</p>
	<p>Point 2 – Minor Impacting Development B2 Notified Development (p4 of part B) Having considered this submission, the final version has been amended to state notification exemptions “only apply if the proposed development is on a lot that is not a heritage item, adjacent to one or in Zone RU5 Village of Millthorpe and Carcoar”. This means any development in the RU5 village of Millthorpe or Carcoar will continue to be notified.</p>

	<p>Point 3 – Zoning No comment required</p>
	<p>Point 4 – Services Strategic planning of services is not specifically part of the DCP. Part F – Subdivision & Roads does outline requirements for various services when a subdivision is occurring. From the meeting with the MVC, it was the understanding that this concern particularly related to the area known as 'North Millthorpe' for residential purposes. Having considered this submission, the final version now contains a provision F4.4 North Millthorpe, which transfers key controls from the current North Millthorpe DCP, in particular; Indigenous Heritage, Flooding, Waste water reiterating a minimum 2ha lot size for where the lot is not connected to reticulated sewer</p>
	<p>Point 5 – Subdivisions These matters should be considered in the review of the Blayney Settlement Strategy.</p>
	<p>Point 6 – Environmental No maximum ratio for built form has been included in part C of the DCP. It is proposed to rely on the setbacks required in the DCP rather than place a maximum ratio. Other points are not relevant to the DCP.</p>
Submission 4	<p>Council's DCP Fact Sheet Council endorsed the draft DCP placed on public exhibition at the 18 December 2017 meeting, resolution number 1712/019.</p>
	<p>Part A It is our opinion the draft DCP provides clear and concise development guidelines.</p> <p>The DCP provides guidance for many potential development scenarios. Subjective terms are used as It is not possible for a DCP to be created that caters for every possible scenario across such a unique LGA. Subjective terminology is also used so the developer will contact Council prior to lodgement to clarify any areas where it is not black and white.</p> <p>The DCP continually states to ask Council staff for advice as this reiterates to applicants the importance of engaging Council prior to lodging an application.</p> <p>It is important to set clear guidelines on expectations for parking for proposed developments.</p>

	<p>Part B Part B sets clear guidance when notification is to occur. The use of subjective terminology is important as there may be instances where although a proposed development is not required to be notified in Part B2, Council staff require the flexibility through use of the work “may” to notify if they feel notification is needed.</p> <p>Non-residential uses for Part B3.1(5) is considered to be development that is not a residential use (dwelling or associated structure such as a shed etc).</p>
	<p>Part C Staff have attempted to find all formatting errors that were in the draft DCP exhibited.</p>

From: [REDACTED]
Sent: Tuesday, 20 February 2018 8:54 AM
To: Mark Dicker
Subject: Variation to DCP2017

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

Hi Mark,

We are asking for variation of the DCP 2017.

As the controls council is proposing will make it impossible for us to operate our business.

- Engineering report be changed that the building is structurally sound prior to occupation.
- Hazardous building materials report be supplied prior to transport a second report be supplied prior to occupancy.
- Building allowed to be sited on block but must remain in a transportable state prior to DA approval.
- A geo technical report as to waste and footings be supplied prior to building to building being transported to block.

We have worked with council over the last 8 months to come to common ground where we have been able to comply with these issues. We are asking for variation so our family business can continue to operate. I am very willing to sit down with council at a time that suits you to discuss these variations.

Thank you

[REDACTED]

This email has been scanned by the Symantec Email Security.cloud service.
For more information please visit <http://www.symanteccloud.com>

From: 
To: [Blayney Shire Council; MDicker@blayney.nsw.gov.au](mailto:MDicker@blayney.nsw.gov.au)
Subject: IS/38764 - Draft Development Plan
Date: Sunday, 4 March 2018 2:15:36 PM
Attachments: [carcoar_photos_312.jpg](#)
[exploreIMG_5640.jpg](#)
[carcoar_photos_railway_station.jpg](#)

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

Good afternoon,

I have browsed the Draft Development Control Plan and have come up with the following items which reinforce many of the key points which have been raised in the plan:

Our 'past is our future'.

I believe that the majority of Carcoarians would like to see the quality and character of the village preserved. We value our history and are proud to claim that our nineteenth century streetscapes are among the most 'intact' anywhere in Australia. Carcoar is a powerful reminder of 'the way we lived' and it attracts visitors wanting to make that connection. Although much of the architecture which survives today is brick-built at one time there were also many timber and iron buildings in the village. New developments could acknowledge this aspect of Carcoar's past by using more timber and iron in their construction. It is important that new buildings continue to echo the simple shapes of existing buildings with their straight single-storey frontages and steep pitched roofs of hipped or gable construction. In order to develop a thriving local economy we need to look at the innovative and adaptive re-use of existing heritage buildings for business/community/residential/tourism purposes. Removing the visual clutter of power-lines would enhance the period feel.

It's all about the lifestyle.

Space and 'tranquility' and the prospect of a 'rural lifestyle' are some of the words which are often used to describe the village and its setting. Much of the character of Carcoar is created by the open spaces in the village which provide a setting for the architecture. High density housing should be avoided and careful consideration should also be given to infill housing in the village precinct where it may impact on 'iconic' buildings such as The Presbyterian Church and Stammers (both in Icely Street). The strong visual appeal of these buildings is reinforced by the space around them. Perhaps some consideration should be given to allowing small acreage allotments on the outskirts of town. There is also plenty of scope to develop Mandurama for housing now that the new road is underway.

Preserving Carcoar's natural setting.

Stoke Hill provides the perfect natural backdrop for the village with the Railway Station perched high above the village like a 'folly'. Stoke Hill and its skyline should be protected from any development (Telecom towers, houses and other structures) which will impair this outlook. Similarly, sight-lines within the village looking out towards the surrounding landscape should be taken into consideration. Development should be limited to locations where it will have no impact on the visual impact of the village.

I hope that council will consider the above when finalising their draft plan.

Yours Sincerely,



Millthorpe Village Committee
MILLTHORPE. NSW 2798

Mark Dicker
Director Planning and Environmental Services
Blayney Shire Council
E: MDicker@blayney.nsw.gov.au
CC: rryan@blayney.nsw.gov.au

**SUBMISSION FROM MILLTHORPE VILLAGE COMMITTEE TO BLAYNEY SHIRE
COUNCIL**
RE: THE DRAFT DEVELOPMENT CONTROL PLAN (DCP)

Dear Mark,

Thank you for the information concerning the draft DCP and for meeting with me and other members of the MVC executive in Millthorpe, on the 20th February. The MVC found this meeting and our discussions very worthwhile.

On the 21st February you gave a follow up email and encouraged all our members to read the full document and the exhibition. You also advised that there are proposed changes to Notification to Neighbours which unfortunately was not discussed. We appreciate that you discovered this oversight and brought it to our attention. We have serious reservations about this change and our reasons are outlined in section 2.

Our submission concerns the document as presented. The MVC will continue to provide input and work with Council, as is required under our Constitution. The MVC does not get involved in individual private Development Applications except where there are heritage concerns or immediate impacts to the community. The table on page 2 summarises our thoughts on the draft DCP.

We look forward to seeing the final draft and in continuing working collaboratively with Council

Yours sincerely,

██████████
President of the Millthorpe Village Committee
12th March, 2018
████████████████████

Submission by MVC to BSC re the Draft DCP	
ITEM	COMMENT
1. General	<ul style="list-style-type: none"> • MVC supports the objective of having one document that applies across the shire. • The MVC appreciates that the new DCP cannot be retroactively applied but would encourage the officials to use the proposed DCP on all current and future DA received. • The MVC encourages BSC to fully expose the draft document to as many residents, gatherings, associations, tradesmen, builders and developers so via a series of workshops to begin the task of fully engaging with the whole community. • This DCP is changing notions and a culture and as such to be successful requires behavioural change. This takes time and simply signing off on a document or placing the document on a notice board will not change behaviour. An on-going process of education involving case-studies of excellent and poor DA is suggested. • Community expectations as well as the DCP should be taken into account with every DA. BSC has enough experience to be able to see in advance which DA are controversial and as a matter of course involve the community in these DA.
2. Minor Development Impacting	<ul style="list-style-type: none"> • The MVC strongly encourages BSC to maintain the neighbour objection provision for ALL development applications both inside and outside the heritage zone. • Removing the provision to object is very likely to lead to an escalation of ill feelings between neighbours. This is especially to be avoided in smaller communities. • The neighbour objection provision is a good control measure. Council can match the DA with input received by neighbours and the community and be better informed before a decision is made. • Removing the right to object to DA essentially disenfranchises rate-payers from their right to know what is going on in their street, the village and next door! • The MVC is not convinced that the new DCP will be able to predict a neighbour's objections. How can the DA pick up grass roots knowledge of the site by neighbours? • Currently, it appears that there are different rules for developers of sub-divisions and those for residents. Irrespective of what the type development is for notifications should continue. The fee charged by BSC should cover notification costs such as letters signage etc. The list in section B1.4 needs to be reviewed. • The entire new thrust of the DCP is transparency and yet in this single-issue Council is facilitating opaqueness. The MVC encourages Council to retain the neighbour notification provision.
3. Zoning	<ul style="list-style-type: none"> • The MVC does not support any general development on the small blocks remaining within current streetscapes that do not fully comply with heritage values. • The MVC supports DA that actively address the heritage architecture of neighbouring homes, buildings and commercial premises, their fences, windows, doors and set-backs. • The MVC does not support the re-zoning of highly productive agricultural land to provide medium-density housing. • The MVC will object to any development around or within Millthorpe, that results in a <i>North Orange</i> style enclave.
4. Services	<ul style="list-style-type: none"> • The MVC cannot see how the DCP will ensure that services and infrastructure will be developed as the number of residences and therefore people increase. The MVC encourages the BSC to provide services before DA are approved or as a condition of approval. • The MVC supports the principles of co-contributions. • The MVC does not support approvals for new commercial and private buildings and homes that do not include connection to the sewerage scheme especially if those homes are built on sloping blocks.
5. Subdivisions	<ul style="list-style-type: none"> • The existing house blocks within the existing village limits are quite large. The MVC would encourage a more detailed section be added to the DCP setting out standards for subdividing residential blocks in terms of building size, use and occupancy. • The MVC acknowledges that there is room for development to the East and West of the village.

Submission by MVC to BSC re the Draft DCP	
ITEM	COMMENT
	<ul style="list-style-type: none"> • The MVC notes that recent proposal for land re-zoning along Glenorie Road seems to contradict the ethos, objectives and guidelines in the draft DCP. • The MVC wants to preserve the essential rural nature of the village and its history as a small service centre. Our future contribution to the Shire will not be through huge developments and subdivisions but via Tourism. People come to Millthorpe because it is quaint and intact. They will not come if they have to drive through surrounding "suburbia" to get to the gems of Victoria and Pym Street. • The current perimeter of the Millthorpe conservation area may be too big however, the MVC advocates pushing out the conservation area marginally by about 50%. • The MVC requests council to re look at minimum block sizes and increase them.
<p>6. Environmental</p>	<ul style="list-style-type: none"> • The MVC would like to see the DCP include a ratio of the relationship between the home or building footprint and the permeable green/garden space. • A DA for residential blocks and sub-divisions should include a provision that asks the developer to list possible future developments such as swimming pools, sheds, paving and so on. • Taking into account the points above, a minimum of 35% of permeable ground surface must be maintained on the allotment after all development has been completed. • Water bores in residential areas should not be permitted. • The MVC notes that previous curb and guttering of some streets in Millthorpe has not been adequately planned and executed. Proper guttering with the correct drainage, pipe capacity needs to be designed. The question then is, "Where is all the water being piped to?" • Millthorpe has grassed dish drains and these allow soaking in of water and they slow down torrents. A combination of dish gutters, sump drains, kerbed gutters all networked to allow for catchment to tanks or to Mill Pond should be a long-term goal.

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Blayney Shire Council
General Manager
Email council@blayney.nsw.gov.au

15 March 2018

Dear General Manager,
Draft Development Control Plan. (DCP)

We make the following submission on the above subject.
For convenience the draft DCP will be referred to as DCP in this submission.

Council's Draft DCP Fact Sheet.

- In 20 February 2017, business papers ordinary council meeting, council resolution report p35, states the resolution to proceed to develop a comprehensive development control plan, prior to January 2017, had not commenced as yet.
When questioned by Cr Ewin as to why the DCP had not been done, the Director's reasons were a potential council merger and waiting for the standardised DCP. It was decided to put the DCP on hold. The resolution 1602/027 (4) was removed from subsequent resolution reports. It is unlikely that staff and consultants have been working on the DCP for the last twelve months. With no document control, it cannot be determined what has been done by whom and when.
- The Council did not endorse the draft DCP on exhibition. This was drawn to council's attention on 19 February 2018 at council's ordinary meeting. Inaction by the Councillors indicates they have decided to continue with the unendorsed document on exhibition. It can be concluded that a resolution and endorsement of Council has no value.

Part A

Purpose and status of development control plans s3.42 EPA Act.

(1) "The principal purpose of a development control plan is to provide guidance on the following matters.....

- (a) giving effect to the aims of any environmental planning instrument that applies to the development,
- (b) facilitating development that is permissible under any such instrument,
- (c) achieving the objectives of land zones under any such instrument."

- The draft DCP does not provide clear and concise development guidelines. It is in conflict with 1(a-c) above.
- Some of the terms are subjective such as - may require, adequate, appropriate, sufficient and significant. These are not standards. It will be up to the council officers. If the council staff are unable to establish the standards in the DCP, they will not be able to make a decision for a development. No one carrying out development will know where they stand. Developers will take their development plans and associated investment, elsewhere.
- The DCP continually states to ask council staff for advice on matters they are unsure of. This conflicts with the another part which states the advice is not designed to replace the assessment process. A developer cannot have confidence in the advice given.
- The DCP states it adopts the definitions in the dictionary in the BLEP2012. The DCP has adapted definitions from 2002 RTA guidelines for traffic generating development(TGD) and, where land uses are not listed, Council will have regard to RMS guidelines. These definitions may not be consistent with those definitions in the BLEP2012. Council is making the RMS guidelines for TGD, into a standard when their purpose is to only be a guide.

Part B

- In relation to Notification of development the word “may” is used. Council staff may decide not to follow the procedure. The DCP states who “will” be notified and in the same section uses the words “may be notified”. Nothing has changed from the current practices.
- Non-residential uses in, or adjacent to, zones R1, R5 and RU5 “may” be advertised. It also states “will be advertised”. Council has no specified developments. Council officers will not know which type of developments are to be advertised. There are no pre-determined reasons why a type of development should be advertised.

Part C

Part C is a complete mess. Section numbers have been removed. There is doubling up of information, text removed, additional sections, numbers changed, numbers missing, items are out of sequence. Despite it stating Version F 2 November 2017 for exhibition, this is not the version endorsed by council. It is another version. The differences are more than formatting as was suggested by the Director in the public meeting.

Conclusion

The entire Draft DCP is impossible to comment on, because it is such a confused document. This document on exhibition doesn't tell the community or developers what the standards are. It will give no guidance to a council officer for them to make a sound decision. The draft DCP is not clear and concise.

It doesn't meet the principal purpose as per the s3.42 EPA Act 1979 and it won't promote growth and development in the Blayney Shire. Developers will go elsewhere.



21) MINUTES OF THE BLAYNEY SHIRE ACCESS ADVISORY COMMITTEE HELD 7 JUNE 2018

Department: Planning and Environmental Services

Author: Director Planning and Environmental 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:

1. That the minutes of the Blayney Shire Access Advisory Committee, held Thursday 7 June 2018, be received and noted.
2. Council install signage out the front of the Blayney Community Centre to inform the community that accessible car parking is located in the existing car park.

MINUTES OF THE BLAYNEY SHIRE ACCESS ADVISORY COMMITTEE MEETING HELD ON THURSDAY 7 JUNE 2018 AT THE BLAYNEY SHIRE COMMUNITY CENTRE

Meeting commenced at 6.00pm.

PRESENT

Councillor Scott Denton (chair), Shane Oates, Tom Williams and Mark Dicker (Director Planning and Environmental Services (DPES)).

APOLOGIES

Councillor Bruce Reynolds, Jenny McMahon

CONFIRMATION OF PREVIOUS MINUTES

The minutes of the previous meeting held on 3 August 2017 were confirmed to be a true and accurate record of that meeting.

(Shane Oates/Tom Williams)

DISCLOSURES OF INTEREST

Nil.

BUSINESS ARISING FROM PREVIOUS MEETING**Westside Service Station Accessibility**

The Manager of this business has been advised the bunding can be altered to allow access to the front door provided additional bunding is installed to ensure the a continuous bund remains in place.

CentrePoint Sport and Leisure Centre

The committee were advised that new accessible toilet / change room in the pool hall and 2 new accessible car parks off Ogilvy St are in the list of preferred projects for the NSW Government Stronger Country Communities round 2 funding.

To date there has been no announcement from the Federal Government on the application for a \$1.5M grant for the \$3.9M major upgrade. It is anticipated there may be an announcement in July.

Audit of accessible car parking across Blayney Shire

The committee were advised this has not been actioned yet, and due to current workloads, Council staff cannot commit to undertake such an audit. The discussion was had that this could form part of a wider discussion driven by the Access Committee.

ACTION; Access Committee members prior to the next meeting to note the location of accessible car parking locations throughout the Blayney Shire for discussion at the next meeting.

\$5,000 per annum for access consulting

The committee were advised this is in the draft 2018/19 draft operational plan and also in the 10 year long term financial plan.

Kurt Fearnley Park shelter access

The committee were advised these works were completed 2 weeks after the last meeting.

Millthorpe school pedestrian crossing

The committee were informed that this work may have been undertaken as road pavement repairs and also concreting works had been undertaken near the crossing recently.

Blayney Shire Community Centre

The committee were advised the investigation of creating accessible car parking out the front of the Community Centre has not commenced as yet. General discussion was had on this matter and it was agreed not to pursue this any further due to the difficulties in locating a compliant accessible car park out the front of the Community Centre, including; RMS road, proximity to Adelaide St intersection and steep grades).

It was discussed and agreed to install signage similar to the VIC altering persons to the existing complaint parking within Community Centre car park.

RECOMMENDED; Council install signage out the front of the Blayney Community Centre to inform the community that accessible car parking is located in the existing car park.

(Shane Oates/Scott Denton)

AGENDA ITEMS**Adelaide Street Blayney Accessible Parking**

The committee viewed the large canvas Adelaide St map from the Blayney 2020 MasterPlan and discussed the location of accessible car parking throughout the CBD of Blayney. The need for consideration of a space near the Royal Hotel or Post Office was discussed.

The question was asked if the Blayney train station has an accessible car space.

ACTION; DPES to confirm if Blayney train station has an accessible car space and if not write to John Holland for them to consider marking accessible spaces at Blayney train station.

Access Committee Membership

The committee discussed the need to increase the number of member on the committee.

ACTION; Each member of the Access Committee is to approach at least 1 member of the community to seek interest in joining the Access Committee.

ACTION; DPES to confirm the correct process for increasing membership of the Access Committee.

FUTURE AGENDA ITEMS

To be advised 2 weeks prior to next meeting.

FUTURE MEETING DATES

- 25 October 2018

MEETING CLOSE

The meeting closed at 7:00pm.

Enclosures (following report)

Nil

Attachments (separate document)

Nil

22) MINUTES OF THE BLAYNEY SHIRE CEMETERY FORUM HELD 7 JUNE 2018

Department: Planning and Environmental Services

Author: Director Planning and Environmental Services

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

File No: GO.ME.1

Recommendation:

That the minutes of the Blayney Shire Cemetery Forum, held Thursday 7 June 2018, be received and noted.

**MINUTES OF THE BLAYNEY SHIRE CEMETERY FORUM MEETING
HELD ON THURSDAY 7 JUNE 2018
BLAYNEY SHIRE COMMUNITY CENTRE**

Meeting commenced at 5.05pm.

PRESENT

Councillor David Kingham (Chair), Councillor John Newstead, Kevin Radburn (Senior), Kevin Radburn, Helen Dent, Vicki Pulling, Hayley Lavers, Candice Braddon, Mitchell Groves, Mark Dicker (Director Planning and Environmental Services (DPES)).

APOLOGIES

Nil

CONFIRMATION OF MINUTES

The minutes of the previous meeting held on 3 August 2017 were confirmed to be a true and accurate record of that meeting.

(Cr John Newstead/Vicki Pulling)

DECLARATIONS OF INTEREST

Nil.

BUSINESS ARISING

Cemetery Brochure

The following information is desired to be included;

- Family History contact details,
- VIC contact details,
- Link to the BSC online mapping,

- Notation to state “this is only cemeteries under the care and control of BSC”

Muslim Cemetery

The committee were advised Blayney is progressing slowly. Council is arranging for approximately 6 trees to be removed as the first step.

DPES advised no information was found confirming Council established a Muslim section at Hobbys Yards.

ACTION; Kevin Radburn Senior to contact Joe Brown.

Blayney Shire Cemetery Capacity

The committee were advised Council acknowledges that it needs to start strategically planning for the expansion of Blayney cemetery. It was asked what about Millthorpe? DPES advised this was the first he had heard of a concern for Millthorpe.

Restoration of damaged and/or derelict graves

Committee were provided with a report prepared by McMurtire & Co. The committee asked what the scope was, DPES advised that the brief was go and inspect every cemetery and prepare a report outlining estimated figure to repair derelict graves. The report was used for an OEH grant application seeking \$90k to restore derelict grave sites.

The committee discussed if alternate options such as not fully restoring some graves that were considered ‘too far gone’ and instead placing a brass plaque to mark the grave might be a more efficient way restoring some graves. DPES advised this was a starting point for the annual \$5k to restore graves.

ACTION; Committee members to inspect their closest cemeteries and come to the next meeting with their priority list of graves for each cemetery for restoration.

BUSINESS ADVISED

Lyndhurst

Vicki Pulling asked if Council could consider beautifying Lyndhurst Cemetery? DPES advised he would need to speak to Councils Supervisor Parks and Recreation. DPES advised funds could be used from the Lyndhurst VEP funds.

Vicki Pulling asked if the recently installed seat could be relocated to the position that had previously been advised to Council. DPES asked Vicki to re supply Council with a map showing the desired location and DPES will consult with Councils Supervisor Parks and Recreation.

Niche Walls

The committee were advised Millthorpe and Newbridge Niche Walls were progressing with a local builder engaged to oversee the bricklaying, it is hoped this will be completed prior to 30 June 2018.

FUTURE MEETINGS

- 25 October 2018

MEETING CLOSE

The meeting closed at 5.50pm.

Enclosures (following report)

Nil

Attachments (separate document)

Nil

23) CENTROC BOARD MEETING AND INAUGURAL MEETING OF CENTRAL NSW JOINT ORGANISATION - 24 MAY 2018

Department: Executive Services

Author: Mayor

CSP Link: 6.3 A well-run Council organisation.

File No: GR.LR.3

Recommendation:

That the Mayoral Report from the Centroc Board and Inaugural Central NSW Joint Organisation Meeting held 24 May 2018 at Parliament House be received and noted.

Reason for Report:

To provide Council with the Mayors delegate report on the Centroc Board Meeting and inaugural meeting of the Central NSW Joint Organisation (CNSW JO)

Report:

The Centroc Board meeting and the inaugural meeting of the Central NSW Joint Organisation at Parliament House Sydney 24 May 2018. The Board wish to make special mention of the assistance provided by the Hon Paul Toole in organising this event.

The Board heard from Mr Ken Gillespie, Coordinator of the Regional Infrastructure team and Mr Chris Hanger, Executive Director, Regional Infrastructure Networks. Mr Gillespie's focus is on growing local economies to grow functional economic regions. Reference was made to the way JO's will be strategically placed and the grants process overhauled.

The Hon Rick Colless, Parliamentary Secretary for Natural Resources and Western NSW was in attendance and raised the issue about the Benefit Cost Ratio needing to be more than one for regional projects especially in smaller communities and how to address the issue.

The Board was also joined throughout the day by;

- Minister for Health and Minister for Medical Research, The Hon Brad Hazzard;
- Minister for Planning, Minister for Housing, Special Minister of State, The Hon Anthony Roberts;
- Minister for Roads, Maritime and Freight, The Hon Melinda Pavey, accompanied by Ken Gillespie, Roy Wakelin-King, Executive Director, Regional & Freight, RMS and John Hardwick, Executive Director, Sydney Roads and Maritime Services;

- Minister for Tourism and Major Events, Assistant Minister for Skills, The Hon Adam Marshall;
- Minister for Lands and Forestry, Minister for Racing, The Hon Paul Toole;
- Deputy Premier , Minister for Regional New South Wales, Minister for Skills, Minister for Small Business, The Hon John Barilaro;
- Minister for Primary Industries, Minister for Regional Water, and Minister for Trade and Industry, The Hon Niall Blair;
- Minister for Police, Minister for Emergency Services The Hon Troy Grant;
- Parliamentary Secretary for Regional Roads, Maritime and Transport, Kevin Anderson MP and Steph Cooke, Member for Cootamundra, Advisors Simon Moses, Ryan Smith, Angus McKenzie-Wills, Chris Hanger, Executive Director Regional NSW, Department of Premier & Cabinet and Amanda Jones, Chief Operating Officer, Infrastructure NSW;
- Minister for the Environment, Minister for Local Government, Minister for Heritage The Hon Gabrielle Upton;
- Minister for Resources, Minister for Energy and Utilities, and Minister for the Arts, Vice-President of the Executive Council, The Hon Don Harwin; and
- LGNSW President, Cr Linda Scott, accompanied by Chief Economist, Shaun McBride and Senior Policy Officer, Mark Hely.

Central NSW Joint Organisation Board Meeting

The inaugural meeting of the CNSW JO was held. The Office of Local Government delegated the role of Returning Officer to Mr David Sherley, General Manager of Bathurst. Cr John Medcalf was elected unopposed as the Chair of CNSW JO and Cr Scott Ferguson was elected unopposed as the Deputy Chair. Ms Jennifer Bennett was appointed the Interim Executive Officer.

A series of policies were adopted at this meeting. Member councils are being asked for feedback on the Draft Charter, Draft Payment of Expenses and provision of facilities for Board Members and Draft Code of Meeting Practice.

Regular updates and progress will be reported as guided by the Office of Local Government. Recruitment and a strategic phase will progress as soon as practicable.

The following summary, along with the meeting minutes for both the Centroc Board and the CSNW JO are provided for Council's information.

Transport Infrastructure – The Centroc Board continues advocating aggressively regarding the need for a safe swift link between Central NSW and Western Sydney. The Board is acutely aware of the challenges of the communities of Western Sydney and is respectful of their needs. Representing the communities of Central NSW the Board does not have a

view on the specifics of the corridor alignment only that a corridor needs to be secured for a future safe swift link between Sydney and Central NSW. It is Board policy to support a corridor M7 to Kurrajong. Recognising the concerns being expressed in Western Sydney on the departure from the 1951 alignment, this region sees the 1951 corridor as satisfactory with the proviso that it extends through to Kurrajong.

A future meeting with the Regional Strategic Alliance (RSA) Hawkesbury Council, Blue Mountains City Council and Penrith City Council will be progressed after they have met in June.

The Hon Melinda Pavey, Minister for Roads, Maritime and Freight addressed the Board accompanying her was Ken Gillespie, Roy Wakelin-King, Executive Director, Regional & Freight, RMS and John Hardwick, Executive Director, Sydney Roads and Maritime Services who is responsible for the Bells line of Road. Of note is the progression of a Taskforce of key stakeholders working towards the long term solution.

An update was given regarding a meeting with Vital Intermodal Transport Links group and NSW Farmers held in Sydney 23 May.

The Chair, Deputy Chair and Cr West met with Mick Veitch, Jodi McKay 23 May to discuss the connectivity from Central NSW to Sydney and Opposition policy in this regard.

Water Infrastructure - A detailed brief was provided to the Minister for Primary Industries, Minister for Regional Water, and Minister for Trade and Industry, The Hon Niall Blair.

A question was asked from the floor regarding Council's ownership of water and sewerage to the Deputy Premier, Minister for Regional New South Wales, Minister for Skills, Minister for Small Business, The Hon John Barilaro. Minister Blair had also just arrived in the room and a commitment was made by both the Deputy Premier John Barilaro and Minister Niall Blair that this will remain a policy of NSW Government. Follow up correspondence thanking both will be sent to their offices.

Chair of Central Tablelands Water advised the Lithgow to Kings Plains Water Transfer Pipeline Concept had progressed.

A meeting was held with DPI-Water 23 May, Deputy Secretary Lands and Water, NSW Department of Industry along with representatives from the department, it was an opportunity to meet and brief them on issues that are challenging our region, but also on opportunities to work collaboratively to deliver outcomes on the ground.

The Benefit Cost Ratio issue was again raised with the Minister.

Health – The Board was addressed by the Minister for Health and Minister for Medical Research The Hon Brad Hazzard.

Further follow up to occur with the Minister for Health regarding the funding for training for Council staff in the use of fluoride in drinking water.

The Board resolved to endorse the actions of the Chair in supporting the Murray Darling Medical School (MDMS) announcement and continue to advocate to optimise outcomes from the MDMS for this region. The region will also write to Charles Sturt University to congratulate them on their success.

Regional Development – The Board welcomed the new Chair of Regional Development Australia Central West, Ms Christine Weston. A letter of thanks will be sent to RDA Central West for their support for telecommunications for the region. Please refer to the Board Agenda for full updates from RDACW and the Department of Premier and Cabinet.

The Deputy Premier, Minister for Regional New South Wales, Minister for Skills, Minister for Small Business, The Hon. John Barilaro, made reference to the types of projects that will be funded from the \$4.2b Snowy Hydro legacy fund where the thinking is once in a lifetime substantial projects where the money won't be spent until after the election next year.

JO Report - Ministers throughout the day congratulated the region on its decision to join the Central NSW Joint Organisation and on being the first in the State to hold their meeting. The Centroc Board meetings and JO Board meetings will be held concurrently until Centroc as a Section 355 Committee of Forbes Shire Council is wound up. There is a significant amount of work to be undertaken in the transfer.

Planning –The implementation of the Department of Planning Regional Plan for this region is on track. An update as at April was listed in the Board Agenda on the priority projects being implemented from the Central West and Orana Regional Plan.

Of note in the Implementation Plan is item 4.1 – aligning land use to tourism. To progress this, a meeting of tourism and Council Planning staff was coordinated for 2 May in Orange. An options paper to this meeting has been provided and circulated. Attendance to this workshop was good.

Representatives attended a separate workshop run by the Department of Planning on the freight network for improvements to the planning system to facilitate tourism and a food and fibre strategy for Central NSW.

The Board resolved to invite to the region Minister for Planning, Minister for Housing, Special Minister of State, The Hon. Anthony Roberts.

Tourism – The Board resolved to encourage their staff to engage in the funded regional PR and marketing campaign. The Destination Country and Outback NSW board members are: Stephen Bartlett – Chair, Wincen Cuy – Director, Russell Holden – Director, Colin Hughes – Director, Robert Mason – Director, Marie Russell AM – Director, Rhonda Taylor – Director.

In the address from the Minister for Tourism and Major Events, Assistant Minister for Skills, The Hon Adam Marshall he was clear that he has instructed the Destination Country and Outback NSW to work on a subregional basis.

Operational – The Board were updated on the \$6.7m in grant funding that Centroc has assisted members in obtaining since 2009.

Progress on Southern Lights Project was reported, where significant effort is being undertaken across Southern NSW on a collaborative project to deliver LED with smart controls street lighting.

There has been a lot of work taking place in Energy including a submission to IPART on the feed-in tariff, a submission to the Australian Energy Market Operator on Integrated System Plans and a grant application for \$30,000 from Dept of Planning and Environment for advice for Councils on solar streetlights.

Currently there are investigate options for Power Purchase Agreements for member councils.

The Board will be extending an invitation to the Minister for Energy, the Hon D Harwin, to the region in July or August.

Financial – The Board anticipates a profit of \$11,403 at 30 June 2018 against a budgeted profit of \$842.

Risk/Policy/Legislation Considerations:

Nil

Budget Implications:

Nil

Enclosures (following report)

- | | | |
|---|---|---------|
| 1 | Minutes of the Inaugural Central NSW Joint Organisation - 24 May 2018 | 3 Pages |
| 2 | Minutes of the Centroc Board Meeting - 24 May 2018 | 6 Pages |

Attachments (separate document)

Nil

Minutes of the Inaugural Central NSW Joint Organisation meeting 24 May 2018 Preston Stanley Room Parliament House Sydney

Present Members (in Bold)

Cr G Hanger	Bathurst Regional Council	Cr J Medcalf	Lachlan Shire Council
Cr S Ferguson	Blayney Shire Council	Cr K Sajowitz	Oberon Council
Cr K Beatty	Cabonne Council	Cr R Kidd	Orange City Council
Cr B West	Cowra Council	Cr K Keith	Parkes Shire Council
Cr G Miller	Forbes Shire Council	Cr M Liebich	Weddin Shire Council

Attendees

Mr R Hunt	Lachlan Shire Council	Cr D Somerville	CTW
Mr D Sherley	Bathurst Regional Council	Mr G Rhodes	CTW
Ms R Ryan	Blayney Shire Council	Mr A Albury	DPC
Mr S Harding	Cabonne Council	Cr C Weston	RDACW
Mr P Devery	Cowra Council		
Mr S Loane	Forbes Shire Council	Ms J Bennett	Centroc
Mr G Wallace	Oberon Council	Ms M Macpherson	Centroc
Mr K Boyd	Parkes Shire Council	Ms C Griffin	Centroc
Mr G Carroll	Weddin Shire Council	Ms V Page	Centroc

Meeting opened 2.44pm, Chaired by Returning Officer Mr David John Sherley, General Manger Bathurst Regional Council

1. **Apologies** -Mr G Styles, Ms J Andrews

2. **Proclamation and Regulation effecting the Central NSW Joint Organisation**

Resolved	Cr R Kidd/Cr K Keith
That the Board note the Proclamation and Regulation effecting the Central NSW Joint Organisation	

3. **Office of Local Government 1. Implementation on Joint Organisations 2. Returning Officer**

Resolved	Cr R Kidd/Cr B West
That the Board	
1. note the advice from the Office of Local Government providing guidance on the implementation on Joint Organisations "Joint Organisation Implementation Guidance; and	
2. note that Mr Tim Hurst has delegated the calling of the meeting, the development of the Agenda and the role of Returning Office to Mr David Sherley, General Manager of Bathurst Regional Council.	

4. **Election of Chairperson and Deputy Chairperson**

The Returning Officer Mr David Sherley provided advice that he has received two nominations, one for the position of Chair and one for the position of Deputy Chair. Both were in order. No other nominations were provided from the floor.

Accordingly, Cr John Medcalf as elected as Chair and Cr Scott Ferguson was elected as Deputy Chair.

5. Disclosure of delegates - Designated persons (s:449 L.G. Act)

Resolved	Cr R Kidd/Cr G Miller
That the Board:	
<ol style="list-style-type: none"> 1. note that all Board members and the Executive Officer are automatically designated persons for the purposes of s:449 of the Local Government Act; 2. note that as alternatives Deputy Mayors should also be treated as designated persons; and 3. note the responsibility of designated persons in returning disclosures of interest forms. 	

6. Central NSW Joint Organisation Draft Charter

Resolved	Cr B West/Cr R Kidd
That the	
<ol style="list-style-type: none"> 1. Draft Charter for the Central NSW Joint Organisation be referred to members for a period of 42 days seeking feedback; and 2. A further report come back to the CNSWJO detailing members feedback for consideration by the Board. 	

7. Appointment of interim Executive Officer

Resolved	Cr R Kidd/Cr K Keith
That Ms Jenny Bennett be appointed the interim Executive Officer of the Central NSW Joint Organisation of Councils for the period of 12 months.	

8. Delegations to the interim Executive Officer

Resolved	Cr B West/Cr M Liebich
That the Central NSW Joint Organisation adopt the delegations register as tabled.	

9. Code of Conduct and Panel of Conduct Reviewers

Resolved	Cr G Miller/Cr S Ferguson
That the Central NSW Joint Organisation adopt:	
<ol style="list-style-type: none"> 1. the Model Code of Conduct for Local Councils in NSW (the Model Code); 2. the Procedures for the Administration of the Model Code of Conduct for local Councils in NSW (the Procedures); 3. the panel of Conduct Reviewers as established by Centroc. 4. The PUBLIC INTEREST DISCLOSURES (PROTECTED DISCLOSURES) 	

10. Central NSW Joint Organisation Policy Manual

Resolved	Cr M Liebich/Cr B West
That the Central NSW Joint Organisation adopt the following policies	
<ol style="list-style-type: none"> 1. Access to Information 2. Budgeting, Financial Reporting & Purchasing 6. Donations 7. Email and Internet 9. Investment Policy 10. Review of Internally Restricted Reserves 11. Organisational Documentation Policy 12. Document Printing Policy 13. Communication Policy 15. Social Media Policy 	

11. Payment of Expenses and the Provision of Facilities to Board Members Policy**Resolved** **Cr K Keith/Cr K Beatty**

That:

1. The draft policy for the payment of expenses and the provision of facilities to Board members and the Chairperson be referred to member Councils for their comment for a period of 42 days.
2. The draft policy and comments from member councils be referred to a future meeting of the Board for consideration and adoption of the policy as amended (if required).

12. Code of Meeting Practice**Resolved** **Cr K Sajowitz/Cr G Miller**

That:

1. The draft Code of Meeting Practice be referred to member Councils for their comment for a period of 42 days.
2. The draft Code of Meeting Practice and comments from member Councils be referred to a future meeting of the Board for consideration and adoption of the policy as amended (if required).

13. Seal**Resolved** **Cr J Medcalf/Cr M Liebich**

That the Central NSW Joint Organisation(JO):

- a. Adopt a Seal of the JO which contains the wording, “Central NSW Joint Organisation” inside two concentric circles with two intersecting “C’s” in the middle and;
- b. The seal be kept by the Executive Officer.

14. Privacy Management Plan**Resolved** **Cr S Ferguson/Cr M Liebich**

That the Central NSW Joint Organisation Board adopt OLG model Privacy Management Plan.

15. Register of Political Donations Disclosures**Resolved** **Cr K Beatty/Cr G Miller**

That the Central NSW Joint Organisation Board note the register of political donation disclosures.

16. Timeline, opening a bank account, recruitment and strategy**Resolved** **Cr G Miller/Cr K Keith**

That the Board note the timeline for the implementation of the JO and

1. with regard to opening of a bank account confirm the Executive Officer, Ms Jennifer Bennett, has delegation to
 - a. open a bank account in the name of the Central NSW Joint Organisation
 - b. obtain an ABN; and
 - c. nominate signatories
2. with regard to progressing recruitment of an Executive Officer and strategy going forward, authorise the Chair to undertake all necessary steps to commence a recruitment process for an Executive Officer with a report to be provided to the Joint Organisation meeting in August; and
3. concurrent with recruitment, commence the strategic process.

Next meeting of the Joint Organisation is 23 August 2018**Meeting closed 2.57pm****Page 3 is the last page of the Inaugural Central NSW Joint Organisation meeting 24 May**

Minutes of the Board Meeting 24 May 2018 held at Parliament House Sydney**Board Delegates in bold**

Cr G Hanger	Bathurst Regional Council	Cr K Sajowitz	Oberon Council
Mr D Sherley	Bathurst Regional Council	Mr G Wallace	Oberon Council
Cr S Ferguson	Blayney Shire Council	Cr R Kidd	Orange City Council
Ms R Ryan	Blayney Shire Council	Cr K Keith	Parkes Shire Council
Cr K Beatty	Cabonne Council	Mr K Boyd	Parkes Shire Council
Mr S Harding	Cabonne Council	Cr M Liebich	Weddin Shire Council
Cr D Somerville	Central Tablelands Water	Mr G Carroll	Weddin Shire Council
Mr G Rhodes	Central Tablelands Water	Mr A Albury	DPC
Cr B West	Cowra Council	Ms C Weston	RDACW
Mr P Devery	Cowra Council	Ms J Bennett	Centroc
Cr G Miller	Forbes Shire Council	Ms M Macpherson	Centroc
Mr S Loane	Forbes Shire Council	Ms C Griffin	Centroc
Cr J Medcalf	Lachlan Shire Council	Ms V Page	Centroc
Mr R Hunt	Lachlan Shire Council		

1. Welcome

The meeting was opened at 9.05. by Chair **Cr J Medcalf**

9.10am Mr Ken Gillespie Coordinator, Office of the Regional Infrastructure and Chris Hanger Executive Director, Regional Infrastructure Networks addressed the Board.

The Hon Rick Colless, Parliamentary Secretary for Natural Resources and Western NSW was in attendance

9.50am Board meeting resumed

2. Apologies

Cr S Lesslie, Mr G Faulkner, Mr G Styles, Cr B McCormack, Mr J Bell, Cr B Ingram, Mr D Aber, Ms J Andrews

Resolved	Cr M Liebich/Cr R Kidd
That the apologies for the Centroc Board meeting 24 May 2018 listed above be accepted.	

3. Minutes**4a Noting of the Minutes of the GMAC Meeting 3 May 2018**

Resolved	Mr R Hunt/Mr S Loane
That the Minutes of the Centroc GMAC Meeting 3 May held in Orange be noted.	

4b Confirmation of the Minutes of the Board Meeting 22 February 2018 at Condobolin

Resolved	Mr G Carroll/Cr G Miller
That the Minutes of the Centroc Board Meeting 22 February 2018 held at Condobolin be confirmed.	

4c Noting of the Centroc Executive meeting 3 May 2018 at Orange

Resolved	Cr S Ferguson/Cr K Keith
That the Minutes of the Centroc Executive meeting 3 May 2018 at Orange be noted.	

5a. Business Arising from the Minutes – Matters in Progress

Resolved	Cr K Keith/Cr R Kidd
That the Board note the Matters in Progress, making deletions as suggested.	

6 Correspondence**6a Correspondence In**

Resolved	Mr K Boyd/Cr G Miller
That the Board note the incoming correspondence.	

6b Correspondence Out

Resolved	Mr K Boyd/Cr G Miller
That the Board note the outgoing correspondence.	

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

Resolved	Cr K Keith/Cr B West
That the Board note the Transport Infrastructure Report; and	
<ol style="list-style-type: none"> 1. endorse the Centroc submission to the NSW Draft Freight and Ports Plan by TfNSW; 2. note the update from meetings with Penrith, Hawkesbury and Blue Mountains Councils; 3. ask ALGA and LGNSW to provide feedback to the National Rail Safety Regulator on their views on the Road Rail Interface negotiation process; 4. note the advice regarding Road Rail Interface Agreements; 5. note the progress regarding engagement with Western Sydney Councils; 6. lodge a submission to the Corridor Feedback process within current policy; 7. write a letter of thanks to The Minister for Roads, Port and Freight, Melinda Pavey; 8. concurrently seek a formal update on progress of the Taskforce; 9. adopt the following structure for engagement to progress the safe swift link between Central NSW and Sydney and progress this subsequent to meeting with stakeholders currently engaged in advocacy as listed below at 11; 10. include RDA Central West Chair Christine Weston in the structure; 11. note that under the auspices of the Executive a meeting is being coordinated between NSW Farmers, the Regional Strategic Alliance and the VITL group to share advice with a view to potential collaboration on the safe swift link between Sydney and Central NSW; 12. seek support from members for the work being undertaken by the VITL group though requesting EDOs provide links to local business chambers and transport companies as well as potential advocacy support from Mayors; 13. seek meetings with Mick Veitch, Jodi McKay and Leader of Opposition, Luke Foley; 14. lodge a submission in line with existing policy and to request that members also lodge submissions taking into consideration the concerns of Western Sydney; and 15. formalise a future meeting with Western Sydney Councils of the Regional Strategic Alliance (RSA) Hawkesbury Council, Blue Mountains City Council and Penrith City Council. 	

Between 10am and 1:45 the meeting was addressed by:

- **Minister for Health and Minister for Medical Research The Hon. Brad Hazzard**
- **Minister for Planning, Minister for Housing, Special Minister of State, The Hon. Anthony Roberts**
- **Minister for Roads, Maritime and Freight, The Hon. Melinda Pavey**
- **Minister for Tourism and Major Events, Assistant Minister for Skills, The Hon. Adam Marshall**

- Minister for Lands and Forestry, Minister for Racing, The Hon. Paul Toole
- Deputy Premier , Minister for Regional New South Wales, Minister for Skills, Minister for Small Business, The Hon. John Barilaro
- Minister for Primary Industries, Minister for Regional Water, and Minister for Trade and Industry, The Hon. Niall Blair
- Minister for Police, Minister for Emergency Services The Hon. Troy Grant
- Parliamentary Secretary for Regional Roads, Maritime and Transport, Kevin Anderson MP
- Minister for the Environment, Minister for Local Government, Minister for Heritage The Hon. Gabrielle Upton
- Minister for Resources, Minister for Energy and Utilities, and Minister for the Arts, Vice-President of the Executive Council, The Hon. Don Harwin

10.28am – Cr Graeme Hanger Mayor and David Sherley General Manager of Bathurst Regional Council arrived at the meeting

Steph Cooke, Member for Cootamundra arrived 12:45

At 1:45pm the meeting adjourned for lunch and the inaugural meeting of the Joint Organisation Board.

At 2.25pm the meeting was addressed by LGNSW President, Cr Linda Scott, accompanied by Chief Economist, Shaun McBride and Senior Policy Officer, Mark Hely.

Meeting resumed at 2:44

2.57pm - Cr Graeme Miller Mayor of Forbes, departed meeting

2.59pm - Mr Derek McCarthy Implementation Liaison Manager OLG, departed meeting

7b Water Infrastructure Report

Resolved	Cr D Somerville/Cr S Ferguson
That the Board note the Water Infrastructure report; and	
1. Note the Executive is giving consideration to briefing MPs Mr Phil Donato and Ms Steph Cooke on the status of water security projects and to seek their support;	
2. Note the report on the progress including funding implications of the Kings Plains duplication feasibility study; and	
3. Note the commitment of the Deputy Premier John Barilaro and Minister Niall Blair on council’s ownership of water and sewerage and send thankyou letters.	

7c Health Report

Resolved	Cr J Medcalf/Mr G Carroll
That the Board note the Health Report; and	
<ol style="list-style-type: none"> 1. Endorse the actions of the Chair in supporting the Murray Darling Medical School (MDMS) announcement and continue to advocate to optimise outcomes from the MDMS for this region; 2. Advocacy for the MDMS to include for training places in hospitals; 3. Write to Charles Sturt University congratulating them in this regard; and 4. Follow up with the Minister for Health regarding the funding for training for Council staff in the use of fluoride in drinking water. 	

7d Regional Development

Resolved	Cr B West/Mr K Boyd
That the Board note the Regional Development Report; and	
<ol style="list-style-type: none"> 1. Support the Regional Leadership Executive priority ‘Strengthening Governance in Central West and Orana Communities noting that the focus from this region is for urban water;’ 2. Provide regional support to progressing business cases with Mobile Network Operators to deliver priority telecommunications infrastructure in the region as identified in the RDACW Digital Readiness Assessment Reports; and 3. Thank RDA Central West for their support for telecommunications for the region. 4. Note the appointment of the new RDACW Chair, Christine Weston, congratulating and welcoming her. 	

7e JO Report

Resolved	Mr D Sherley/Mr S Loane
That the Board note the Joint Organisation Report; and	
<ol style="list-style-type: none"> 1. Note subsequent to feedback from members, written advice from the region has been sent to the Chief Executive of the Office of Local Government advising: <ul style="list-style-type: none"> • Meeting time, date and location • Dave Sherley as Returning Officer 2. Note that the approach in transitioning from Centroc to the new Joint Organisation should include the following heads of consideration: <ul style="list-style-type: none"> • Minimise disruption • Develop strategy then adopt a structure • Minimise financial impact • Take a due diligence approach • Optimise timing between the windup of the old entity, recruitment of the new Executive Officer and forward strategy 3. Note that a draft Charter has been provided as an attachment to the agenda of the first Joint Organisation meeting 4. That the Board note the establishment by proclamation on 11 May 2018 of Central NSW Joint Organisation as a regional joint organisation pursuant to section 4000 of the Local Government Act 1993 5. That: <ol style="list-style-type: none"> a. the necessary arrangements be put in place for the assets, liabilities and contractual rights and obligations of Centroc be transferred to or assumed by Central NSW Joint Organisation as the successor to Centroc; and b. upon completion of the transfer and with the agreement of Forbes Shire Council, Centroc as a section 355 committee of Forbes Shire Council be dissolved. 	

6. That pursuant to clause 5.11 of the Centroc constitution, any surplus remaining after the discharge of the debts and liabilities of Centroc be transferred to Central NSW Joint Organisation to be held, on behalf of the member councils of Centroc immediately before the termination, as an internally restricted reserve to meet any contingent liabilities of Centroc to Forbes Shire Council and any other contingent liabilities, including to member councils who hosted employment arrangements with Centroc staff members.
7. Endorse other actions in progressing the Joint Organisation and the wind up of Centroc as a Section 355 Committee of Forbes Shire Council.
8. Note that Centroc Board meetings and JO Board meetings will be held concurrently until Centroc as a Section 355 Committee of Forbes Shire Council will be wound up.

7f Planning Report

Resolved	Cr R Kidd/Cr K Keith
That the Board note the Planning Report; and	
<ol style="list-style-type: none"> 1. Note the April update on the priority projects being implemented from the Central West and Orana Regional Plan; 2. Ask DPC to take up with RMS the issue of lower level design requirements to access into rural developments; and 3. invite the Minister for Planning, the Hon A Roberts, to the Region. 	

7g Tourism Report

Resolved	Ms R Ryan/Mr S Loane
That the Board note the Tourism Report; and	
<ol style="list-style-type: none"> 1. Encourage their staff to engage in the funded regional PR and marketing campaign; and 2. Circulate to Centroc members the names of the NSW Destination Networks, Country and Outback Board members. 	

7h Operational Report

Resolved	Mr S Loane/Cr D Somerville
That the Board note the Operational report	
<ol style="list-style-type: none"> 1. note the \$6.7m in grant funding that Centroc has assisted members in obtaining since 2009. 2. encourage Mayors and General Managers to attend the Climate Council Cities' Power Partnership Electric Vehicle Roundtable event in Bathurst on 29 May; 3. commend to the Board the submission to IPART on the feed-in tariff; 4. commend to the Board the Centroc submission to the AEMO on Integrated System Plans; 5. note the grant application for \$30,000 from Dept of Planning and Environment for advice for Councils on solar streetlights; 6. investigate options for Power Purchase Agreements for member councils; and 7. invite the Minister for Energy, the Hon D Harwin, to the region in July or August. 	

7i Financial report

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

8. Late Reports - Nil

9. Other Matters Nil

10. The Member for Bathurst, The Hon Paul Toole and his staff were thanked for the ongoing support hosting the Centroc Board at Parliament House.

**11. Speakers to the next meeting
GMAC – No speakers while progressing Joint Organisation**

**12. Next Meetings
26 July 2018 – GMAC
26 July 2018 – Executive
23 August 2018 –TBC**

**The General Meeting of the Board closed at 3.32 pm
Page 6 is the last page of the Centroc Board Minutes 24 May 2018**