



9 May 2017

Dear Councillor,

Your attendance is requested at an Ordinary Council Meeting of the Blayney Shire Council to be held in the Chambers, Blayney Shire Community Centre on Monday, 15 May 2017 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) Notices of Motion
- (8) Confirmation of Minutes - Ordinary Council Meeting held on 18.04.17
- (9) Matters arising from Minutes
- (10) Reports of Staff
  - (a) Executive Services
  - (b) Corporate Services
  - (c) Infrastructure Services
  - (d) Planning and Environmental Services
- (11) Delegates Reports
- (12) Questions from Councillors
- (13) Closed Meeting

Yours faithfully

Rebecca Ryan  
**General Manager**

**5.30pm – Regis Resources Project Update – Tony McPaul**

**5.50pm – Citizenship Ceremony – Mr Andrew Orme-Smith**

## Meeting Calendar 2017

### May

<b>Time</b>	<b>Date</b>	<b>Meeting</b>	<b>Location</b>
5.00pm	11 May 2017	Cemetery Forum	Community Centre
5.45pm	11 May 2017	Access Committee Meeting	Community Centre
6.00 pm	15 May 2017	Council Meeting	Community Centre
4.00pm	16 May 2017	Local Emergency Management Meeting	Community Centre
5.30pm	18 May 2017	Sports Council Meeting	Community Centre

### June

<b>Time</b>	<b>Date</b>	<b>Meeting</b>	<b>Location</b>
6.00 pm	8 June 2017	Town and Villages Committee Meeting	Community Centre
10.00am	16 June 2017	Traffic Committee Meeting	Community Centre
2.30pm	16 June 2017	Upper Macquarie County Council	Council Chambers, Kelso
6.00 pm	19 June 2017	Council Meeting	Community Centre

### July

<b>Time</b>	<b>Date</b>	<b>Meeting</b>	<b>Location</b>
6.00 pm	17 July 2017	Council Meeting	Community Centre
9.00am	19 July 2017	Audit Committee Meeting	Community Centre

**INDEX OF REPORTS OF THE BLAYNEY SHIRE COUNCIL MEETING**  
**HELD ON MONDAY 15 MAY 2017**

<b>CONFIRMATION OF MINUTES</b> .....	<b>1</b>
01) Minutes of the Previous Meeting held Tuesday 18 April 2017.....	1
<b>EXECUTIVE SERVICES</b> .....	<b>9</b>
02) Orange Region Tourism Ltd Strategic Plan.....	9
03) Neville Multipurpose Court Project .....	14
04) Innovation Fund.....	17
05) Blayney Cultural Centre Plans.....	19
06) Minutes of the Blayney Shire Cultural Centre Working Group Meeting held Monday 1 May 2017 .....	23
<b>CORPORATE SERVICES</b> .....	<b>27</b>
07) Quarterly Budget Review Statement - March 2017 .....	27
08) Report Of Council Investments As At 30 April 2017 .....	30
09) Adoption Of 2017/18 Operational Plan and 2017/18 - 2020/21 Delivery Plan For Exhibition .....	35
10) Review Governance Arrangements For Library Service.....	41
11) Disability Inclusion Action Plan.....	43
12) Inala Units Update.....	45
<b>INFRASTRUCTURE SERVICES</b> .....	<b>47</b>
13) Director Infrastructure Services Monthly Report.....	47
14) Blayney Shire Sport and Recreation Plan .....	52
15) Minutes of the Blayney Traffic Committee Meeting held Electronically 30 April 2017 .....	55
<b>PLANNING AND ENVIRONMENTAL SERVICES</b> .....	<b>57</b>
16) Development Application 18/2017 - Skate Park - Lot 320 DP 750380, 2 Adelaide Street Blayney .....	57
17) Local Heritage Assistance Fund 2016-2017.....	83
18) Request for Policy and/or procedure to allow use of sound and video evidence gathering in Companion Animal noise investigations.....	86

**01) MINUTES OF THE PREVIOUS MEETING HELD TUESDAY 18 APRIL 2017****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 18 April 2017, being minute numbers 1704/001 to 1704/021 be confirmed.

**MINUTES OF THE BLAYNEY SHIRE COUNCIL ORDINARY MEETING  
HELD IN THE CHAMBERS, BLAYNEY SHIRE COUNCIL COMMUNITY  
CENTRE, ON 18 APRIL 2017, COMMENCING AT 6.00PM**

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

General Manager (Mrs R Ryan), Acting Director Corporate Services (Mrs T Irlam), Acting Director Infrastructure Services (Mr N Skelly), Director Planning & Environmental Services (Mr M Dicker), Acting Executive Assistant to the General Manager (Ms S Hibbert)

**ACKNOWLEDGEMENT OF COUNTRY****RECORDING OF MEETING STATEMENT****APOLOGIES**

Nil

**DISCLOSURES OF INTEREST**

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

<b>Councillor /Staff</b>	<b>Interest</b>	<b>Item</b>	<b>Pg</b>	<b>Report</b>	<b>Reason</b>
Mayor Ferguson	Pecuniary	16	68	Planning Proposal to Amend Blayney Local Environmental Plan 2012 - RU1 Primary Production To RU5 Village, 61 Forest Reefs Road, Millthorpe	Business relationship with applicant

**CONFIRMATION OF MINUTES****MINUTES OF THE PREVIOUS MEETING HELD MONDAY 20 MARCH 2017**

1704/001

**RESOLVED**

That the Minutes of the Ordinary Council Meeting held on 20 March 2017, being minute numbers 1703/001 to 1703/020 be confirmed.

(Kingham/Oates)  
**CARRIED**

**MATTERS ARISING FROM MINUTES**

Nil

**EXECUTIVE SERVICES REPORTS****1704/002 COUNTRY MAYORS ASSOCIATION  
RESOLVED**

That Council accept the invitation from Country Mayors Association of NSW for Blayney Shire Council to become a member Council and allocate the Annual Membership fee, travel and accommodation expense to the 2017/18 Operational Plan Budget.

(Radburn/Ewin)  
**CARRIED**

**1704/003 UPPER MACQUARIE COUNTY COUNCIL  
RESOLVED**

That Council receive and note the update from Upper Macquarie County Council in regards to the engagement of an Acting General Manager and review of alternative models for weed control in the UMCC region.

(Oates/Braddon)  
**CARRIED**

**1704/004 ORANGE REGION TOURISM MEMORANDUM OF UNDERSTANDING  
RESOLVED**

That Council execute the Orange Region Tourism Memorandum of Understanding between Blayney Shire Council, Cabonne Shire Council, Orange City Council, Brand Orange Ltd and TDO Ltd.

(Ewin/Somerville)  
**CARRIED**

- 1704/005**      **RISK, WORK HEALTH AND SAFETY QUARTERLY REPORT**  
**RESOLVED**  
 That the Risk, Work Health and Safety Report for the quarter January to March 2017 be received and noted.  
 (Braddon/Somervaille)  
**CARRIED**

- 1704/006**      **COUNCIL RESOLUTION REPORT**  
**RESOLVED**  
 That Council notes the Outstanding Resolution Report to March 2017  
 (Radburn/Oates)  
**CARRIED**

**CORPORATE SERVICES REPORTS**

- 1704/007**      **REPORT OF COUNCIL INVESTMENTS AS AT 31 MARCH 2017**  
**RESOLVED**  
 1. That the report indicating Council’s investment position as at 31 March 2017 be received and noted.  
 2. That the certification of the Responsible Accounting Officer be received and the report be adopted.  
 (Kingham/Braddon)  
**CARRIED**

- 1704/008**      **BLAYNEY SHIRE AUDIT COMMITTEE MEETING ANNUAL REPORT**  
**RESOLVED**  
 That the Annual Report on the operations of the Blayney Shire Audit Committee for the period 1 June 2015 to 31 December 2016, as required under the Council’s Audit Committee Charter, be received and noted.  
 (Oates/Braddon)  
**CARRIED**

- 1704/009**      **ADOPTION OF REQUESTS FOR INTEREST FREE LOANS**  
**RESOLVED**  
 That Council approve the provision of 2 interest free loans of \$40,000 each for repayment over 2 years to Dr. Kalpana Srikantharan and Dr. Sothilingham Vijayakumar pursuant to policy 6C Package for Doctors Incentives for Retention / Attraction.  
 (Braddon/Ewin)  
**CARRIED**

**MINUTES OF THE BLAYNEY SHIRE AUDIT COMMITTEE  
MEETING HELD 29 MARCH 2017**

**1704/010 RESOLVED**

That the minutes of the Blayney Shire Audit Committee meeting held 27 March 2017 be received and noted.

(Oates/Braddon)

**CARRIED**

**MINUTES OF THE FINANCIAL ASSISTANCE COMMITTEE  
MEETING HELD 22 MARCH 2017**

**1704/011 RESOLVED**

1. That the minutes of the meeting held 22 March 2017 be received.
2. That the recommendations for 2016/17 - Round 2 of the Community Financial Assistance Program by the Financial Assistance Committee, in the amount of \$21,021.73, be approved.
3. That Council note the in principle support of the 2017/18 Schedule of Financial Assistance and groups listed, subject to inclusion of recurrent events approved in previous rounds and finalisation of funding estimates.

(Somerville/Radburn)

**CARRIED**

**RELATED PARTIES DISCLOSURES POLICY**

**1704/012 RESOLVED**

That the draft Related Parties Disclosures Policy be adopted and included in Council's policy register.

(Radburn/Ewin)

**CARRIED**

**REVIEW OF GOVERNANCE ARRANGEMENTS FOR  
LIBRARY SERVICE AND COMMUNITY FORUM ON LIBRARY  
SERVICES**

**1704/013 RESOLVED**

1. That the Council receive the report on the Review of Governance Arrangements for Library Service and Community Forum on Delivery of Library Services; and
2. A report come to the May 2017 Council meeting on the preferred governance model for library services incorporating feedback from the April Library forum.

(Braddon/Radburn)

**CARRIED**

**INFRASTRUCTURE SERVICES REPORTS**

**DIRECTOR INFRASTRUCTURE SERVICES MONTHLY REPORT**

**1704/014**

**RESOLVED**

That the Director of Infrastructure Services Monthly report for April 2017 be received and noted.

(Oates/Kingham)

**CARRIED**

**PLANNING AND ENVIRONMENTAL SERVICES REPORTS**

**PLANNING PROPOSAL TO AMEND BLAYNEY LOCAL ENVIRONMENTAL PLAN 2012 - FLOOD PLANNING MAP**

**1704/015**

**RESOLVED**

That Council forward a Planning Proposal to the Minister for Planning and Environment seeking to amend the flood planning map within the Blayney Local Environmental Plan 2012.

(Radburn/Oates)

**CARRIED**

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

<b>FOR</b>	<b>AGAINST</b>
Councillor Ewin	
Councillor Braddon	
Councillor Oates	
Councillor Kingham	
Councillor Somervaille	
Councillor Ferguson	
Councillor Radburn	
<b>Total (7)</b>	<b>Total (0)</b>

**CR SCOTT FERGUSON LEFT THE MEETING AND DEPARTED FROM THE CHAIR, THE TIME BEING 6:42 PM**

**THE DEPUTY MAYOR, CR EWIN ASSUMED THE CHAIR**



**PLANNING PROPOSAL TO AMEND BLAYNEY LOCAL ENVIRONMENTAL PLAN 2012 - RU1 PRIMARY PRODUCTION TO RU5 VILLAGE, 61 FOREST REEFS ROAD MILLTHORPE**

1704/016

**RESOLVED**

1. That Council forward a Planning Proposal to the Minister for Planning and Environment seeking to amend the Blayney Local Environmental Plan 2012 by rezoning 61 Forest Reefs Road Millthorpe from RU1 Primary Production to RU5 Village.
2. Council as a separate, independent process proceed to review and update the Blayney Settlement Strategy 2012 during the 2017/18 financial year

(Braddon/Kingham)

**CARRIED**

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

FOR	AGAINST
Councillor Ewin	
Councillor Braddon	
Councillor Oates	
Councillor Kingham	
Councillor Somerville	
Councillor Radburn	
<b>Total (6)</b>	<b>Total (0)</b>

**CR SCOTT FERGUSON RETURNED TO THE MEETING AND ASSUMED THE CHAIR, THE TIME BEING 7:04 PM**

**THE DEPUTY MAYOR LEFT THE CHAIR**

**CLOSED MEETING**

1704/017

**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:

**BLAYNEY 2020 MASTERPLAN PEDESTRIAN LINK PROJECT STAGE 1**

*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.*

**OUTSTANDING PRIVATE WORKS DEBT – 230 SUGARLOAF ROAD**

*This matter is considered to be confidential under Section 10A(2) (e) of the Local Government Act, as it deals with information that would, if disclosed, prejudice the maintenance of law.*

**NETWASTE TENDER LM2017/31 - TENDER FOR REGIONAL ENVIRONMENTAL MONITORING OF LICENSED LANDFILLS**

*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.*

(Braddon/Ewin)  
**CARRIED**

**CONFIDENTIAL MEETING REPORTS**

**BLAYNEY 2020 MASTERPLAN PEDESTRIAN LINK PROJECT STAGE 1**

**1704/018**

**RESOLVED**

That Council delegate the General Manager to continue to negotiate for the Pedestrian Link Project subject to final approval of Council.

(Braddon/Somervaille)  
**CARRIED**

**OUTSTANDING PRIVATE WORKS DEBT – 230 SUGARLOAF ROAD**

**1704/019**

**RESOLVED**

1. That Council receive the report on the outstanding private works debt – 230 Sugarloaf Road, Blayney.
2. That Council delegate the General Manager to negotiate the outstanding debt on 230 Sugarloaf Road

(Kingham/Oates)  
**CARRIED**

**NETWASTE TENDER LM2017/31 - TENDER FOR REGIONAL ENVIRONMENTAL MONITORING OF LICENSED LANDFILLS**  
**RESOLVED**

**1704/020**

1. That Council award Geolyse Pty Ltd the contract in relation to NetWaste Tender LM 2017/31 – Tender for Regional Environmental Monitoring of Blayney Waste Facility with a first year cost of \$11,334 commencing 1 July 2017 for an initial three-year period, with potential for two individual 12-month contract extension options.
2. That Council confirm its involvement in the Contract through NetWaste and execute the Contract documents as appropriate

(Radburn/Braddon)  
**CARRIED**

**1704/021 RESOLVED**

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

(Oates/Braddon)  
**CARRIED**

**AT THE RE-OPENING OF THE MEETING TO THE PUBLIC, THE MAYOR ANNOUNCED THE OUTCOMES OF RESOLUTION NUMBERS 1704/018 TO 1704/020.**

There being no further business, the meeting concluded at 7.43pm

The Minute Numbers 1704/001 to 1704/021 were confirmed on 15 May 2017 and are a full and accurate record of proceedings of the Ordinary Meeting held on 18 April 2017.

---

Cr S Ferguson  
**MAYOR**

---

Mrs R Ryan  
**GENERAL MANAGER**

**02) ORANGE REGION TOURISM LTD STRATEGIC PLAN**

**Department:** Executive Services

**Author:** General Manager

**CSP Link:** 1.3 A well established, connected and prosperous tourism industry.

**File No:** CR.RP.4

---

**Recommendation:**

1. That Council supports the development of collaborative regional tourism promotions, branding and marketing of the Orange Region which includes Cabonne Shire, Blayney Shire and Orange City Council Local Government Areas.
2. That Council provides an additional \$50,000 in the draft 2017/18 Operational Plan for the Orange Region Tourism Ltd organisation.
3. That this financial commitment to the Operational Plan's Tourism and Economic Development section be made for an initial 3 years commencing from 2017/18 to 2019/20.

**Reason for Report:**

To seek Council feedback and consideration of the level of financial commitment to the new Orange Region Tourism Organisation proposed for Blayney Shire, Cabonne Shire and Orange City Council areas.

**Report:**

Since December 2016, Blayney Shire has been included in the development of a new Regional Tourism Organisation (RTO) encompassing the local government areas of Blayney Shire, Cabonne Shire and Orange City. In April, Council resolved to execute the Orange Region Tourism Memorandum of Understanding (MOU) between Blayney Shire Council, Cabonne Shire Council, Orange City Council, Brand Orange Ltd and TDO Ltd (**Resolution No 1704**). This MOU will facilitate the transition from Brand Orange and TDO Ltd to the new Orange Region Tourism entity.

On Monday 8 May, the TDO Ltd adopted a Strategic Plan and Operational Plan, with a 3 year budget and have invited Blayney Shire Council to become a partner to the new Orange Region Tourism Ltd. Both documents and letter of invitation are attached under separate cover for Councillors' information.

The objective of the regional tourism organisation is to establish a unified regional brand collaborating with industry partners to market the 'unique selling propositions' for the Orange region.

This includes; the distinct seasons, natural attributes and ecosystems, food and wine, cultural and heritage experiences, sporting and events, the city of Orange and rural towns and historic villages which add value to the rural location and lifestyle.

In summary;

- The role and involvement of Brand Orange Ltd in undertaking tourism and marketing promotion services on behalf of Orange City Council will transition to the new RTO at this stage by 31 December 2017
- It is proposed that the RTO will eventually be a member elected skills based Board
- Blayney Shire Council will hold 1 voting delegate position on the inaugural Board of 9 members
- The financial request to Blayney Shire Council is \$90K
- Industry members will contribute 50% of the total budget valued at \$850K
- Local tourism promotion, Visitor Information Centres, marketing budgets and local events will remain the responsibility of member councils
- Any Blayney Shire tourism related business will be able to become a member to the RTO as they do now to Brand Orange Ltd at either of the membership levels which range from Level 1 at entry to Level 3, a business premium membership at \$3,500 per annum
- Any resident or tourism business may be an entry level member for nil cost which will provide access to RTO information, invitation to forums and training, enewsletters, and business directory listing
- Engagement with the member councils' tourism staff will be critical in development of tourism product, marketing collateral, unified regional branding

**Issues:**

There is no doubt that Council values and recognises the contribution that tourism has to the local and regional economy. Total tourism related output for Blayney LGA is estimated at \$24million and for the combined LGA's is estimated at \$233million, with related employment in the region provided for over 1,200 people (ABS 2011 Census, ABS 2013 / 2014 National Input Output Tables and ABS June 2016 Gross State Product).

	<b>Combined LGA's</b>	<b>Blayney</b>	<b>Blayney %</b>
<b>Population (2011)</b>	57,861	6,984	12%
<b>Tourism Related Output</b>	\$233M	\$24M	10%

Blayney's Community Strategic Plan and each Community Village Plans acknowledge that tourism and events benefits the local economy and is an opportunity for future growth and investment.

The Tourism Promotions budget include brochures, video and image library, banners, events, ad hoc advertising and maps.

Through its current memberships and partnerships at a relatively low cost, Blayney Shire is able to derive significant value add through collaborative activities with both Central NSW Tourism and Brand Orange.

Both Central NSW and Brand Orange have referred to Blayney Shire a number of visiting journalists and feature writer visits including a Daily Telegraph feature in 2016, the Sydney Weekender in 2017 and the Unearth Campaign. Similarly, working with Bathurst Regional Council for activities like the B2B, Haybale Art Challenge, Winter Wonderland and Business Week Program also has provided more outreach than what is possible alone.

Council relies on social media at no cost other than staff time and ingenuity in messaging and pitching quirky stories which has delivered very positive results.

In parallel to the development of the Orange Region Organisation is the future role and position of Central NSW Tourism. A proposal from Central NSW Tourism will be presented to the Centroc Board on 25 May and a report regarding this matter will be provided to Council in due course.

The implications for Blayney Shire being, that there will be in effect a sub-regional entity focussing on the Orange region; in addition to a Centroc (Central West) region tourism related group (Central NSW Tourism) with similar charter for collaborative marketing, branding and tourism promotions strategy each competing for Blayney Shire Council resources and financial membership.

The question remains of the value of Blayney Shire being involved in overlapping organisations which undertake regional marketing and branding. The contribution of Councils Tourism and Communications Officer in adding value to both the wider and sub regional tourism organisations will need monitoring against the current levels of service and funding.

For the purposes of preparing the Tourism and Economic Development budget we have assumed that the proposal from Central NSW Tourism is adopted by the Centroc Board and all members remain partners in Central NSW Tourism. This includes the budget for Central NSW membership of \$5,600 and an additional share of the Central NSW Marketing Fee of \$7,000. Should this not be the case, an adjustment to the budget will be made of a \$11,600 saving.

It is difficult to quantify the tangible outcomes that support the request from Orange Region Tourism Ltd for \$90K from Blayney Shire. Council has reviewed and provided feedback to the TDO Ltd Executive Officer and staff welcome the opportunity for further constructive input into the Strategic Plan. The value of the current resources of each member council; be that staff, VIC's, marketing, development of material and coordination of local events is valuable and worth more consideration.

For a small council like Blayney in terms of promotion and marketing beyond the region, a regional approach is critical and is the only way that we can support our local tourism businesses. A balance has to be made in terms of what is affordable and a level of buy in that will demonstrate a commitment as an equal partner on the Orange Region Tourism Ltd Board, relative for our population and tourism output.

Given that the budget and Strategic Plan is aspirational; and questions need to be addressed about sourcing of external consultants, number and roles of staff it is recommended that this reviewed and scaled to be more appropriate.

Brand Orange Ltd historically have operated on a contribution from Orange City Council of \$400K. Assuming that this new entity will achieve some efficiencies of marketing campaigns being closely aligned to industry partners and working effectively with member councils, a sum of \$400K as opposed to the \$650K request remains as a very sustainable start for the local government combined investment.

If we accept that Blayney Shire accounts for;

- 12% of the population of the combined LGA's (Census 2011); and
- 10% of total tourism value output.

Then 12% of \$400K equates to \$48K and 10% is \$40K.

If Council is committed to the concept of this collaborative approach to regional tourism then a certain level of 'buy in' is expected consistent with having a voting delegate sitting on the new Board. Our current membership to Brand Orange Ltd of \$3,500 would not attract this capacity to make a contribution to the strategic direction of the new entity.

**Budget Implications:**

It is recommended that Blayney Shire Council contributes \$50K to Orange Region Tourism Ltd. This is an additional budget request and is subject to Council approving the draft Operational Plan 2017/18.

To ensure some longevity and capacity of the new entity in delivering the objectives of the Strategic Plan it would be necessary to commit to the Orange Region Tourism Ltd for at least the term of the new Council, being 3 years to 2020/21.

Should Council agree to this Orange Region Tourism Ltd proposal to commit \$50K for 3 years, the current memberships to Brand Orange Ltd and FOOD Ltd would not be included. This represents a savings of \$8,312.

Council's draft Tourism and Area Development net budget of \$237,469, prepared on this basis above includes;

**Tourism & Promotions**

Events	\$18,500
Advertising, contracts and materials, printing	\$52,500
Subscriptions & Memberships (includes Central NSW Tourism)	\$12,960
Orange Region Tourism Ltd	\$50,000
Brochure advertising and Grants	-\$16,000
<b>Total</b>	<b>\$117,960</b>

**Enclosures (following report)**

Nil

**Attachments (separate document)**

1 Strategic Plan for Orange Region Tourism 60 Pages



**03) NEVILLE MULTIPURPOSE COURT PROJECT**

**Department:** Executive Services

**Author:** General Manager

**CSP Link:** 5.2 Fit and healthy community members.

**File No:** CS.AG.1

---

**Recommendation:**

That Council 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.

**Reason for Report:**

Council consideration for in principle support for the community Multipurpose Court project in Neville.

In order to progress the Multipurpose Court project, an initial onsite assessment of land available in Neville was made last month with the General Manager and Director Infrastructure Services. An informal approach has been forthcoming from the Presbyterian Church, who own the land adjacent to the Memorial Park.

The Presbyterian Church is open to considering the gifting of this land to the community via a long term lease and are seeking Council feedback.

**Report:**

In 2016 the Neville Community Plan was developed and adopted, endorsed by Council in May 2016.

In regards to developing public infrastructure and services, the Neville community have identified a strategy of working with Council to plan for ongoing works and capital projects that will improve Neville.

One such project includes upgrade the Park and recreational areas including:

- Refurbishment and fixing the toilets
- Building a Multipurpose Court for Tennis and Basketball
- Development of a long term plan for the Memorial Park

It is acknowledged that partners in these projects include the Neville Hall Trust, Council, Neville Primary School and the community.

The Multipurpose Court proposed if constructed will be on Presbyterian Church Land (Lot 9 DP 662515) which surrounds and is adjacent to the Neville Memorial Park being freehold land (Lot 1 DP 402145) that is owned by Blayney Shire Council. A concept plan map is enclosed at the end of this report.

The Multipurpose Court was identified in the recent Neville Community Plan (2016) as an asset that the community wished to investigate to enable families, children and visitors to have access to a sport and recreation facility.

The Neville school is the very next block along on the eastern side further down Crouch Street and the school would have access to this facility.

There is no expectation that the Presbyterian Church will be responsible for construction, ongoing maintenance or insurance and a long term lease could 'gift' the land to the community for this purpose.

As soon as there is a 'shovel ready' project with an estimate of cost finalised, the project is reliant on the community of Neville to raise monies and apply for external grants.

**Issues:**

A Development Application (DA) would be required to be lodged and then approved for this project before any funding is sought, and we would be seeking the Presbyterian Church as landowner to give consent to this DA when plans and concept developed further.

The project is within the land area of an identified Heritage Item in the Blayney Shire, so investigation will be required to determine if the project would be permissible with consent.

As the body who has care and control of the asset, Council's insurance would have to be extended to include both property and public liability insurance, however Council needs to confirm if this liability is accepted.

An initial estimate is in the vicinity of \$100K and there is no budget allocation or funding commitment provided by Council for this project.

Council will be working with the Four Villages Development Coordinator to source grants and external funding to undertake the project, which could take some time.

**Budget Implications:**

Nil. There has been no formal request for any contribution at this stage.

Council needs to be aware of the whole of life cost and impact of providing this additional service to the Neville community. An annual depreciation and maintenance cost of \$1,000 for surface, netting and fencing plus the additional insurance premium, estimated at \$500 would be an additional ongoing cost to Council's Operational Plan.

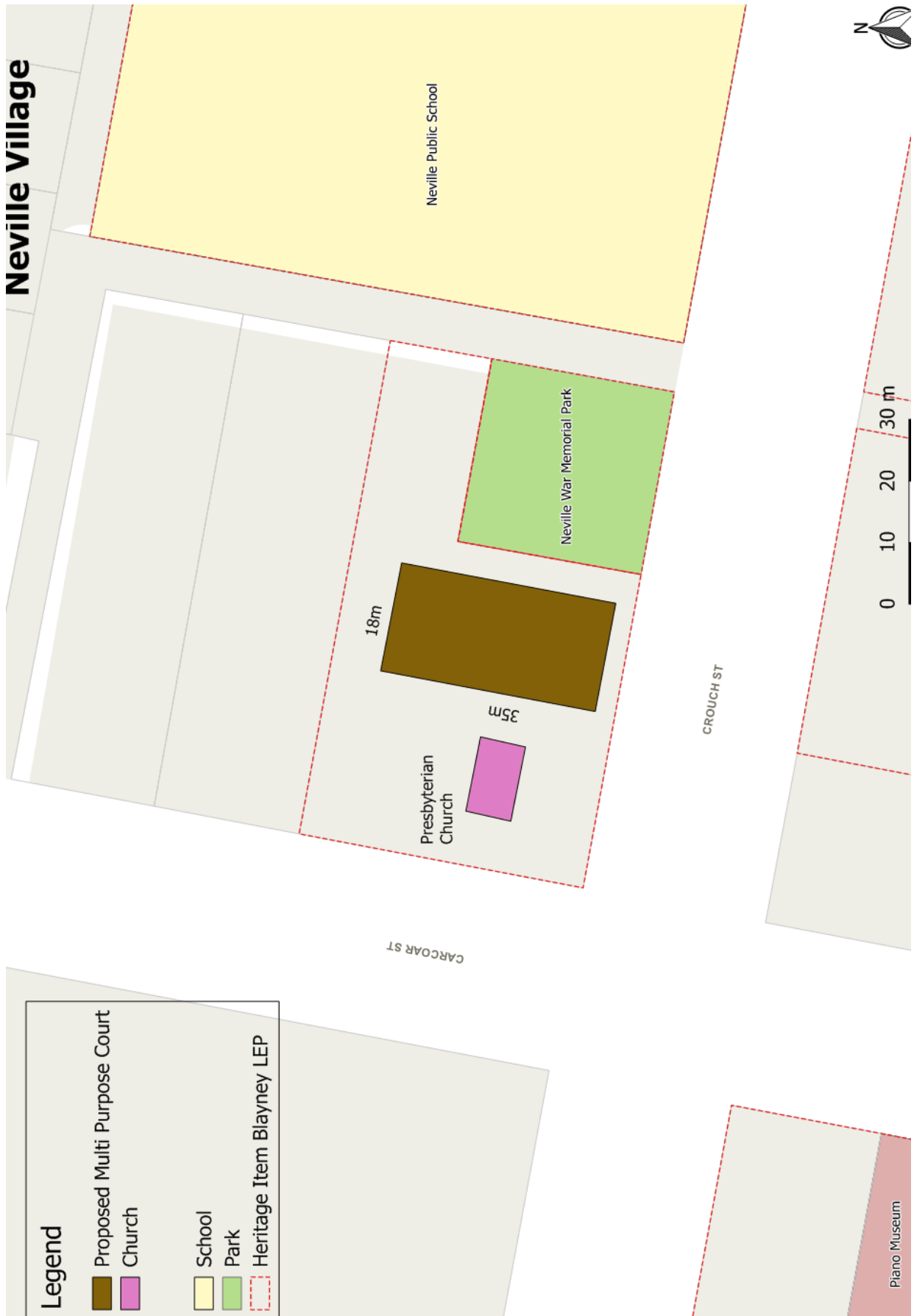
**Enclosures (following report)**

1 Map of Proposed Multi Purpose Court

1 Page

**Attachments (separate document)**

Nil



**04) INNOVATION FUND**

**Department:** Executive Services

**Author:** General Manager

**CSP Link:** 6.3 A well-run Council organisation.

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

---

**Recommendation:**

That Council endorse the applications developed for both the individual and group projects to be submitted under Round 2 of the NSW Government's Innovation Fund.

**Reason for Report:**

Council endorsement is sought for both an individual and group project to be implemented if successful under the NSW Government's Fit for the Future Innovation Fund Round 2

**Report:**

The Innovation Fund worth \$4million aims to help small councils in regional NSW overcome some of the challenges they face in supporting their communities and maintaining quality local services. One-off grants will be provided to help councils develop new ideas or innovative ways of working and improve their performance to benefit their local communities.

The Innovation Fund has been delivered over 2 rounds. \$2million was allocated in Round 1 as announced in 2016 and a further \$2million is available through Round 2.

The website <http://www.fitforthefuture.nsw.gov.au/content/innovation-fund> has all details on funding and successful Round 1 projects. The Office of Local Government have Relationship Managers working with councils to support the application process.

Blayney Shire Council was under the merger proposal last year and therefore not able to submit an application in Round 1. However this time around meets the eligibility criteria, being in regional NSW with a population of less than 10,000.

Councils can apply individually, up to \$150K or as a group, up to \$400K. A co-contribution of at least 30% is required which may be cash or in-kind. Up to 20% can be allocated for project planning and administration.

Applications close Friday 9 June 2017.

**Issues:**

A number of projects have been identified and quotes and information is being compiled before the preferred plan is agreed upon for an individual project for Blayney Shire Council. Staff have shortlisted this to be either; a GIS Mapping and Property Data Cleansing project to enable online DA Lodgement, s149 and s603 and payment services portal or an Integration of Finance/Records and Assets Data Management project.

Whilst our neighbours have provided welcome and positive responses to being included in a group project, the final concept is yet to be resolved. This has included a Service Review and Process Mapping project or a Road Surface Renewal Study.

Upper Macquarie Council have sought Blayney Shire Council's in principle support for a Drone Inspection Project however formal endorsement is required for this to proceed to the application stage.

Final project details for each of the above will be presented at the Council meeting.

**Budget Implications:**

Nil. Any project would include in-kind contribution from Council staff, and expenditure subject to a successful grant submission and corresponding income.

**Enclosures (following report)**

Nil

**Attachments (separate document)**

Nil

**05) BLAYNEY CULTURAL CENTRE PLANS**

**Department:** Executive Services

**Author:** General Manager

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

**File No:** ED.LI.2

---

**Recommendation:**

That Council endorse the Blayney Cultural Centre Plans (April 2017) and Cultural Centre Working Group progression to the next phase of this project being user groups, stakeholders and community engagement.

**Reason for Report:**

To seek Council endorsement of the concept plans for the proposed Blayney Cultural Centre.

**Report:**

In September 2015 Council established the Cultural Centre Working Group and provided \$10,000 for the preparation of Concept Plans for the Blayney Cultural Centre Project (**Resolution No 1509/002**).

The Working Group have been meeting regularly since then and the project staged again into the Visitor Information Centre/Café Refurbishment as Stage 1 completed in January 2017. The new Cultural Centre incorporating the Library, Family History Group and Art Gallery was branded as Stage 2 to this project.

The Blayney Cultural Centre Plans (April 2017) are now presented to Council for endorsement so that the Working Group may proceed to the next step of community and stakeholder engagement. There are some minor adjustments and internal layout changes that would be reorganised in the final plans however the basic features; size, public space and configuration has the full support from the Working Group. This plan follows this report for information, will be provided in a separate A3 version in hard copy for Councillors to have on file.

A virtual video and building view pictures from all angles has been produced, and these will be used by the Working Group to engage with stakeholders, user groups and the wider community. The next 6 - 8 months will be used to undertake this community consultation so that any feedback may be incorporated into the final drawings.

**Issues:**

Council should be aware that whilst a portion of the area shown is not currently all Council property, the building footprint is very easily moved towards the Community Centre by 3 metres or to the existing Library block land with little change to the internal configuration. The layout in fact is transferrable to any block of land which can accommodate this particular sized building.

This site is the preferred and most desirable in terms of pedestrian access and location within the main CBD precinct, however the Working Group is also realistic about whether Council negotiations may achieve this outcome.

Provision for an additional \$8,000 has been made in the third Quarterly Budget Review Statement to facilitate the temporary storage, painting, new entrance door and rearrangement of the Family History Group space in this regard. There are some planned and other minor internal building works that the Working Group have supported within the recommendations made to Council. Any Library furniture will be relocatable to the new Library and the proposed building works such as painting or change to doorways will add value to the building for a future sale if required.

**Budget Implications:**

Nil at this stage and the cost of the plans was \$9K, which has been expended within the current budget for this stage of the project.

The proposed total cost of the combined Blayney Cultural Centre and Mainstreet Pedestrian Link Project; based on current engineering quantity estimates is \$3.5million. Council does not have this funding available and would be relying on a combination of grants and sale of current property assets to meet this construction costs.

Currently the 2017/18 Operational Plan includes a request for \$100K to enable Architectural drawings and engineering specifications to be completed, a Development Application to be lodged and the project move to the 'shovel ready' phase with 5 years before the consent lapses. This is anticipated to be undertaken after investigation and Council approval of the final building site towards the latter part of 2017/18.

It may then take another 2 - 3 years for this funding to be sourced, and the 2021/22 Capital Budget includes an expenditure of \$3.5million. Prior to the sourcing of grants a business case would have to be developed to demonstrate the tourism, economic, social and community benefit.

This project is dependent on a corresponding \$3.5million worth of external grants, Council loan and sale of the current Blayney Library building asset.

The ongoing expense to Council's Operational Plan for depreciation (\$47K) and additional operational expense (\$37K) totalling \$84K has been included in the Long Term Financial Plan post construction.

If a loan was required to fund a Council contribution then the loan repayment and interest expenses would be required to be factored into the whole of life cost.

**Enclosures (following report)**

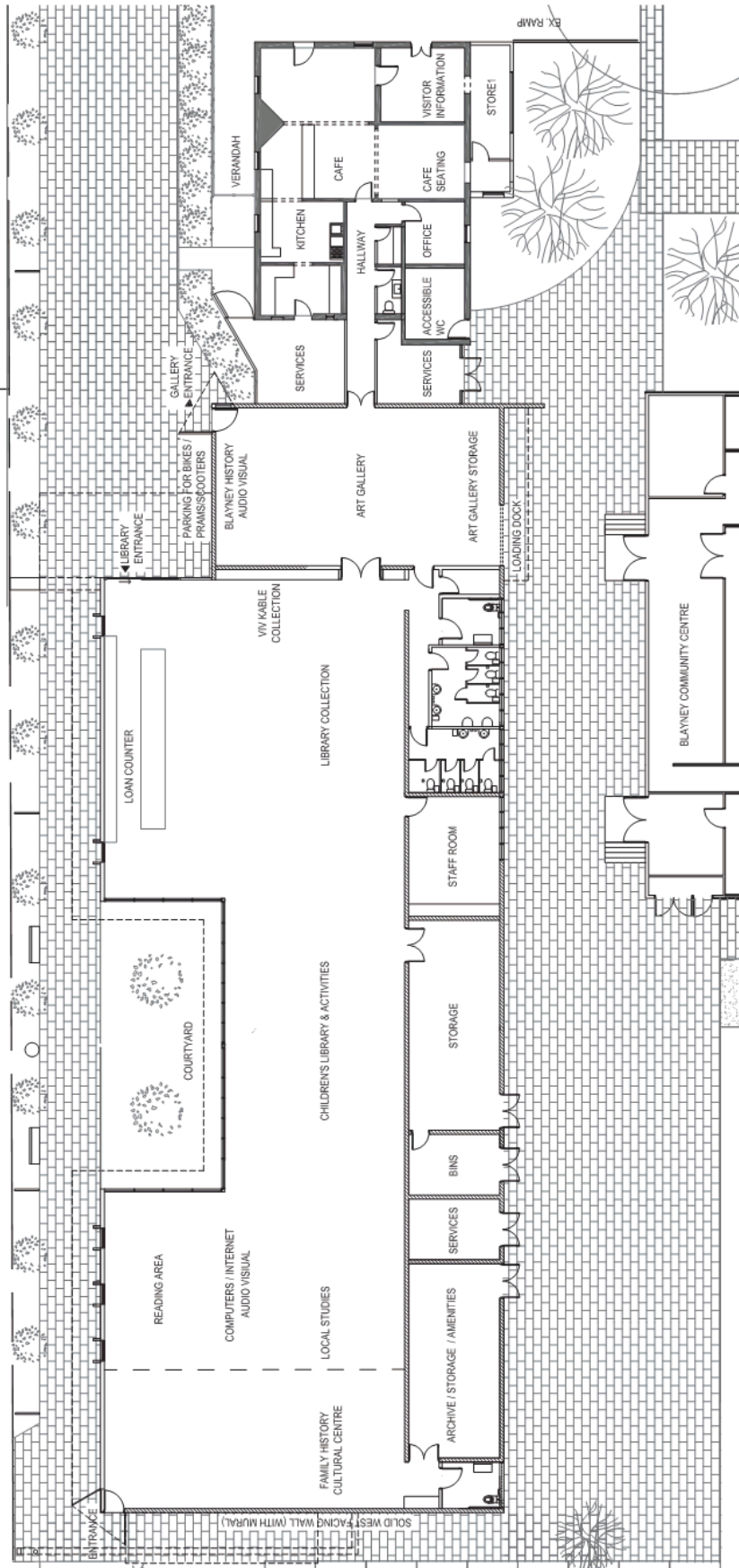
1 Blayney Cultural Centre Plan

1 Page

**Attachments (separate document)**

Nil





# BLAYNEY CULTURAL CENTRE

PROPOSED CULTURAL CENTRE FOR  
BLAYNEY SHIRE COUNCIL  
26 APRIL 2017  
DAVID SCOBIE ARCHITECTS PTY LTD



**06) MINUTES OF THE BLAYNEY SHIRE CULTURAL CENTRE WORKING GROUP MEETING HELD MONDAY 1 MAY 2017**

**Department:** Executive Services

**Author:** General Manager

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

**File No:** ED.LI.2

---

**Recommendation:**

1. That the minutes of the Cultural Centre Working Group Meeting, held Monday 1 May 2017, be received and noted.
2. That Council endorse the plans presented dated April 2017 as Concept Plans for progression to the next stage of the Blayney Cultural Centre Project being stakeholder and community engagement.
3. That Council undertake the Blayney Library painting and shelving project and include the additional minor items of new sliding door and installation of a small hot water service as capital expenditure requests to ensure Library and Family History Services are supported in the short term.
4. That Council supports the Blayney Shire Local and Family History Group with attaining appropriate temporary storage for resources, sourcing funds or inkind assistance from Sustainable Collections to digitise the Viv Kable Collection and rearrangement of operations in the Blayney Library

**MINUTES OF THE CULTURAL CENTRE WORKING GROUP MEETING  
HELD ON MONDAY 1 MAY 2017  
AT THE BLAYNEY SHIRE COMMUNITY CENTRE**

Meeting commenced at 6.03pm.

**PRESENT**

Cr Allan Ewin, Rebecca Ryan, Elizabeth Russ (Chair), Gwenda Stanbridge, Ian Tooke, Jan Richards, Tom Williams

**APOLOGIES**

Cr Scott Ferguson, Cr David Kingham, Loretta Kervin, Margaret Paton, Penny May

**Recommended** that the apologies submitted on behalf of Cr Scott Ferguson, Cr David Kingham, Loretta Kervin, Margaret Paton and Penny May be accepted

(Ian Tooke / Tom Williams)

### **DISCLOSURES OF INTEREST**

Nil

### **MINUTES FROM PREVIOUS MEETING – 6 FEBRUARY 2017**

**Recommended** that the minutes from the previous Cultural Centre Working Group Meeting held on 6 February 2017 be adopted.

Gwenda Stanbridge / Tom Williams

### **BUSINESS ARISING**

- RFS Fire Hazard signs Blayney – Cr Ewin has raised matter of preferred sites on outskirts of Blayney with Canobolas Zone RFS. Liaison with local RFS Brigades to arrange monitoring

### **CONCEPT PLANS**

- Revised plans presented from David Scobie Architects and video view, accepting that some fine tuning of details that will be included in Architectural Drawings and final specifications (toilet doorways, staff room external entrance, location of furniture, library counter)
- Working Group members engage stakeholders and community consultation
- Noted that whilst current size encroaches and includes access to Library and Art Gallery from the land adjacent to the Cottage, this is preferred location. If result is not feasible or practical to include this area the building footprint is easily placed on current Library block

**Recommended** that Council endorse the plans presented dated April 2017 as Concept Plans for progression to the next stage of the Blayney Cultural Centre Project being stakeholder and community engagement.

Tom Williams / Ian Tooke

**Action:** GM to arrange a media release and copies of plans and video on website

### **BLAYNEY LIBRARY**

- Budget this year includes approximately \$50K for purchase and installation of new shelving and painting of internal walls as part of a Library Refurbishment Project
- An inspection of building last week has revealed a number of issues to be addressed in short term including the need for; a small hot water service for staff and volunteers, capacity for double front door access and internal reorganisation to support Family History Group
- Central West Libraries facilitating project completion by end of June 2017
- Cultural Centre Project is currently unfunded, and 2-4 years away from successful completion so important that current Library is not impacted

- Shelving purchased will be relocated to a new Library
- Painting, a new sliding door to replace double doors for improved access and hot water service will add value to building should Council be in a position to resolve to sell asset in future
- Whilst there are some longer term issues; carpets, lack of disabled access to toilets – this is viewed as a significant cost that can be deferred until an outcome of the Cultural Centre is known in 1-2 years time
- Current review of Library Service Governance model being presented to May Council meeting has initiated a positive discussion and solution regarding after hours access and supervision of Library by Family History Group Volunteers, which is now possible following installation of self checkout system of book loans

**Recommended** that Council undertake the Blayney Library painting and shelving project and include the additional minor items of new sliding door and installation of a small hot water service as capital expenditure requests to ensure Library and Family History Services are supported in the short term.

Ian Tooke / Gwenda Stanbridge

#### **FAMILY HISTORY GROUP**

- Rearrangement of space, incorporating Family History Group services and opportunity for better access and workflow for Volunteers to be included in plans for Library refurbishment
- Temporary storage being investigated for Viv Kable collection and Family History Group resources – needs to be dry, lockable and accessible, will free up wall space
- Council is investigating temporary storage of Viv Kable collection for visual display at Visitor Information Centre and on website, Sustainable Collections assistance to be sought for digitisation of collection
- Sourcing of funding investigation underway for display cabinet plinths that would provide a rotating exhibition in other Council buildings of collection in Community Centre, Council Offices and Visitor Information Centre
- Old PC's to be cleaned and archives stored onto flash drives for access

**Recommended** that Council supports the Blayney Shire Local and Family History Group with attaining appropriate temporary storage for resources, sourcing funds or inkind assistance from Sustainable Collections to digitise the Viv Kable Collection and rearrangement of operations in the Blayney Library

Ian Tooke / Elizabeth Russ

#### **NEXT MEETING**

Next meeting will be held Monday 7 August 2017 at 6.00pm

#### **MEETING CLOSE**

There being no further business the meeting closed at 6.45pm.

**Enclosures (following report)**

Nil

**Attachments (separate document)**

Nil

**07) QUARTERLY BUDGET REVIEW STATEMENT - MARCH 2017**

**Department:** Corporate Services

**Author:** Chief Financial Officer

**CSP Link:** 6.3 A well-run Council organisation.

**File No:** FM.BU.1

---

**Recommendation:**

1. That the Quarterly Budget Review Statement for the quarter ending 31 March 2017 be received and noted.
2. That the supplementary votes of \$1,157k proposed in the Quarterly Budget Review Statement be adopted resulting in an increase to expenditure of \$437k and a net decrease in income of \$194k for Net Continuing Operations and a decrease in Capital Expenditure of \$1,788k.
3. That the budgeted restricted cash transfers of \$967k be adopted.

**Reason for Report:**

For Council to endorse the Quarterly Budget Review Statement for the quarter ending 31 March 2017.

**Report:**

Clause 203 of the Local Government (General) Regulation 2005 requires that the Responsible Accounting Officer of a council prepare and submit to Council a budget review statement. The budget review statement must show, by reference to the estimate of income and expenditure set out in the operational plan adopted by Council, a revised estimate of the income and expenditure for the year. The budget review statement must also be accompanied by a report as to whether or not the Responsible Accounting Officer believes that the financial position of the council is satisfactory, having regard to the original estimates of income and expenditure.

In December 2010 the NSW Office of Local Government developed a set of minimum requirements for reporting the financial position of Council, to facilitate explanations and major variations and recommend changes to the budget for Council approval.

The Quarterly Budget Review Statement (QBRs) reports the Council Consolidated position combining General and Sewer Funds and is composed of, but not limited to, the following budget review components:

- A statement by the responsible accounting officer on council's financial position at the end of the year based on the information in the QBRs;
- Summary of Operational, Capital, Net and Restricted cash positions  
**(QBRs: Part 1)**

- Income and Expenses (Operational) Budget Review Statement in one of the following formats:
  - by income and expense type including capital grants and contributions **(QBRs: Part 2)**
  - by function / activity to align with the operational plan including capital grants and contributions **(QBRs: Part 4)** and further detailed, excluding capital grants and contributions **(QBRs: Part 4A)**
- Capital Expenditure and Funding Budget Review **(QBRs: Part 3)** and further detailed **(QBRs: Part 5)**
- Recommended changes to revised budget with commentary for Operational Income and Expenditure **(QBRs: Part 6)** and Capital **(QBRs: Part 7)**
- Budget Review Cash and Investments position **(QBRs: Part 8)** and narrative **(QBRs: Part 9)**
- Budget Review Key Performance Indicators **(QBRs: Part 10)**
- Contracts Budget Review Statement **(QBRs: Part 11)** and narrative **(QBRs: Part 12)**
- Consultancy & Legal Expenses Overview **(QBRs: Part 13)**
- Loans summary **(QBRs: Part 14)**.

The purpose of the quarterly budget review is to act as a barometer of Council's financial health during the year and disclose Council's overall financial health position. It is also a means to ensure Council meets its objectives, targets and outcomes as set out in its Operational Plan.

The attached report provides a detailed review of Council's 2016/17 Budget Review covering the March 2017 quarter.

**Issues:**

Nil.

**Budget Implications:**

Overall, the net variations in Continuing Operations for the quarter of \$146k will increase the projected Net Operating Result before Capital Items (surplus) to \$428k. This is largely due to an increase in private works income of \$95k, additional R2R funding of \$92k and state roads income of \$173k. Funding for flood damage works \$190k has also been granted which has seen an increase in associated operating expenses for employee and plant costs throughout the quarter.

Some significant savings have been realised across Council's activities through efficiencies and savings particularly on power and heating costs of (\$73k). Savings have also been realised through Council's development coordinator program of (\$30k) and a further (\$34k) through contributions to the WBC Alliance.

Changes to the timing of works on the Southern Cadia Access Route have seen a decrease in anticipated capital grants and contributions of (\$744k) which are now budgeted to be received in 2017/18. A corresponding decrease in capital works is also anticipated with previously budgeted works now being scheduled for the 2017/18 financial year.

The Capital Expenditure Budget has a net decrease of (\$1,788k) largely attributed to works on the previously budgeted Errowanbang Road now the Southern Cadia Access Route funded through Resources for Regions. Funding for this project was awarded in January 2017 with the scope and timing of the project over the next 2 years changing from the original budget.

Council's bridge replacement program has also seen a change in the timing of works with a deferral of (\$778k) of capital works to the 2017/18 financial year.

Wet weather over the summer months has also hampered construction crews with the delivery of footpath renewals in Tucker St, Blayney and Crowson St, Millthorpe with works also being deferred to the 2017/18 financial year.

Council's reseal program achieved significant savings of \$174k this year with double the budgeted number of km's sealed.

A number of capital projects were completed throughout the March quarter including the Redmond Oval development including the kitchen & rotunda. The kitchen and dressage arena's at Blayney Showground. Refurbishment of the Visitor Information Centre. Budgets have been adjusted according to the various overs and unders.

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

Nil

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

1 March QTR 2017 QBRS

26 Pages



**08) REPORT OF COUNCIL INVESTMENTS AS AT 30 APRIL 2017**

**Department:** Corporate Services

**Author:** Accountant

**CSP Link:** 6.3 A well-run Council organisation.

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

**Recommendation:**

1. That the report indicating Council’s investment position as at 30 April 2017 be received.
2. That the certification of the Responsible Accounting Officer be received and the report be adopted.

**Reason for Report:**

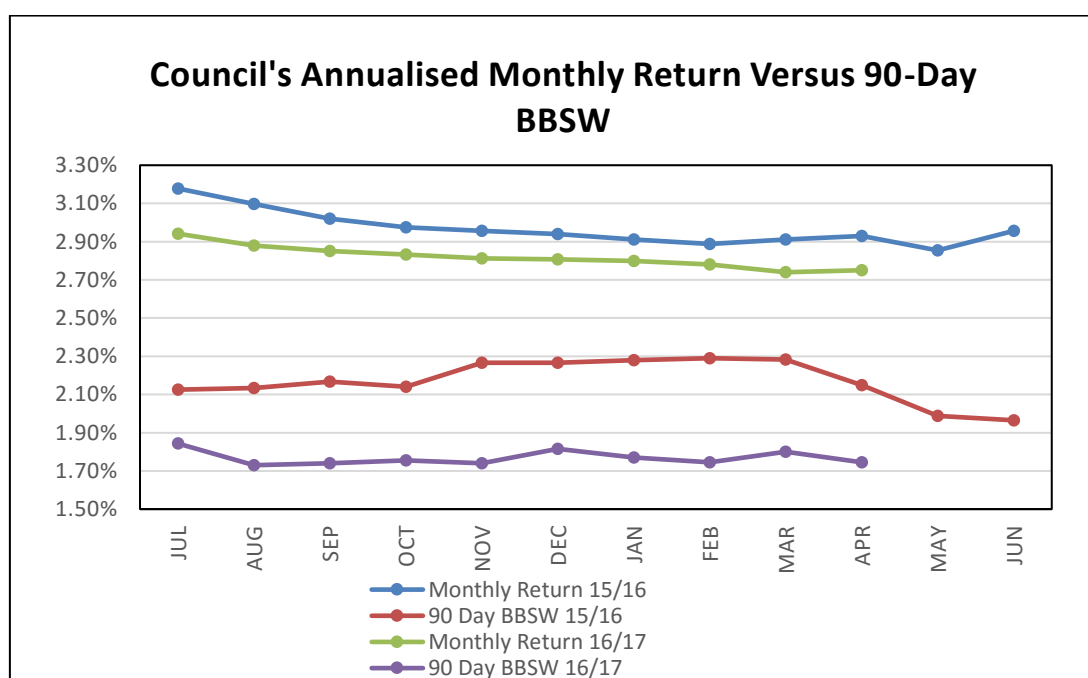
For Council to endorse the Report of Council Investments as at 30 April 2017.

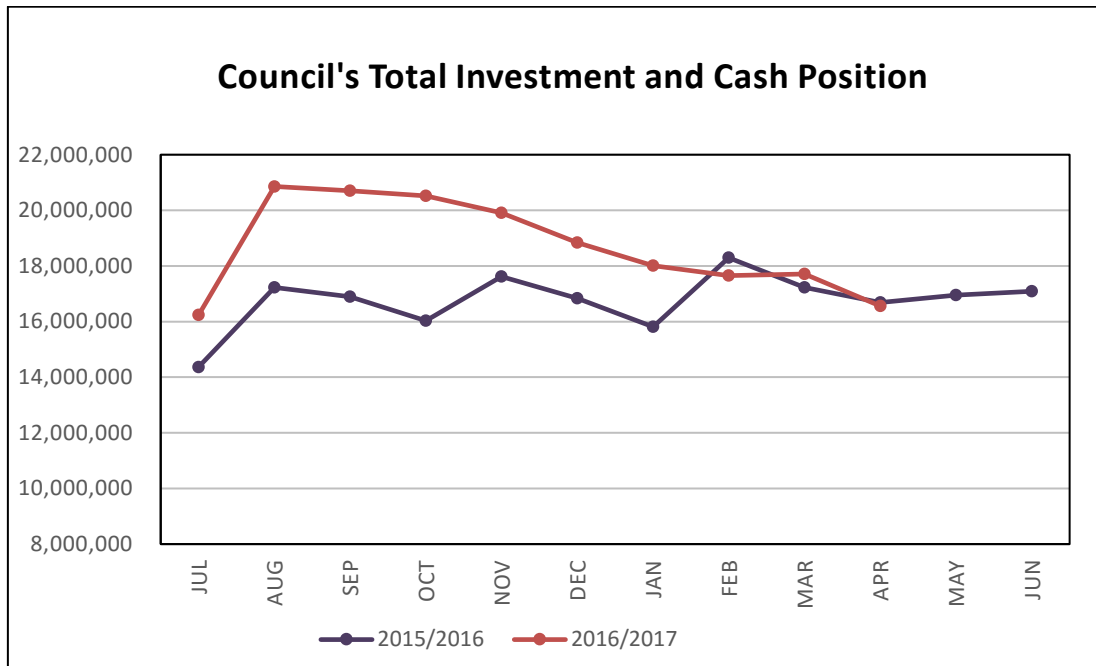
**Report:**

This report provides details of Council’s Investment Portfolio as at 30 April 2017.

Council’s total investment and cash position as at 30 April 2017 is \$16,565,624. Investments earned interest of \$37,941 for the month of April 2017.

Council’s monthly net return on Term Deposits annualised for April of 2.75% outperformed the 90 day Bank Bill Swap Rate of 1.745%.





<b>REGISTER OF INVESTMENTS AND CASH AS AT 30 APRIL 2017</b>				
<b>Institution</b>	<b>Rating</b>	<b>Maturity</b>	<b>Amount \$</b>	<b>Interest Rate</b>
AMP Bank	A1/A+	11/07/2017	500,000	2.800%
AMP Bank	A1/A+	16/08/2017	500,000	2.800%
AMP Bank	A1/A+	22/08/2017	500,000	2.750%
AMP Bank	A1/A+	9/05/2017	500,000	3.000%
AMP Bank	A1/A+	31/05/2017	500,000	3.000%
AMP Bank	A1/A+	15/06/2017	500,000	2.900%
Bank of Queensland	A2/A-	3/07/2017	500,000	2.750%
Bank of Queensland	A2/A-	16/05/2017	500,000	2.700%
Bankwest	A1+/AA-	30/11/2017	500,000	2.550%
Bankwest	A1+/AA-	25/07/2017	500,000	2.600%
Bendigo & Adelaide Bank	A2/A-	23/11/2017	500,000	2.700%
Bendigo & Adelaide Bank	A2/A-	13/06/2017	500,000	2.900%
Bendigo & Adelaide Bank	A2/A-	22/08/2017	1,000,000	2.700%
Bendigo & Adelaide Bank	A2/A-	29/08/2017	1,000,000	2.700%
IMB	A2/BBB	3/10/2017	500,000	2.600%
ING Bank	A2/A-	31/08/2017	500,000	2.750%
ING Bank	A2/A-	12/09/2017	500,000	2.700%
Macquarie Bank	A1/A	8/05/2017	500,000	2.800%
ME Bank	A2/BBB+	19/09/2017	500,000	2.750%
ME Bank	A2/BBB+	28/11/2017	500,000	2.700%
MyState Bank Limited	A2/BBB+	7/12/2017	500,000	2.750%
MyState Bank Limited	A2/BBB+	23/05/2017	500,000	2.670%
MyState Bank Limited	A2/BBB+	30/05/2017	500,000	2.670%
MyState Bank Limited	A2/BBB+	5/09/2017	500,000	2.850%
MyState Bank Limited	A2/BBB+	5/09/2017	500,000	2.700%
NAB	A1+/AA-	6/09/2017	500,000	2.680%
NAB	A1+/AA-	29/11/2017	500,000	2.790%
NAB	A1+/AA-	23/05/2017	500,000	2.890%
NAB	A1+/AA-	31/10/2017	500,000	2.600%
NAB	A1+/AA-	14/11/2017	500,000	2.740%
<b>Total Investments **</b>			<b>16,000,000</b>	<b>2.750%</b>
Benchmarks:	BBSW 90 Day Index			1.745%
	RBA Cash Rate			1.500%
Commonwealth Bank - At Call Account			150,419	1.380%
Commonwealth Bank Balance - General **			415,205	0.950%
<b>TOTAL INVESTMENTS &amp; CASH</b>			<b>16,565,624</b>	

\* % Interest rates as at 30/04/2017

\*\* Councils current cash position significantly increased during the September quarter as a result of Councils largest rate payer paying their 2016/17 rates in full at the first instalment date. These funds have been invested with a maturity date that coincides with the remaining instalments due dates in order to manage ongoing cash flow requirements and represents \$1,078,985 of the unrestricted cash balance as at 30 April 2017.

Summary of Investment Movements - April 2017			
Financial Institution	Invst/(Recall) Amount \$	Commentary	
Bankwest	(512,645.65)	Term Deposit Matured 04/04/2017	
IMB	(503,241.10)	Term Deposit Matured 11/04/2017	
IMB	500,000.00	Term Deposit Reinvested 11/04/2017	
Short Term Credit Rating*	Policy Maximum	Current Holding %	Current Holding \$
A-1+	100%	22%	3,500,000
A-1	80%	22%	3,500,000
A-2	60%	56%	9,000,000
A-3	40%	0%	-
			16,000,000

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

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

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

<b><u>RESTRICTED CASH, CASH EQUIVALENTS &amp; INVESTMENTS</u></b>	
	<b>\$ 000's</b>
External Restrictions - Sewer*	5,157
External Restrictions - Unexpended Grants*	1,282
External Restrictions - Other*	2,267
	<b>8,706</b>
Internal Cash Restrictions*	8,232
Unrestricted	(372)
	<b>7,860</b>
<b>TOTAL CASH &amp; INVESTMENTS</b>	<b>16,566</b>

\* Restrictions represent balance as at 1 July 2016 carried forward from 2015/16 Audited Financial Statements

\*\* Unrestricted cash balance is inclusive of \$1.079m rates paid in advance. This amount exceeds the unrestricted cash balance of (\$372K) and is attributed to the use of internal restrictions in the 2016/17 financial year to fund capital projects.

#### CERTIFICATION – RESPONSIBLE ACCOUNTING OFFICER

I, Tiffany Irlam, certify that the investments listed in this report have been made in accordance with Section 625 of the Local Government Act 1993, the Local Government (General) Regulation 2005 and Council Policy.

#### **Issues:**

Nil

#### **Budget Implications:**

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

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

Nil

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

Nil

**09) ADOPTION OF 2017/18 OPERATIONAL PLAN AND 2017/18 - 2020/21 DELIVERY PLAN FOR EXHIBITION**

**Department:** Corporate Services

**Author:** Director Corporate Services

**CSP Link:** 6.3 A well-run Council organisation.

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

---

**Recommendation:**

1. That Council endorses the draft 2017/18 Operational Plan; and
2. That the 2017/18 Operational Plan be placed on public exhibition for a period of 28 days.

**Reason for Report:**

For Council to consider and endorse the 2017/18 – 2020/21 Delivery Program and 2017/18 Operational Plan for public exhibition, pursuant to section 405 of the Local Government Act.

**Report:**

All councils in NSW are required to develop long term, medium term and short term plans as part of the Integrated Planning and Reporting (IP&R) Framework under the *Local Government Amendment (Governance and Planning) Act 2016*.

Council adopted its Community Strategic Plan, Delivery Program and Resourcing Strategy, and Community Engagement Strategy in 2014 for its term of Council. Council is now obligated to endorse its 2017/18 Operational Plan.

The Operational Plan spells out the individual projects and activities that will be undertaken each year to achieve the commitments made in the Delivery Program.

In accordance with Section 405 of the Act, Council must adopt its annual Operational Plan before the beginning of each financial year, outlining the activities to be undertaken that year, as part of the Delivery Program. The Operational Plan must also include the Statement of Revenue Policy.

The Operational Plan has been reviewed and updated to reflect service delivery for 2017/18 year. The Operational Plan and the four year Delivery Program are presented to Council in one document.

Following public exhibition, Council must consider public submissions made in the exhibition period prior to the adoption of the 2017/18 – 2020/21 Delivery Program and 2017/18 Operational Plan at the June meeting.

Council is awaiting a response from the Office of Local Government on a request for a review of their determination for removal of an additional \$209,000 over the Community Centre Special Rate Variation income of \$275,000 deducted from 2016/17 general income. Accordingly, Council has proposed the following 2 rating structures for 2017/18 pending an outcome:

**Rating structure for 2017/18 with deduction of excess levy of \$209,000 from 2016/17**

<b>Rating Structure for the 2017/2018 Rating Year</b>						
<b>Name of Category/Sub Category</b>	<b>Number of Assessments (A)</b>	<b>Base Rate (B)</b>	<b>Ad Valorem (C)</b>	<b>Land Value (D)</b>	<b>Total Yield (E)</b>	<b>% Yield from Base Amount</b>
<b>Residential</b>						
Ordinary Rate	1119	\$220	0.00286187	\$140,072,652	\$647,050	<b>38.05%</b>
Sub Category - Blayney	1251	\$270	0.00567110	\$85,512,990	\$822,723	<b>41.06%</b>
Sub Category - Millthorpe	321	\$270	0.00358980	\$44,084,860	\$244,926	<b>35.39%</b>
Sub Category - Carcoar	95	\$220	0.00613265	\$4,712,968	\$49,803	<b>41.97%</b>
<b>Business</b>						
Ordinary Rate	86	\$270	0.00595222	\$8,992,266	\$76,744	<b>30.26%</b>
Sub Category - Business Blayney, Millthorpe & Carcoar	228	\$270	0.00935240	\$22,350,564	\$270,591	<b>22.75%</b>
<b>Farmland</b>						
Ordinary Rate	764	\$345	0.00334488	\$553,354,696	\$2,114,485	<b>12.47%</b>
<b>Mining</b>						
Ordinary Rate	1	\$945	0.04285800	\$324,000	\$14,831	<b>6.37%</b>
Sub Category - Mining Gold / Copper Combined	1	\$945	0.04109033	\$101,700,000	\$4,179,832	<b>0.02%</b>
<b>Total Yield</b>	<b>3,866</b>			<b>\$961,104,996</b>	<b>\$8,420,984</b>	

## Rating structure for 2017/18 excluding excess levy of \$209,000 from 2016/17

Rating Structure for the 2017/2018 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
<b>Residential</b>						
Ordinary Rate	1119	\$220	0.00292815	\$ 140,072,652	\$ 656,334	<b>37.51%</b>
Sub Category - Blayney	1251	\$270	0.00580521	\$ 85,512,990	\$ 834,191	<b>40.49%</b>
Sub Category - Millthorpe	321	\$270	0.00367320	\$ 44,084,860	\$ 248,603	<b>34.86%</b>
Sub Category - Carcoar	95	\$220	0.00627863	\$ 4,712,968	\$ 50,491	<b>41.39%</b>
<b>Business</b>						
Ordinary Rate	86	\$270	0.00608645	\$ 8,992,266	\$ 77,951	<b>29.79%</b>
Sub Category - Business Blayney, Millthorpe & Carcoar	228	\$270	0.00956584	\$ 22,350,564	\$ 275,362	<b>22.36%</b>
<b>Farmland</b>						
Ordinary Rate	764	\$345	0.00342017	\$ 553,354,696	\$2,156,145	<b>12.22%</b>
<b>Mining</b>						
Ordinary Rate	1	\$945	0.04381480	\$ 324,000	\$ 15,141	<b>6.24%</b>
Sub Category - Mining Gold / Copper Combined	1	\$945	0.04242610	\$ 101,700,000	\$4,315,679	<b>0.02%</b>
<b>Total Yield</b>	<b>3,866</b>			<b>\$ 961,104,996</b>	<b>\$8,629,896</b>	



Sewerage Charges have been indexed by 2.5% as recommended in the Strategic Business Plan set out by NSW Public Works. The following waste water (sewerage) service charges for 2017/18 are proposed:

<b>Non Residential</b>					
	<b>Annual Charge (Prior to SDF Factor)</b>	<b>No of Properties</b>	<b>Quarter Charge before SDF applied</b>	<b>Min. quarterly amount charged</b>	<b>TOTAL YIELD</b>
20mm Water Service	\$476.00	162	\$119	\$144	
25mm Water Service	\$736.00	21	\$184	\$144	
32mm Water Service	\$1,204.00	18	\$301	\$144	
40mm Water Service	\$1,880.00	11	\$470	\$144	
50mm Water Service	\$2,940.00	24	\$735	\$144	
80mm Water Service	\$7,520.00	1	\$1,880		
100mm Water Service	\$11,756.00	6	\$2,939		
150mm Water Service	\$26,452.00	2	\$6,613		
Vacant/Unmetered	\$296.00	49			
<b>Estimated Total Yield</b>					<b>\$ 325,000</b>

<b>Residential</b>			
	<b>Access Charge</b>	<b>No of Properties</b>	<b>Total Yield</b>
Connected	\$576.00	1487	\$856,512
Vacant/Unmetered	\$296.00	126	\$34,632
<b>Estimated Total Yield</b>			<b>\$891,144</b>

The interest rate charged on overdue rates and charges for 2017/18 is yet to be advised by the Office of Local Government and is currently proposed at the 2016/17 maximum recommended rate on overdue rates and charges of 8%.

Included in the 2017/18 Operational Plan is the Schedule of Financial Assistance outlining allocation of proposed funding under the Community Financial Assistance Policy. This schedule has been included to expedite the funding process for recurrent recipients of financial assistance and for greater transparency to the community.

The draft Delivery Program & Operational Plan must be publicly exhibited for at least 28 days and public submissions can be made to Council during the consultation period. Council must consider any submissions made on the draft Delivery Program & Operational Plan before its adoption. Council must post a copy of its Delivery Program & Operational Plan on its website within 28 days following plan adoption.

#### **Issues:**

Nil.

**Budget Implications:**

The financial implications of this report are detailed in the 2017/18 Operational Plan and an overview is provided as follows:

Councils 2017/18 Draft Operational Plan budget proposes an operational surplus forecast of \$254k before capital grants and contributions. This consists of a forecast surplus from the General Fund of \$488k and a deficit from the Sewer Fund of (\$234K). The Sewer Fund aligns with the Strategic Business Plan set out by NSW Public Works.

The major contributors to Councils income in the draft budget for the 2017/18 financial year include the following:

For 2017/18 IPART has released the rate peg index at 1.5%. In Council's long term financial plan 2% had been forecast for 2017/18.

The mining rate continues to contribute a substantial amount to Council's rate base. Council should be wary of associated risks of such a position to not be fully reliant on this income to help fund the general operations of Council and a large proportion of this revenue has been directed towards funding capital projects.

Domestic Waste annual charges have been proposed to increase by 3% due to the increased costs of waste collection and is representative of reasonable cost requiring no ratepayer subsidy in accord with local government best practice.

Non-Domestic Waste annual charges have been proposed to increase by 4.55% in a bid towards becoming self-funding. This service continues to be subsidised by ratepayer funding as its net cost is forecast to exceed income from the small user base.

Council remains in the midst of the Financial Assistance Grant indexation freeze with the Government in the 2014/15 Budget announcing that "the indexation applied to the Financial Assistance Grant programme would be paused for three years (2014/15 to 2017/18)." Council will receive in 2017/18 \$2.47m of untied grant monies.

Council was successful in obtaining \$5.4m grant funding from Resources for Regions for the construction of the Southern Cadia Access Route. In partnership with Cadia Valley Operations this project is budgeted to cost \$10.44m and will take 2 years to complete. \$6.4m is forecast to be expended in 2017/18.

Further works on Browns Creek Road are programed after Council was successful in obtaining funding of \$2.14m from Transport for NSW - Freight and Heavy Vehicle Safety & Productivity Program. \$750k has been programed for upgrades to Mandurama and a further \$950k to fund heavy patching and reseal works throughout the shire.

2017/18 will see completion of Council's timber bridge replacement program with \$2.9m budgeted for the replacement of bridges on Browns Creek Road, Dirt Hole Creek Errowanbang Road, Dowsetts Lane Coombing Creek and Newbridge Road Evans Plains Creek. New borrowings of \$1.3m in 2017/18 are proposed to help fund the program.

Council's Active Movement Strategy has identified \$104k of renewal and \$138k of new works in 2017/18. Year 1 of the program will focus on high priority works identified throughout the shire including Olive St Mandurama, Crowson St Millthorpe and design works for improvements to the pedestrian railway crossing in Adelaide St Blayney.

Council has applied for \$1.33m grant funding from Building Better Regions for the completion of major upgrades to CentrePoint Sport & Leisure Centre. Key features of the \$2.77m upgrade include; upgrade of the toddlers pool, a new interactive children's water playground, transformation of the 25metre pool to a wet level pool deck, installation of a new disabled lift, transformation of the Learn-to-Swim pool to a wet level pool deck, creation of a compliant disabled access ramp and construction of 2 new unisex accessible toilets which are also family change rooms. The plant room will also undergo a complete upgrade including; installation of modern water disinfection/filtration and heating infrastructure which will enable more efficient water treatment and separate temperature control to each individual pool.

The Major and Minor Plant replacement program continues with replacements of \$1.14m scheduled to take place in the 2017/18 year.

Council's operational expenditure for the 2017/18 Financial Year Draft Budget includes provision of a 2.9% increase to wages for the 2017/18 State Award increase. This amount is yet to be determined as at date of report preparation. Council has also factored in performance increases based on Award entitlement where applicable.

A provision for borrowings of approximately \$1.8m has been made to facilitate the finalisation of Council's Bridge Replacement Program and upgrades to CentrePoint.

**Enclosures (following report)**

Nil

**Attachments (separate document)**

Nil

**10) REVIEW GOVERNANCE ARRANGEMENTS FOR LIBRARY SERVICE**

**Department:** Corporate Services

**Author:** Director Corporate Services

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

**File No:** CS.ME.3

---

**Recommendation:**

That the Council endorse Option 1 supporting dissolution of the Central West Libraries entity with library services delivered by Orange City Council (OCC) under a service level agreement arrangement that includes responsibility for staffing, administration and specialist support.

**Reason for Report:**

To seek Council endorsement of the proposed change to governance arrangements associated with delivery of library services in the Blayney Shire.

**Report:**

A report was tabled to the April 2017 Council meeting forewarning Council of a proposed change to governance arrangements associated with services delivered by Central West Libraries (CWL).

The CWL Committee comprising 2 representatives of member councils in Orange, Blayney, Cabonne, Cowra and Forbes considered a report on the 'Future Model of Central West Libraries'.

This discussion paper was prepared in response to a request arising from the extraordinary meeting of the Central West Libraries committee held on 7 December 2016. At this meeting the report on the "Future Model of Central West Libraries" a discussion paper on the comparisons, risks and costs of options 1, 2 and 4 was requested. The review was prompted in part by the difficulty with attendance at meetings by representatives and challenges with achieving meeting quorum.

The report was considered by the Committee at an Extraordinary meeting held 8 March 2017. A number of options were tabled with only 2 options preferred, both options propose library services remain under the branding of CWL. The options under investigation propose dissolution of the CWL entity and either:

Option 1: Orange City Council (OCC) to undertake the responsibility for staffing, administration and specialist support under a service level agreement arrangement; or

Option 2: Each Council share responsibilities for delivery of services currently delivered by CWL. Blayney Shire taking responsibility for staffing and administration and specialist support provided by Orange City Council under a service level agreement arrangement.

The change to governance arrangements will entail dissolution of the CWL entity, associated committee, and will see no change to service delivery. Both options also propose the introduction of service level agreements.

It is recommended to Council that Option 1 be favoured as it is consistent with the existing service delivery model with staffing, training and support delivered from Orange City Council. Option 2 would see savings in employment costs including training and overheads of around \$45K that would be delivered by Blayney Shire Council for an equivalent cost. Furthermore, other member Councils have indicated their intent to favour Option 1.

This current review of Library Service Governance model has initiated a positive discussion and solution with Central West Libraries regarding after hours access and supervision of Library by Family History Group Volunteers, which is now possible following installation of self checkout system of book loans. Council will have greater flexibility with service delivery outside of operating hours that will help to deliver better community outcomes.

Member councils have been asked to provide feedback as to a preferred model for the future governance and delivery of library services by 1 June 2017.

**Issues:**

Nil.

**Budget Implications:**

A budget has been furnished for 2017/18 and subsequent years for inclusion into Council's Long Term Financial Plan. The 2017/18 contribution will be \$165,780 some \$13,890 or 9.14% more than the 2016/17 year. This includes an additional \$10,573 attributable to Orange City Council back office charges included for recovery from member councils. In the past, this overhead was not recovered. This expenditure has been factored into Council's 2017/18 Operational Plan and Long Term Financial Plan.

**Enclosures (following report)**

Nil

**Attachments (separate document)**

Nil

**11) DISABILITY INCLUSION ACTION PLAN**

**Department:** Corporate Services

**Author:** Director Corporate Services

**CSP Link:** 6.3 A well-run Council organisation.

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

---

**Recommendation:**

That the Draft Blayney Cabonne Orange Disability Inclusion Action Plan for Blayney Shire Council be placed on public exhibition for a period of at least 28 days.

**Reason for Report:**

For Council to endorse the Draft Blayney Cabonne Orange Disability Inclusion Action Plan for Blayney Shire Council for public exhibition.

**Report:**

Blayney Shire Council has developed a Disability Inclusion Action Plan as required under the Disability Inclusion Act 2014. Blayney, Cabonne and Orange Councils resolved to take a collaborative approach to the development of a joint plan with individual strategies and actions. The Disability Inclusion Action Plan will underpin Council's commitment to providing quality facilities and services that enable people with disability to fully participate in our communities.

This Disability Inclusion Action Plan was developed through a community consultation and research process which included review of Council documents and relevant Government policies.

The consultation process involved talking to regional and local service providers, people with disability, carers and the broader community. A number of meetings and focus groups were held to identify gaps and discuss issues and a community survey was undertaken.

The Blayney Shire Access committee has been engaged during preparation of the plan and will be engaged during the period of public exhibition for refinement of the plan. This committee will also be actively involved in the ongoing development, implementation and formal review process of the plan.

The development of a Disability Inclusion Action Plan will not only meet Council's legislative requirements, it will also assist in raising community awareness helping to make Blayney Shire more accessible for all community members.

**Issues:**

The development of a Disability Inclusion Action Plan is required under the Disability Inclusion Act 2014 and will form part of Council's integrated planning and reporting process.

**Budget Implications:**

An amount of \$5,000 to assist with plan preparation and finalisation has been provided for in the 2016/17 Operational Plan. Implementation costs of the plan is envisaged to be incorporated into project planning and factored into operational and capital project costs.

**Enclosures (following report)**

Nil

**Attachments (separate document)**

- 1 Draft Blayney Cabonne Orange Disability Inclusion  
Action Plan (Blayney Shire Council) 25 Pages

**12) INALA UNITS UPDATE****Department:** Corporate Services**Author:** Director Corporate Services**CSP Link:** 5.1 A diverse and sustainable population in our communities and villages.**File No:** PM.RP.6

---

**Recommendation:**

That Council endorse the recommendation of the Inala Units Working Group and proceed with the Selective Tender for the Sale of 10 Residential Units at 33 Park Street, Millthorpe

**Reason for Report:**

At the December 2016 meeting, Council established a working group to investigate ways in which it might realise its capital investment in the Inala Units whilst at the same time ensuring that the issues of importance to the community were maintained (**Resolution 1612/001**).

An update as to the current status and endorsement of the next stage is sought.

**Report:**

Council would be aware that the Inala Units working group comprising of the Mayor, the Deputy Mayor, the General Manager and the President and Vice President of the Millthorpe Village Committee have met on a number of occasions.

As previously reported Council has let an Expression of Interest from parties credentialed in provision of affordable housing. A number of responses have been received and were reviewed by the working group. It is now proposed that Council call for selective tenders from respondents pursuant to section 55(4) of the Local Government Act and clause 168 of the Local Government (General) Regulation.

**Issues:**

The EOI process undertaken has identified suitably qualified community housing providers to assume responsibility for the ownership, maintenance and operation of the Inala complex as affordable housing facility on a long term basis.



The community vision for Inala Units is the retention of the units as an affordable housing complex, serving the needs of older and aged low-income and pensioner shire residents and managed to maximize and improve the amenity of the site for current and future occupiers.

Council will be seeking an outcome that ensure that the Inala Units continue to provide and retain affordable housing facility for aged low-income and pensioner shire residents in perpetuity. The principles of equity, access, security and inclusion will be applied to all decisions relating to Inala units and its residents and be addressed in detail by future owners or licensees.

This selective tender process will ensure a fair and equitable balance between maximising the financial benefits to the Council and the achievement of the objectives of preserving the existing security of tenure of the current and future residents of Inala Units.

The following criteria and demonstrated evidence would be required at a minimum for shortlisting of tenderers; financial stability, Purchase Price Offer, experience in affordable and community housing, long term commitment to the sector and innovative solutions to meeting objectives.

**Budget Implications:**

Inala Units remain an asset of Council until otherwise determined and are included on Council's balance sheet.

Council has sought an independent market valuation that will assist to guide Council on the outcome of the tender. Provision in the 2017/18 Operational has been made for the sale of the asset. As the tender is yet to be called and due to the confidential nature of this information, this detail has been secured.

**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 of Infrastructure Services Monthly report for May 2017 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**

Renewable Energy project

Council has commenced investigations to deliver a strategic plan for Council facilities which may benefit from renewable energy sources. Skillset Environmental has been engaged to develop the scope and facilitate a workshop to identify and shape the technologies that could be employed at a number of Council's facilities. The Sewerage Treatment Plant (STP) will be the first project to be undertaken after the review and is set to provide significant savings based on off grid power sources such as solar and / or battery storage. Council hopes to have the strategic plan finalised by the end 2016/17.

Centroc Energy Group

Further to February 2017 report, Centroc's energy group continues to inform itself on opportunities to improve individual Council energy performance.

Centroc anticipates being ready to deliver a streetlighting LED replacement and smart controls concept for possible government funding consideration by the end of 2016/17.

At the groups most recent meeting, information was provided about an off site direct solar project in NSW, where the The University of Technology Sydney signed an agreement to buy the output of the 200kW Singleton solar farm in what was a "first" in renewable energy purchasing in Australia.

Such projects are common in the United States, and this offers just one example of work being undertaken to develop opportunities to increase renewable energy project delivery and consumption, in the current market that continues to see ongoing increases in energy costs. The concept was a new business model for electricity purchasing, and it was essential that for the project to get funded it had to have a customer for the energy.

Centroc will continue to investigate this and many other energy saving options as part of a strategic plan being developed across the region. The work Blayney Council is undertaking will actually be undertaken earlier and will help inform the Centroc project.

### **Funding Applications**

#### NSW Government Floodplain Management Program

Council has submitted an application for preparation of a floodplain risk management plan for the Village of Carcoar, and awaits further advice on the matter from the NSW Office of Environment and Heritage. Should the application be successful, funding would be offered on a 4:1 basis.

### **Major Works**

The bulk earthworks component of the Dirt Hole Creek Bridge realignment are progressing well, with excavation almost to design level, and drainage works underway. Council continues to progress work at this location whilst weather conditions allow, to ensure unsuitable underlying soil conditions are addressed whilst the weather is favourable.

Material previously blasted along the Errowanbang Road Reserve is currently being processed on site by a crushing contractor, with testing being undertaken to determine its compliance with RMS requirements.

Major earthworks are on hold on Cadia Road, with the bulk of the earthworks completed. Tie-in works are still required, but the material won needs to be utilised to provide space for more material.

#### Heavy Patching program

The heavy patching program is progressing well, with works completed on Errowanbang, Forest Reefs, Moorilda, and Newry Downs Roads. Additional works were also included in the program on Guyong Road, Donaldson and Harrow Streets funded from savings obtained from reduced oil prices within the reseal program.

Works remain to be completed on Ewin Street, Carcoar and Hobbys Yards Roads. With works on Carcoar Road commencing 15 May.

Current indications are that the program is running approximately 5% under budget, which is a reflection of the efficiency and professionalism of Council's Operations Staff in delivering these works.

### Reseal program

The reseal program was completed on 21 April.

A total of 28km was delivered below budget, with works undertaken on Errowanbang, Long Swamp, Carcoar, Carbine, Barry, Forest Reefs and Moorilda Roads, and Naylor Street.

To increase the reseal delivery beyond the achieved works would have impacted council budgets in the future with a large spike in the future scope of works and currently outside the scope of the Long Term Financial Plan.

Surplus funds were therefore redirected to address issues in Donaldson and Harrow Streets, as mentioned previously.

### Footpaths

Work continues on this joint RMS/Council funded project to deliver a new shared path with realigned kerb and gutter along Adelaide Street.

The path and kerb and gutter have been installed between Morris Lane and Stillingfleet Street, with works now focused on the Stillingfleet to Charles Street section. Works have been staged to minimise the impact on access to the Tyrepower site and Police Station.

The result of the project will include new 2.5m wide shared path, new kerb and gutter and pedestrian ramps, and improved stormwater drainage. Council will also plant suitable tree species to replace the invasive species previously located along these sections.

### Other Works

Council is currently undertaking approach works for John Holland Rail on the delivery of a new active crossing on Wombiana Lane. The new crossing will be fitted with lights, bells, and boom gates. Works were scheduled to be completed by Anzac Day however delays were incurred by John Holland in obtaining rail access and the necessary approvals.

Council is undertaking works on Orange Road for RMS in the week commencing 8 May 2017. These works are from Blake Street back towards Blayney for approximately 1km.

### **Major Contracts**

#### Replacement of 6 Timber Bridges

Works on this project will escalate in the coming month with Contractors commencing work at Felltimber Road bridge (over Coombing Creek) on 8 May. A road closure will be in place at either end of the existing bridge to allow for its demolition and replacement. Construction is programmed for completion prior to the end of June.

### **Wastewater**

Council are awaiting a report from NSW Public Works to identify options for the upgrade of No.1 sewerage pump station in Henry Street, and aerators at the STP.

The upgrade of the pump station will occur in 2017/18 and is anticipated to include new pumping, electrical and mechanical equipment. The pump station was overhauled in 1990 and has performed well over this time, however there is evidence it is aging and in this environment has performed well.

CCTV works have continued as work to review approx. 8km of the sewer gravity network. This work has proven far more difficult than first envisaged, and credit to the sewer staff as they have endured many frustrations in attempting to find manholes buried in people's back yards, under footpaths and roads. The information gathered, along with regulatory requirement for the revaluation occurring this financial year, is helping to identify future planning needs.

A new electricity tariff is being implemented by Essential Energy beginning in July 2017. The tariff is a demand based tariff and will impact upon consumers who draw in excess of 160MWhrs per annum. The STP currently consumes around 211MWhrs per annum and as such will go on to the new demand tariff. This is estimated to result in an increase of our annual costs of approx. \$40,000 by approx. \$12,000 per annum. Staff are currently reviewing ways to become more efficient and reduce our reliance on the energy provided from the grid.

### **Parks and Recreation**

#### Mandurama Recreation Ground

Trade fitout continues to delay completion of the new toilet block, with work anticipated to be completed by 19 May 2017.

#### Blayney Tennis Court Resurfacing

Work has commenced and the contractor remains scheduled to complete work by 5 May 2017.

#### Redmond Oval

Following a meeting with the Redmond Oval Committee, a scope of works has been determined for programmed renewal works to the tennis facilities.

The tennis court clubhouse will be relined, and electricity/plumbing renewed as required. The old galvanised iron shelter is no longer required and shall be removed.

The tennis court fence will also be renewed with new mesh and additional bracing. It is intended to install a concrete kerb at the fence line to tidy up the interface between the fence and court.

Quotations are currently being obtained for the installation of stainless steel drinking water fountains at the skatepark and the playing field gate. They will be similar to the one next to the bus stop adjacent to the school, and include artwork from a local artist on the face of the bubbler along with a message promoting saving water.

There will also be a drinking fountain installed at the skate park. This fountain will be fed water from a new potable water pipeline from adjacent to the irrigation storage tank. Council has received advice from Central Tablelands Water that it will contribute \$3,000 toward the drinking fountain.

Council have ordered 4 new seats to be installed at Redmond Oval to replace several of the old seats that were removed during construction of the oval.

The Millthorpe Village Committee has agreed to provide funding on behalf of several community organisations to go towards a new shared path that will link the bitumen area around the edge of the playground and join up to the BBQ area. The exact location is yet to be determined.

### **Assets**

#### **Sewer Revaluation**

Council Assets and Finance staff met with Council's auditors to discuss the progress of the Revaluation of the Waste Water System. Council has raised issues regarding the treatment of 'relined' pipes, as the method proposed involves separately componentising trench excavation and pipe laying. Council staff are working with AssetFinda (Asset Management Software System providers) to determine a way to modify data to comply with this requirement, if required.

Condition assessment of the gravity network to identify the structural and serviceability of the pipe is nearing completion. This data is critical for Council to complete the revaluation of the Wastewater Asset class for the 2016/17 financial year.

#### **Infrastructure Services Personnel**

Council has undertaken interviews for the position of Cadet Engineer and provided Charles Sturt University with its recommendation.

#### **Heavy Plant and Fleet**

Tenders have been received for the supply of a new grader, and 2 new water carts. Assessments are currently underway on these items.

#### **Issues:**

Nil.

#### **Budget Implications:**

Nil

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

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

**14) BLAYNEY SHIRE SPORT AND RECREATION PLAN**

**Department:** Infrastructure Services

**Author:** Director Infrastructure Services

**CSP Link:** 2.2 Strong participation in sporting events and competitions.

**File No:** RC.TE.6

---

**Recommendation:**

That the report on the development of the Blayney Shire Sport and Recreation Plan be received and noted

**Reason for Report:**

To inform Councillors of the commencement of work on the Blayney Shire Sport and Recreation Plan, and highlight the engagement to be undertaken.

**Report:**

Over the past 3 years the Blayney Shire Sports Council has developed and prioritised a list of projects that it considers the most important to improve and develop Council's sporting facilities across the shire.

The Blayney Shire Sports Council Project Priority List is updated and reevaluated, and provided to Council on an annual basis prior to the annual budget period.

It became apparent the work undertaken needed to be strengthened by expanding engagement beyond the Sports Council membership, to include key community members and groups, including individual village groups/associations, schools and their students, fitness trainers, those with a disability, and various others. This was in order to cater for the needs of the Shire's population in pursuing sport and recreation activities of their choice into the future.

A Request for Quotation (RFQ) was prepared to seek suitably qualified consultants to develop a Sport and Recreation Plan (SRP) for the Shire.

Submissions were assessed, and Council has engaged Place Design Group (PDG) in conjunction with Western Research Institute (WRI) from Bathurst to deliver the plan. PDG/WRI would be familiar to Councillors as they successfully undertook engagement and delivery of the 2020 Main Street Master Plan a couple of years ago.

The Sport and Recreation Plan will be delivered over the course of the next 4 months, and include the following steps.

Community Engagement – a variety of community engagement activities to deliver community input for the SRP. Different activities will target different groups, ensuring that all relevant community stakeholders have been consulted. Activities will include preparation of a Community Engagement Plan with related Discussion Paper to set the scene, one on one interviews with various groups, the undertaking of a vision workshop, public displays and consultation similar to that undertaken for the Main Street Plan, an online survey, and online discussion forum.

Findings will be used to inform development of a Draft Sport and Recreation Plan, for public exhibition and the undertaking of further community consultation, and a workshop with Council (elected body and staff).

The final plan will be based upon a comprehensive understanding of the current and future needs, expectations and desires of Blayney residents, including Shire villages, for sporting infrastructure and the appropriate organisational and policy tools to support the community's use of these facilities.

Key outcomes of the SRP include:-

- An engaged community;
- Examination of statistical information;
- Sport and recreation infrastructure and services that meet identified and statistically supported community needs;
- Development of a Sports Facility Hierarchy;
- Identification and avoidance of facility and service duplication and ad-hoc planning;
- Individual sub-plan strategies/master plans (with strategic cost estimates) for key Sports Facilities identified within the “Project Area” with concept maps;
- Alignment of asset management planning with community needs and strategic goals;
- Identified policy direction including identification of existing policies requiring review to align with strategic objectives and policy gaps;
- Costed and resourced implementation plan to inform business/service planning, capital works programming and grant submissions;
- Identified opportunities to maximise utilisation and increase the efficient use of existing facilities and services;
- Identification of any NSW Department of Education Sports grounds that could be included into a local government/state government agency partnership to meet the needs of the community and sporting activities;
- Identification of surplus to requirements assets and lands.

It is anticipated the final plan will be delivered in September.

**Issues:**

Nil



**Budget Implications:**

In 2016/17 an internal restriction of \$170,000 was allocated to the Blayney Sports Facilities Master Plan Reserve.

The Quarterly Budget Review for the 3<sup>rd</sup> quarter seeks Council approval for the transfer of funds from internal restriction to fund programmed expenditure of \$80,000 within the 4<sup>th</sup> Quarter 2016/17.

The balance of the project (\$18,000) will be expended in 1<sup>st</sup> quarter 2017/18, and provision has been made for this as part of the 2017/18 budget.

**Enclosures (following report)**

Nil

**Attachments (separate document)**

Nil

**15) MINUTES OF THE BLAYNEY TRAFFIC COMMITTEE MEETING HELD ELECTRONICALLY 30 APRIL 2017**

**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:** TT.ME.1

---

**Recommendation:**

1. That the Minutes of the Blayney Traffic Committee Meeting, held on 30 April 2017, be received and noted.
2. That Council approve the Central West Charity Tractor Trek Group Inc - 2017 Tractor Trek Event on 23rd & 24th September 2017.

**PRESENT**

Jackie Barry (Roads & Maritime Services), Reg Rendall (Paul Toole Representative), , Geoff Paton (Blayney Shire Council), Cr Kevin Radburn (Blayney Shire Council), Peter Foran (NSW Police), Iris Dorsett (Tablelands Area Road Safety Officer), Karl Hutchings (NSW Police – Local) and Nikki Smith (Blayney Shire Council).

**APOLOGIES**

Nil

**CONFIRMATION OF MINUTES**

**RESOLVED:** That the minutes of the previous Traffic Committee Meeting held on Friday, 17 February 2017 be confirmed to be a true and accurate record of that meeting.

(Reg Rendall/Peter Foran)

**TRAFFIC REGISTER**

No Update Required.

**CORRESPONDENCE****20170430:01 – Central West Charity Tractor Trek Group Inc. 2017 Tractor Trek**

**RECOMMENDED:** That council approve the Central West Charity Tractor Trek Group Inc - 2017 Tractor Trek Event on 23rd & 24th September 2017.  
(Reg Rendall/Jackie Barry)

**INFORMAL MATTERS**

**20170430:02 – Monthly Road Safety Reports – February, March 2017.**  
Reports noted.

**20170430:03 – Chifley Local Area Command – Serious/Fatal Motor Vehicle Accidents Reports – February, March 2017.**  
Reports noted.

**FUTURE MEETING DATES - 2017**

- Friday 16 June 2017
- Friday 18 August 2017
- Friday 20 October 2017
- Friday 15 December 2017

**MEETING CLOSED**

The meeting closed 30 April 2017

**Enclosures (following report)**

Nil

**Attachments (separate document)**

Nil

**16) DEVELOPMENT APPLICATION 18/2017 - SKATE PARK - LOT 320 DP 750380, 2 ADELAIDE STREET BLAYNEY**

**Department:** Planning and Environmental Services

**Author:** Senior Town Planner

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

**File No:** DB.AB.351

**Recommendation:**

That Council approve Development Application 18/2017 for a skate park at Lot 320 DP 750380, 2 Adelaide Street, Blayney, subject to the conditions in Enclosure 4.

**Reason for Report:**

For Council to consider and determine Development Application 18/2017 for a skate park at Lot 320 DP 750380, 2 Adelaide Street, Blayney, as a submission was received during the notification of the proposed development.

Blayney Shire Council is also the applicant for the proposed development.

**Report:**

<b>Application Number:</b>	DA18/2017
<b>Development:</b>	Skate Park
<b>Applicant:</b>	Blayney Shire Council
<b>Owner:</b>	Crown
<b>Lodgment date:</b>	3 March 2017
<b>Land:</b>	Lot 320 DP 750380, 2 Adelaide Street, Blayney
<b>Local Environmental Plan:</b>	Blayney LEP 2012
<b>Zoning:</b>	RE1 Public Recreation

The proposed development is located on the corner of Adelaide Street and Hobbys Yards Road, Blayney, Adelaide Street being the Mid Western Highway.

The site contains a public recreation facility, which includes tennis courts and clubhouse, water feature, old maze garden, small outdoor auditorium, leash free dog area, playground equipment and bbq area, amenities, pathways, limited parking, and a large wetland area.

Access is existing off Adelaide Street into the parking area, which caters for about 10 cars, including one accessible space adjoining the existing amenities block.

The land is surrounded by residential land to the south and west, residential and commercial land to the north, and rural land to the east, and is almost flat with a slight slope to the east into the wetland area. A location plan is provided in enclosure 1.

The land is owned by the Crown and managed by Council. The site actually comprises three allotments, but only Lot 320 is nominated for the proposed development, being classified as Community Land.

The proposal includes a skate park facility together with an associated picnic shade shelter and tables. The skate park would be located within the former memorial garden maze area, with appropriate cut, fill and drainage works. The main structure would be constructed of steel and concrete, on concrete footings. The proposed design plans are provided in enclosure 2.

The facility would include a range of skate features including bowls, skateable ledges and rails, banks, pipes and stairs, safety signage and a graffiti wall. The shelter would be constructed of steel frame with a colorbond roof, and timber seating, being 4.3m x 3.8m, and 2.1m to eave height, accompanied by a rubbish bin and drinking fountain, and located to the south east of the skate ramp.

The facility would be accessed via pathways from the existing car parking area, although no additional parking would be provided. No vehicular access is proposed off Hobbys Yards Road, although pedestrian access is available as there is no site fencing. No fencing is proposed as part of this proposal. The site is highly visible and has some street lighting already. No additional lighting is proposed. No hours of operation are suggested, other than for daylight hours.

The overall height of the structure above natural ground level may be approximately 1m at the highest point, given that excavation will take the bowl areas below ground level.

No particular facility management plan or pedestrian management plan have been provided, and these may be addressed as conditions of consent.

## **Section 79C Evaluation - matters for consideration**

### **79C (a)(i) the provisions of any environmental planning instrument**

#### **1. State Environmental Planning Policies**

There are no State Environmental Planning Policies relevant to this development.

## 2. Regional Environmental Planning Policies

There are no Regional Environmental Planning Policies relevant to this development.

## 3. Local Environmental Plans

The land is zoned RE1 Public Recreation under the *Blayney Local Environmental Plan 2012*. The objectives of this zone are considered as follows:

- To enable land to be used for public open space or recreational purpose.  
**Comment:** The proposed development will enhance the use of Heritage Park as a recreational facility.

- To provide a range of recreational settings and activities and compatible land uses.

**Comment:** The proposed development provides ancillary facilities for Heritage Park, compatible with the existing use of the land.

- To protect and enhance the natural environment for recreational purposes.

**Comment:** The development is to be located on a flood free site, which requires minimal land clearing. Some existing exotic plantings may have to be removed, and drainage would be incorporated into the existing system. Impact on the environment would be minimized through attention to sediment and erosion control during construction.

### Clause 6.4 Groundwater vulnerability

The proposal is an allotment in an area identified by the LEP's Groundwater Vulnerability map and therefore this report is required to address certain objectives as follows:

- To maintain the hydrological functions of key groundwater systems.

**Comment:** Due to location and function the proposal is expected to have a negligible impact on any groundwater system. All activities are to be contained in the confines of the nominated construction site.

- To protect vulnerable groundwater resources from depletion and contamination as a result of development.

**Comment:** The proposal is expected to have minimal impact on groundwater resources, with no polluting aspects. Sediment and erosion controls would be implemented during the construction.

### Considerations for development

- The likelihood of groundwater contamination from the development (including from any on-site storage or disposal of solid or liquid waste and chemicals).

**Comment:** The likelihood of groundwater contamination due to the proposed development is expected to be negligible, due to location and attention to sediment and erosion control.

- Any adverse impacts the development may have on groundwater dependent ecosystems.

**Comment:** The proposal is expected to have a negligible impact due to the nature of the development and the measures to be applied to protect groundwater. This includes the placement of sediment and erosion control measures during the construction works.

- The cumulative impact the development may have on groundwater (including impacts on nearby groundwater extraction for a potable water supply or stock water supply).

**Comment:** Cumulative impact has been determined within the context of the proposed use of the site, which enables groundwater impact to be minimal. No water extraction is proposed for the site.

- Any appropriate measures proposed to avoid, minimize or mitigate the impacts of the development.

**Comment:** Sediment and erosion controls will be implemented during the construction stage of the development. The access ways currently comply with Council standards to serve the development.

- The development is designed, sited and would be managed to avoid any significant adverse environmental impacts.

**Comment:** If the proposal is managed in accordance with the consent conditions and the detail provided with the application, it is expected to have a minimal adverse environmental impact.

- If that impact cannot be minimized the development will be managed to mitigate that impact.

**Comment:** The development's potential impact as proposed is considered to be minor due to the development having no significant known polluting aspects. The proposed sediment and erosion controls that would be implemented during the construction stage should alleviate potential impacts.

**79C (a)(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.

**79C (a)(iii) any development control plan that applies to the land to which the development relates**

There are no development control plans relevant to this development.

**79C (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 proposal.

**79C (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.

**79C (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 development.

**79C (b) the likely impacts of that development**

**Context and setting**

The proposed development has been assessed as a positive initiative within the context of Heritage Park and recreational facilities in the town of Blayney, having regard for landscape and streetscape, pedestrian safety and traffic management. The development will enable the site to continue to be effectively used as a recreational facility, not detracting from the significance of the parkland setting and other activities in the Park.

**Access, transport and traffic**

The proposed development is not expected to generate significant additional traffic, although some additional traffic will occur. No parking is provided along Hobbys Yards Road, although cars may pull over along that alignment. With no fencing it would be difficult to control access from that direction. Some parking is already provided on site off Adelaide Street.

Council's Engineer requires upgrading works to accommodate the development with regard to drainage and construction of a cycleway/pathway from the existing pathway system to the facility.

There are major roadworks proposed for this intersection by Roads and Maritime Services in the near future. Referral to RMS resulted in no particular requirements, although they did agree that a pedestrian management plan be prepared.

**Services/utilities**

The cost of any service/utility connection would be borne by the developer. The sewer line runs along Hobbys Yards Road, and power and water are accessible from Adelaide Street.

**Site design, internal design and construction**

The site design, and locating the facility to the south western sector of the land, is generally in keeping with the landscape elements of the Heritage Park precinct. The structures would be constructed in accordance with the relevant provisions of the Building Code of Australia, and coloured to complement the existing Park features.



Other alternate sites have been suggested by the submission received. However, alternate locations within Heritage Park may be restricted by the Classification of the land, possibly being Operational, and the site being already occupied by other users. Dakers Oval is not suitable due to the flood area, and the inability to provide amenities without substantial additional cost.

#### **Hazards – technological, natural**

There are no particular known natural hazards relevant to the development.

#### **Noise and vibration**

There are no known significant noise or vibration impacts relevant to the development at present. In the submission received from a resident to the south of the site, noise was not raised as an issue. Noise during construction would be limited through hours of construction on the development consent.

#### **Environmental impact – flora, fauna, land resources, air and water pollution, micro climate**

There are no matters such as flora, fauna or land resources relevant to the development. The site is within a highly disturbed landscape where exotic vegetation predominates. Dust suppression measures would be applied during removal to prevent air pollution, and erosion control during removal would minimize water pollution. The wetland area is located some 130m to the east and no disturbance of this would be required, other than the continued direction of stormwater into the ponds.

#### **Water**

Stormwater would be directed into the local drainage system and into the existing ponds at the wetland feature to the east. No water supply is required for this development.

#### **Waste**

Waste associated with the development should relate to amounts of construction waste, which would be appropriately collected, stored and removed off site to an approved waste facility.

Operational waste would be provided for with an additional rubbish bin adjacent to the picnic shade shelter.

#### **Safety, Security and Crime Prevention**

The proposed development may lead to issues relating to safety, security or crime prevention. The impact of antisocial behavior relating to skate park facilities has been identified in the submission received, and is a common issue raised by the community in other instances.

Given that the facility would be available to all ages, is in a highly visible location, and only 300m from the police station, allows for a minimum of unsavoury activity. It is a family friendly Park now, should only be used during daylight hours, and the possibility of video surveillance is to be investigated by Council, although not guaranteed, to limit vandalism and loitering. The Park is already an alcohol and smoking free zone and this would continue.

The concern is for monitoring of the Park, and control over night time activities, given the police station is not manned 24 hours.

The development should not lead to health issues for the wider community, and may even lead to health benefits for the users. It is to be carried out in accordance with relevant legislation, traffic management and SafeWork guidelines.

### **Heritage**

Although this reserve is called Heritage Park, there are no listed heritage aspects of it. The site is not within the Blayney Heritage Conservation Area.

The closest heritage items to the site are residences along Martha Street, the nearest being about 130m away to the south west. No submissions were received from these residents.

Due to the location and aspect of the skate park and residences, it is unlikely that the skate park will impact upon heritage significance.

### **Economic impact**

The proposed development would lead to an enhanced use of a significant recreational facility in the town. Increased visitation may provide overflow benefits to businesses in Blayney.

Funding of the facility will be partly dependent upon Council achieving success in funding application opportunities.

Council has prioritized the funding of the facility and factored it into the budget and funding opportunities, having regard to the location and need for facility in the growing town of Blayney.

### **Social Impact**

The proposed development is not expected to have significant adverse social impact on the community, as long as ongoing monitoring and effective management of the facility are carried out by Council. The main amenity issues can be addressed through conditions of consent, and the placement of the structures should not create landuse conflict.

Due to the lack of submissions received, particularly given that residential development falls to the south and west of the site, suggests that the community has minimal major concerns with regard to any negative aspects which might occur from the installation of such a facility.

The Park is already accessed by a range of people, both local families and visiting tourist traffic, as well as truck drivers and tradesman passing through. The exposed located of the site could serve to ameliorate adverse behavior.

The establishment of a skate park in Blayney might also provide opportunities for competition for all ages and skills in the sport.

It is noted that a skate park already exists at Millthorpe. The use and/or abuse of such facilities is usually a factor of the particular location and the associated community. The Millthorpe site is not reported as having any anti-social issues, although it is apparently a little underutilized, despite its location in a central area. The Blayney site is within a highly visible, existing family friendly and accessible Park precinct.

### **Cumulative impact, Principles of Ecologically Sustainable Development, Sustainability and Climate Change**

#### **Cumulative Impact**

Cumulative impact relates to the location of a new recreational facility within the Heritage Park precinct. The previous examination of the objectives of the zone, as considered in this report, enable enhancement of the Park. Conditions of consent will reinforce these provisions. Such development must be assessed on its merits, being specific to the constraints and opportunities offered around this part of the Blayney township.

#### **Climate Change**

The NSW Sea Level Rise Policy Statement 2009 outlines the Government's objectives and commitments in regards to sea level rise adaptation. A key Government commitment is that it will promote and support an adaptive risk-based approach to managing the impacts of sea level rise. The proposal would not significantly contribute to climate change and will not change the risk profile of the site in regard to the impacts of sea level rise.

#### **Ecologically 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 utilize the land with minimal environmental impact to result in an economic benefit to the community) and conservation of biological diversity and ecological integrity.

The proposal would not present significant threats of serious or irreversible environmental damage, and the health, diversity and productivity of the environment is maintained or enhanced for the benefit of future generations, for the conservation of biological diversity and ecological integrity.

#### **Other**

The following impacts have been considered and are not relevant to the proposal: bushfire, flooding and contamination.

#### **79C (b) Suitability of the site for the development**

The above assessment details the aspects of the development which might create land use conflict. The development as proposed would render the facility compatible with the existing Park features, adjoining properties and the streetscape.

It would benefit the community through the provision of additional secure recreational facilities, within an existing recreation precinct, and would not generate significant additional traffic within the town.

### **79C (d) Any submissions made in accordance with this Act or the Regulations**

The development was notified to Roads and Maritime Services due to proximity to the Highway and the pending major roadworks. No particular comments were offered, apart from the suggestion that a pedestrian management plan be prepared.

The application was notified to adjoining landowners and one submission was received. A copy of the submission is provided in enclosure 3.

The issues raised are considered as follows:

- A gross misallocation of funds (\$250,000?). Should be spent on a wider spectrum of our Shire population. Usage would be below 10%, and erratic. Utilisation would be low, and kept low as few young people can access it due to parental issues and distance that has to be travelled for access.

**Response:** The project is still very much unfunded and will require continued community support to raise funds and make applications for external grants. Council have supported this to date with \$20k for the design and lodgment of DA only to get this project to a shovel ready status.

- The Millthorpe skate park usage is not exactly “exciting”. If Blayney people do want one, they can go there. A facility in Blayney does not solve travel issues for the rest of the Shire.

**Response:** The Skate Park at Millthorpe is not accessible via public transport for the Blayney youth, although some young people do get there via parental transport. The NSW Department of Sport and Recreation are attempting to establish a Millthorpe Youth Group to reinvigorate the Millthorpe Skate Park, which at the moment is underutilised. The main reason is that it was built for a very high skill level, so younger less proficient skate boarders are not safe or comfortable having a go.

- In other towns they are targets for anti-social behaviour and social misfits. This turns away those with a genuine interest, and causes parents to discourage their children from using the facility. Parents are already time poor and having to stay at the facility to supervise will cause a diversion to other more friendly activities. There are also issues with rubbish, broken bottles, late night/evening anti-social behaviour, a rise in vandalism and a general decline in the amenity of the immediate area.

**Response:** Blayney's Heritage Park is a family friendly area, already utilised by local people and visitors. No additional lighting would be provided to the skate park, so it will only be usable in daylight hours as a skate park.

A rubbish bin and graffiti wall will aid in keeping the area presentable, and a security camera will be investigated to mitigate vandalism and loitering. Heritage Park is an existing alcohol and smoking free precinct, as indicated by signage.

- Major roadworks are to occur on the corner of Martha and Adelaide Streets to improve safety of traffic at the intersection. Expensive traffic works won't necessarily improve the safety of the road. Any extra traffic at the intersection adds to risks.

**Response:** The project is located in the former maze, already a public space where people congregate and sit in Heritage Park.

Skate Parks at both Bathurst and Glenbrook are on a main road and the Skate Park in Orange is located next to a busy intersection. In all instances, the parks are set back at a safe distances from the roads.

The risk of any predatory behaviour or interaction from any minority persons is no different than any other site, existing or proposed. The benefit of the proposed site is that it is located close to a popular road way is the constant presence of the community where all activities, unsavoury or not is viewable by passing traffic and families accessing the public amenities, BBQ and other park assets. It is also close to the Hospital and close to the Police Station which the young people have viewed as a positive attribute of the proposed location.

- The existing amenities and drinking fountains are a positive for the site. However, there is a high volume of traffic, including trucks, who use the same amenities. Skate park users are exposed to the potential of unsavoury behaviour of a minority of these users. This aspect would influence parents in their attitude to allowing their children to use the facility.

**Response:** Consultation with community groups has resulted in the choice of site and facilities as proposed. Its orientation to the street is most appropriate and safety by design concepts have been utilized to minimise anti-social behavior.

The use of the park would add to the culture of fitness, as well as foster social and emotional health. Established infrastructure such as the bbqs and amenities are very popular, and no additional services would be required.

- There are two better sites for a skate park:
  - In between the tennis courts and the dog exercise yard area, with parking being on the Stillingfleet Street side.

This separates users from the highway. The issues in points 1-3 above would still apply.

**Response:** Alternate locations within Heritage Park may be restricted by the Classification of the land, possibly being Operational, and the site being already occupied by other users. A site further from the road would be isolated and not close to amenities.

- **Dakers Reserve:** This site would encourage an increase in usage as parents have access to the shops in that area while their offspring use the skate park. The skate park could then be leverage for toilet facilities to be built at Dakers, which would support other sports like cricket and enable higher utilisation of the area by other sports. Traffic safety issues are removed.

**Response:** Dakers Oval is not suitable due to the flood area, and the inability to provide amenities or drinking water without substantial additional cost. Public surveillance is also restricted.

### **79C (e) The public interest**

There are not expected to be any other significant adverse impacts on the public interest from this development, as discussed in the above report. There are no relevant State or Federal policies, no easements, covenants or service provision matters.

The consent of the Crown has been obtained for this development, issued subject to conditions which would be incorporated into the consent.

### **Conclusion**

The proposed development has been assessed under the provisions of all relevant legislation and submission received, and found to address impact and potential land use conflict within the site and the locality.

Appropriate industry standards of construction and conditions of consent would ensure land use conflict is minimized and the amenity of Blayney is protected, conserved and enhanced. A copy of the proposed conditions of consent are provided in enclosure 4.

### **Issues:**

Nil

### **Budget Implications:**

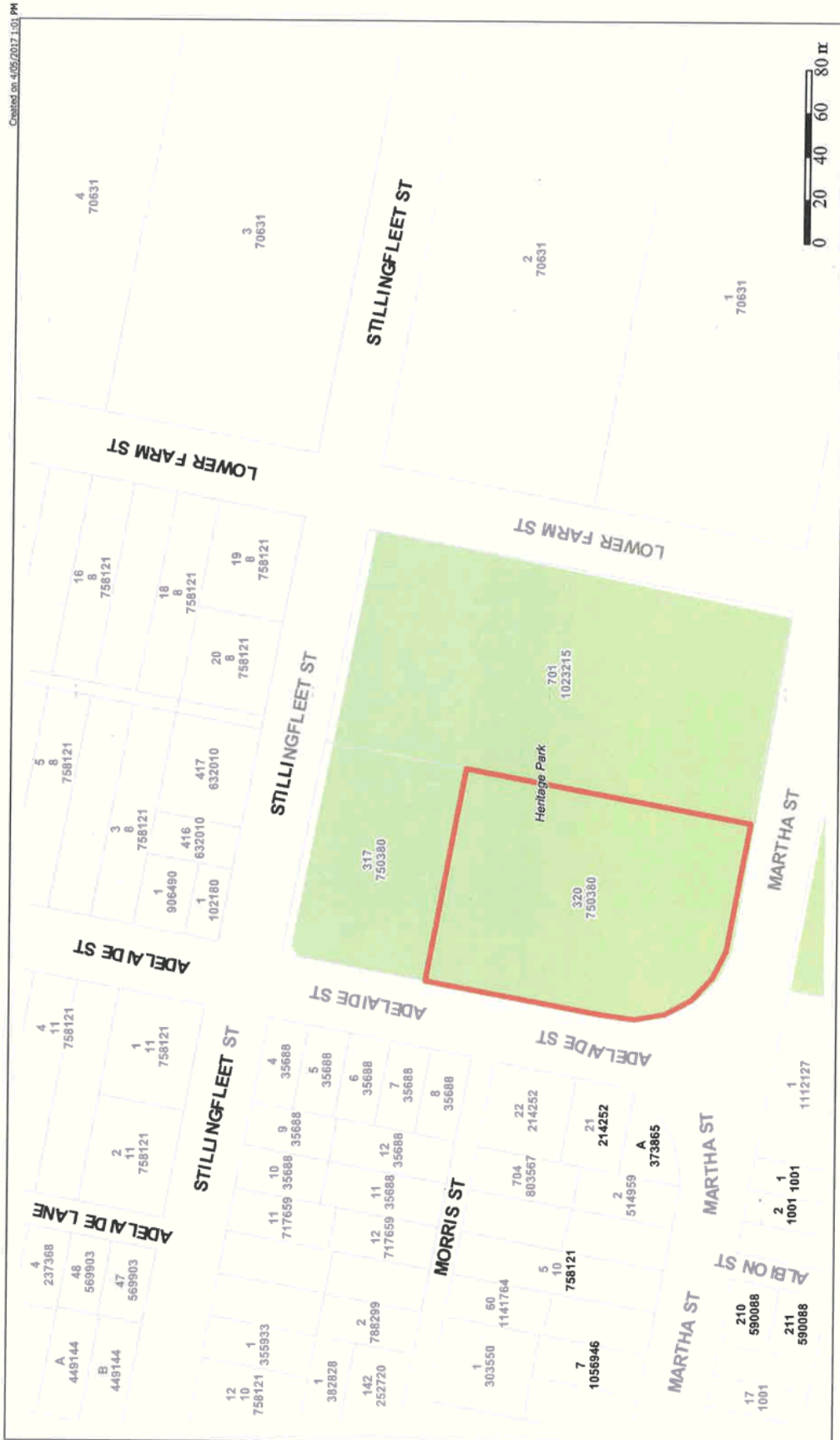
Nil

**Enclosures (following report)**

1	Location Plan	1 Page
2	Plans	4 Pages
3	Submission	2 Pages
4	Conditions Of Consent	4 Pages
5	Department Of Primary Industries (Crown Lands) Consent	3 Pages

**Attachments (separate document)**

Nil



### Blayne Skate Park Location Plan

Projection: GDA94 / MGA zone 55

Date: 4/05/2017

Created By: Poley Hospelt



© Blayne Shire Council  
 © US Government of Defense and Services, Perennia Avenue, Bedford, 2085, www.blayne.gov.au  
 While every care is taken to ensure the accuracy of this product, Blayne Shire Council and the Local / State / Federal Government departments and agencies do not accept any liability for any errors or omissions, including but not limited to, inaccuracy, incompleteness, suitability for any particular purpose and other consequences of use. Blayne Shire Council and the Local / State / Federal Government departments and agencies do not accept any liability for any damage (including indirect or consequential damage) and costs which you might incur as a result of the product being inaccurate, incomplete in any way and for any reason.



Blayne Shire Council  
 Blayne NSW 2799  
 Ph: (02) 6368 2104  
 Fax: (02) 6368 2390  
 Web: www.blayne.nsw.gov.au





The contents of this drawing and also the design features contained herein are subject to copyright law and may not be reproduced in any form with our prior written consent.

Scale 1:800@A3 10 / 1 / 2017

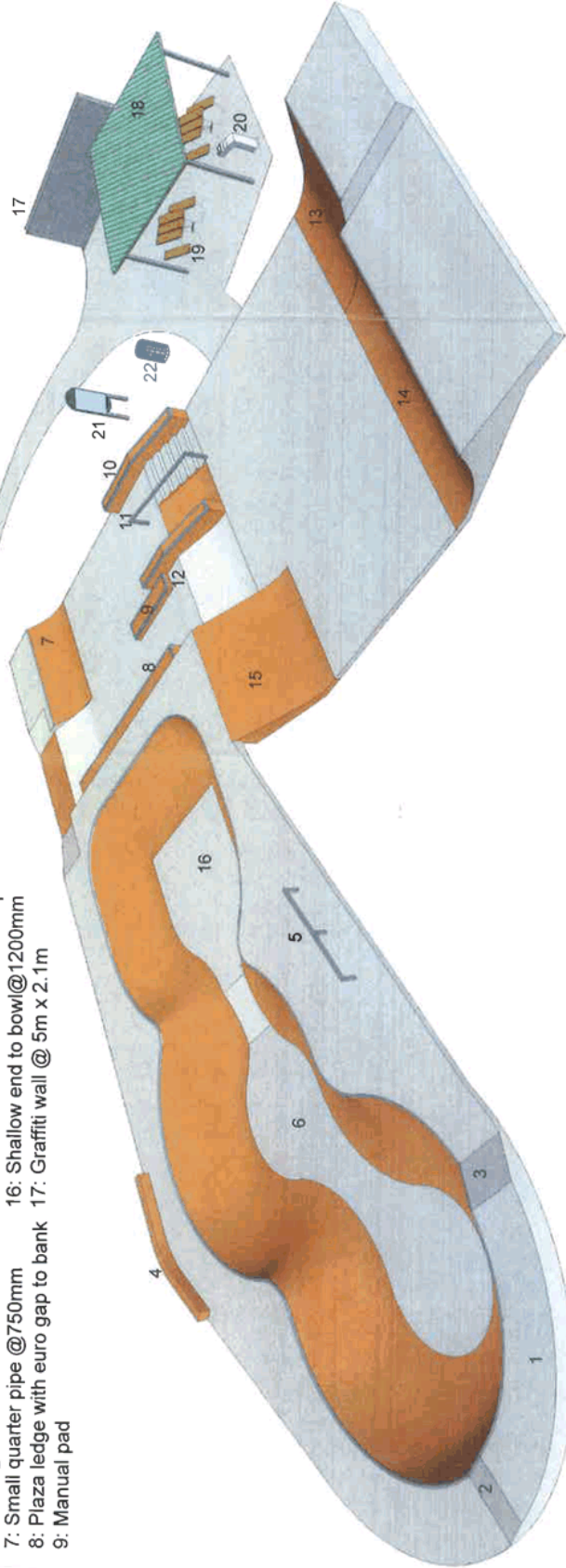
© Copyright Oasis Skate Parks

# Blayney Skate Park Design



# Features

- 1: Extension to bowl @1800mm
- 2: Escalator to bowl extension
- 3: Escalator to bowl extension
- 4: Skateable seating ledge
- 5: Straight grind rail
- 6: Bowl @1500mm
- 7: Small quarter pipe @750mm
- 8: Plaza ledge with euro gap to bank
- 9: Manual pad
- 10: Hubba ledge
- 11: Sloping grind rail and five stair
- 12: Euro Gap
- 13: Steep bank @1800mm
- 14: Quarter Pipe@1350mm
- 15: Banked Bowl area access ramp
- 16: Shallow end to bowl@1200mm
- 17: Graffiti wall @ 5m x 2.1m
- 18: Shade shelter @ 4300x3800
- 19: 2 x picnic tables and seating
- 20: Drinking fountain
- 21: Safety Signage
- 22: Rubbish bin



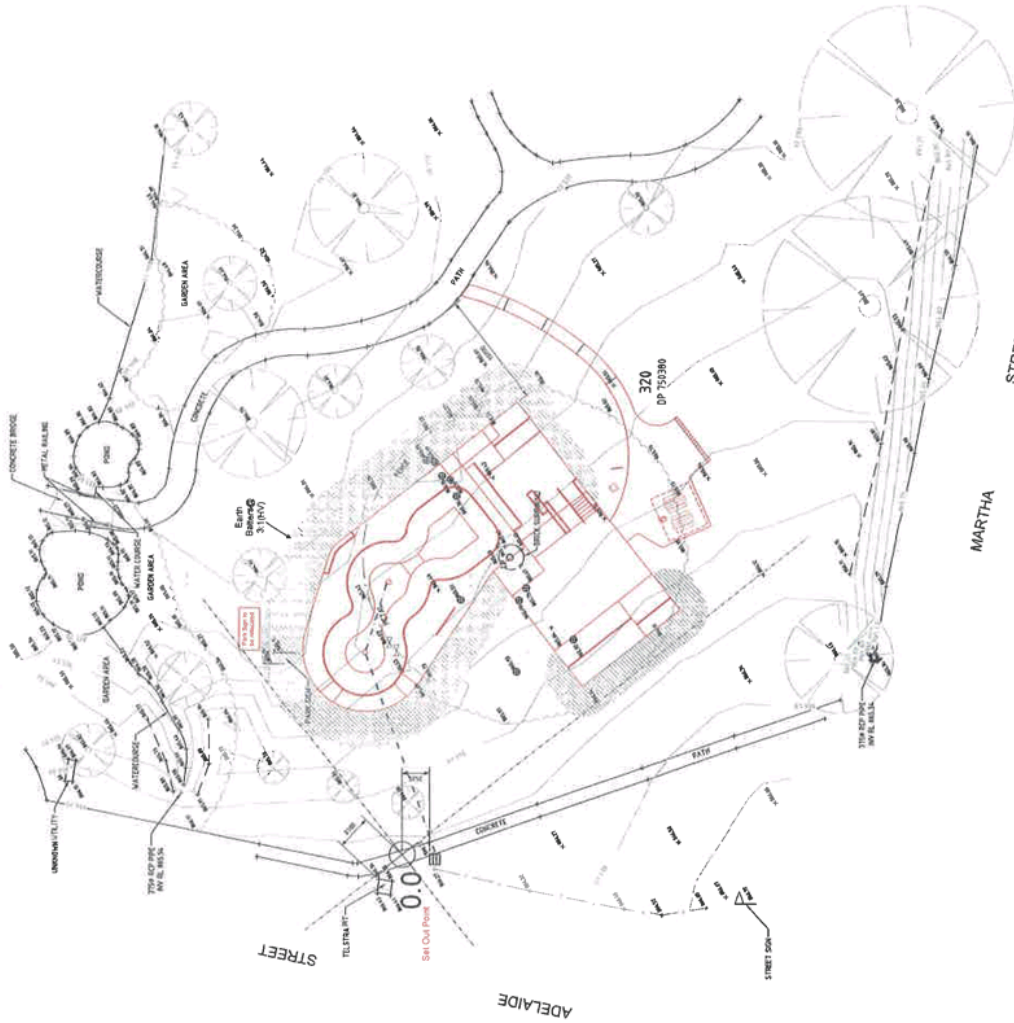
Skate Park Area 480m<sup>2</sup>



## Blayney Skate Park Design

21 / 2 / 2017

The contents of this drawing and also the design features contained herein are subject to copyright law and may not be reproduced in any form without prior written consent from the owners.  
© Copyright Oasis Skate Parks



**Note**  
 Reference Geodesy  
 "Contour and Feature  
 Survey Plan"

320 Adelaide, Corner of  
 Martha and Adelaide  
 streets Blayney NSW  
 2725

**NOTE**  
 Exact position/location of  
 skate park to be confirmed by  
 client prior to commencement  
 of works.

Note: Contractor to verify all dimensions prior to the commencement of works. All dimensions are to be confirmed by the client prior to commencement of works. The contents of this drawing and also the design features contained herein are subject to copyright law and may not be reproduced in any form without prior written consent from the © copyright Oasis Skate Parks



Drawn By **David Clancy**  
 Status

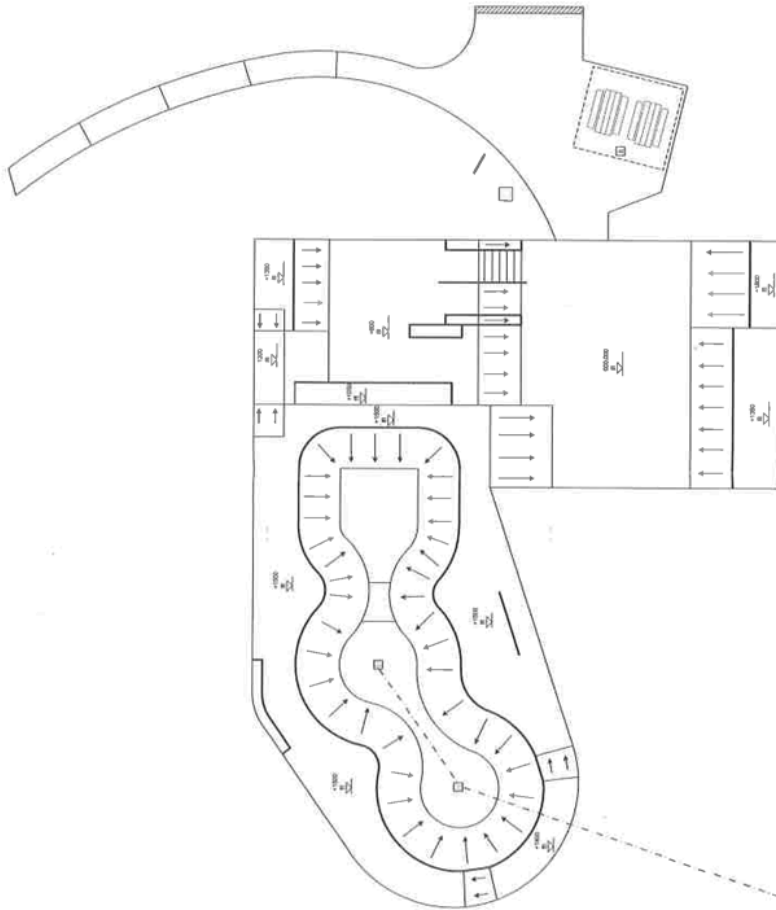
Client **Blayney Shire Council**  
 Date **22 / 2 / 2017**

Approved By  
 Drawing Title

Project **Blayney Community Skate Park**  
 Site Plan

Sheet size **A 1**  
 Scale **1:200**

DRAWING NUMBER **51009-DC 2**  
 REV/SON **1**



Grading & Drainage Plan

Connect to gully pit.  
 - Existing drainage  
 - "Survey Point"  
 21218\_51A\_0201.dwg

**NOTE**  
 Unless stated  
 otherwise all  
 dimensions are in  
 millimetres.

**NOTE**  
 General drainage  
 specifications apply to  
 all associated structural  
 pavements.

Note: Contractor to verify all dimensions prior to the commencement of works, lead or clarity or any discrepancies should be referred in writing to the designer Oasis Skate Parks Pty Ltd.  
 This content of this drawing and also the design features contained herein are subject to copyright law and may not be reproduced in any form without prior written consent from the © copyright Oasis Skate Parks



Drawn By David Clancy	Client Blayney Shire Council	Approved By	Sheet size A 1	Scale 1:100
Status	Date 22 / 2 / 2017	Drawing Title Grading & Drainage Plan	DRAWING NUMBER 51009-DC4	REVISION 1

21 March 2017

Blayney Shire Council

91 Adelaide Street

Blayney NSW 2799 e: [council@blayney.nsw.gov.au](mailto:council@blayney.nsw.gov.au)

Reference: IAPPD/30669 Blayney Shire Council D/A No. 18/2017 Skate Park

Attention: PM Moppett – Senior Town Planner

We advise you of our OBJECTION to the subject DA for a Skate Park on the specific site noted in the information sent to us via your letter dated 3 March 2017.

We declare that we have not made any political donations or gifts of any kind during the previous two years.

We note also that this submission is outside the date shown in the letter for submissions. We are surprised that the time for submissions is restricted to 14 days, given the variability of postal services during this time.

We object to the D/A as follows:

1/ we consider that this proposal if approved will be a gross misallocation of funds. It is highly unlikely that this project can be completed without the expenditure of a minimum of \$250,000. Such funds would be better spent on a wider spectrum of our Shire population e.g. a Cultural Centre/Arts Precinct. At best the spectrum of the community using this facility is likely to be below 10% and will be highly erratic.

2/ the utilisation of the facility will be quite low and will be kept low due to the low number of young people within our shire who cannot access it due to parental issues and distance which has to be travelled for access.

There is a skate park in the village of Millthorpe and its utilisation couldn't be described as 'exciting'. If Blayney people wish to access a skate park then Millthorpe is there. Having such a facility in Blayney doesn't solve the travel issues for the rest of the shire residents. They may as well access the Millthorpe park. They do not appear to be doing this now.

3/ our observations of skate park facilities in other locations/towns across several regions and states show that they are magnets for anti social behaviour and social misfits. This feature turns away those with a genuine interest and causes parents to discourage their children from using the facility. Parents are already time poor and having to stay at the facility to supervise will cause a diversion to other more friendly activities.

We note in other places, issues with rubbish, broken bottles, late night/evening anti social behaviour, a rise in vandalism in the surrounding area and a general decline in the amenity of the immediate area.

4/ we are aware that major road works are to occur on the corner of Martha Street and Adelaide Street in order to improve the safety of traffic on the Mid Western Highway at that intersection. The beneficial impact of the traffic proposals is quite theoretical and it wouldn't be the first time that expensive traffic flow works haven't improved the safety of the road. The intersection will remain problematical from a safety view point and any extra traffic will add to risks.

5/ we note that the proposed site is serviced by toilets and drinking fountains. This is positive for the site.

However there is a high volume of traffic, including trucks, using the nearby road and whose occupants use the same toilet facilities. Again this is positive for the name of the town. The drawback is that is that the skate park users are exposed to the potential of unsavoury behaviour of a minority of these users. This aspect will influence parents in their attitude to allowing their children to use the facility.

6/ we believe there are two better sites for a skate park:

A/ in the area between the tennis courts and the dog exercise area (within Heritage Park) with parking for parents et al being in the Stillingfleet Street extension. This site would insert an area of separation for the skate park users from the highway users.

This site option would not diminish the issues raised in Points 1 to 3 above.

B/ Dakers Reserve at the east end of Ogilvy Street. This site would encourage an increase in usage as parents have access to the shops in that area while their offspring use the skate park.

The skate park could then be used as leverage to have toilet facilities installed in that Reserve and thus support the higher utilisation of that area for other sports including cricket. Utilisation is currently restricted due to the lack of these facilities.

This site removes the traffic safety issues which impact the Heritage Park sites.

We trust you consider our submission and objection.

Yours faithfully

**Schedule A  
Conditions of Consent**

**CONDITIONS ISSUED WITH DEVELOPMENT APPLICATION No. 18/2017**

**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. 18/2017, 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.*

3. The building shall be constructed and maintained in accordance with the requirements of the Building Code of Australia. In this regard the shade shelter must be designed for a snow load in accordance with Australian Standard AS/NZS 1170.3-2003.

4. The shade shelter must be accessible for people with a disability in accordance with Part D3 of the Building Code of Australia (Volume 1) and Australian Standard AS1428.1-2009. In this regard, the path to the shade shelter must comply with AS1428.1-2009 and suitable splayed corners must be provided at the intersection of the new path with the existing pathway.

5. 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;
- d) Contact telephone number/after hours number;
- e) Identification of Principal Certifying Authority.

6. 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 submitted to Council.

7. The development is subject to the requirements of the Department of Primary Industries (Crown Lands) as attached to this consent, dated 11 April 2017.

8. The applicant is to submit to Council, at least two (2) days prior to the commencement of any works, a notice of commencement of building or subdivision works and Appointment of Principal Certifying Authority (PCA).

**CONSTRUCTION**

**REASON: To comply with Council's statutory requirements**

9. All excavation and backfilling associated with the erection/demolition of the building works 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.

10. The applicant is to submit three (3) copies of engineering plans, specifications and calculations in relation to drainage works. Further, the works are to comply with *WBC Guidelines for Engineering Works*.

11. 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.

12. 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 a Compliance Certificate pursuant to Section 109C of the Environmental Planning and Assessment Act 1979, as amended, **or inspection report** has been issued by Council or an accredited certifying authority, certifying that the plan is in accordance with Council's *WBC Guidelines for Engineering Works*. Upon certification, the measures in the Soil and Water Management Plan are to be implemented during the course of the development.

13. 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.

14. A 2.5 metre wide 125 mm thick concrete cycle way is to be constructed in Heritage Park from the existing path to the new facility, in accordance with *WBC Guidelines for Engineering Works*.

15. The applicant is to arrange an inspection of the development 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	Drainage	* After laying of pipes and prior to backfill;



		* Pits after rendering openings and installation of step irons.
C	Water	* After laying of mains and prior to backfill; * After laying of services and prior to backfill; * Pressure testing.

16. The developer is to relocate, if necessary, any utility services, at the developer's cost.

#### **DRAINAGE**

**REASON: To comply with Council's statutory requirements**

17. All road and inter allotment drainage is to be conveyed to Council's underground drain within Heritage Park in accordance with *WBC Guidelines for Engineering Works*.

#### **ENVIRONMENTAL**

**REASON: To comply with Council's statutory requirements**

18. The applicant install, prior to the commencement of works, install adequate sediment and soil erosion controls on the site in accordance with *WBC Guidelines for Engineering Works*.

19. 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.*

#### **AMENITY**

**REASON: To comply with Council's statutory requirements.**

20. A Pedestrian Management Plan (PMP) for the precinct is to be submitted and approved by Council prior to the issue of the Construction Certificate. The PMP is to consider pedestrian movement to and from the site, in particular over both Hobbys Yards Road and Adelaide Street. The PMP is to have regard to the principles and actions of the Blayney Shire Active Movement Strategy.

21. A Landscape Design Plan for the site is to be submitted and approved by Council prior to the issue of the Construction Certificate. Landscaping shall consider that, upon maturity, passive surveillance of the site must still occur from adjoining public roads and spaces. The plan is to include botanical names, quantities and state of maturity of all proposed trees and shrubs.

*Note: Landscaping is to be carried out in accordance with the landscape design plan, and once approved, maintained in perpetuity.*

22. Noise generating demolition activities are to be restricted to the hours of:

- Monday to Friday 7am to 6pm
- Saturday 8am to 5pm
- Sundays and Public Holidays Nil

### **ADVICE AND NOTES**

#### **Inspection Schedule**

The Principal Certifying Authority (PCA) 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.

- a. Slab/footing inspection when steel is laid prior to the pouring of concrete.
- b. 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 faxed or mailed to Council at least 2 days before any work commences on the site.

#### **Reference to the Building Code of Australia**

A reference to the *Building Code of Australia* is a reference to that Code as in force on the date the application for the relevant construction certificate is made.



**Department  
of Industry  
Lands**

TRIM reference: 17/03459  
LOC No: 582366

**Letter to Applicant  
(consent granted)**

Adam Craig  
Phone: 02 69 37 2705  
adam.craig@crowmland.nsw.gov.au

Blayney Shire Council  
C/O Rebecca Ryan  
PO Box 62  
Blayney NSW 2799

11-APR-2017

Dear Rebecca,

**Landowner's Consent for Lodgement of Applications relating for development comprising:**  
Construction of a Skate Park, Shelter and Seating  
**Crown land:** Lot 320 DP 750380  
**Crown reserve:** R84343  
**Parish:** Errol  
**County:** Bathurst

Consent is granted by the Minister for Lands and Forestry to lodging a development application under the *Environmental Planning and Assessment Act 1979*, and other associated applications required under other legislation, for the development proposal described above.

This consent is subject to the following:

- (1) This consent is given without prejudice so that consideration of the proposed development may proceed under the *Environmental Planning and Assessment Act 1979* and any other relevant legislation.
- (2) This consent does not imply the concurrence of the Minister for Lands and Forestry for the proposed development, or the issue of any necessary lease, licence or other required approval under the *Crown Lands Act 1989*; and does not prevent the Department of Industry - Lands (the Department) from making any submission commenting on.
- (3) This consent will expire after a period of 12 months from the date of this letter if not acted on within that time. Extensions of this consent can be sought.
- (4) The Minister reserves the right to issue landowner's consent for the lodgement of applications for any other development proposals on the subject land concurrent with this landowner's consent.

This letter should be submitted to the relevant consent or approval authority in conjunction with the development application and/or any other application. You are responsible for identifying and obtaining all other consents, approvals and permits required under NSW and Commonwealth laws from other agencies for the proposed development.

Department of Industry - Lands  
PO Box 2185 Dangar NSW 2309  
Tel: 1300 886 235 Visit: [www.crowmland.nsw.gov.au](http://www.crowmland.nsw.gov.au)

You are required to forward to Department of Industry - Lands a copy of any development consent or other approval as soon as practical after that consent or approval is received.

If any modifications are made to the application (whether in the course of assessment, by conditions of consent, or otherwise), it is your responsibility to ensure the modified development remains consistent with this landowner's consent.

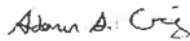
This landowner's consent relates to the following plans and other documents as retained by the Department of Industry - Lands: LOC Application Form (DOC17/064491), Specifications (DOC17/0637730, SEE (DOC17/063773), Location Plan (DOC17/063767), Design (DOC17/063767), AHIMS Search (DOC17/063765).

**Native Title Notification**

The proposed works are required to be notified to NTSCORP Limited (the Native Title Service Provider for Aboriginal Traditional Owners in New South Wales) prior to works commencing in accordance with Section 24JA/B of the Native Title Act 1993. Please contact NTSCorp on 02 60517728 or e-mail [information@ntscorp.com.au](mailto:information@ntscorp.com.au) .

For further information, please contact Adam Craig via the details given in the letter head.

Yours sincerely



Adam Craig  
Senior Natural Resource Management Officer  
Department of Industry – Lands, Wagga Wagga

Diagram 1 – Location



Disclaimer:  
The information contained in this map has been provided in good faith. Whilst all effort has been made to ensure the accuracy and completeness of this information the data providers take no responsibility for errors or omissions nor any loss or damage that may result from the use of this information.

Copyright: NSW Department of Industry, Skills and Regional Development, 2016

**17) LOCAL HERITAGE ASSISTANCE FUND 2016-2017**

**Department:** Planning and Environmental Services

**Author:** Senior Town Planner

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

**File No:** GS.AP.2

---

**Recommendation:**

That the report on the Local Heritage Assistance Fund for the 2016/2017 period be received.

**Reason for Report:**

To inform Council of the Local Heritage Assistance Fund support provided during 2016/2017 financial year.

**Report:**

Blayney Shire Council, in conjunction with the Office of Environment & Heritage (NSW Heritage Office), has continued to offer the Local Heritage Assistance Fund.

The Blayney Local Heritage Assistance Fund (LHAF) was set up in 1995. Prior to this, projects in the Blayney Local Government Area (LGA) received funding via the NSW Heritage Assistance Program, run by the then NSW Department of Planning.

The aim of the program is to assist and encourage positive conservation work on places and buildings of heritage significance within the Blayney Shire Local Government Area.

Funding provides grants on a \$ for \$ basis, and has been up to the value of \$1,000.00 per project, with other projects as nominated on occasion by Council's Heritage Advisor for additional funding.

During the 2016-2017 financial year, Council has received and processed 8 applications seeking funding to assist positive work on places and buildings of heritage significance within the Blayney LGA, and issued grants accordingly.

Please refer to the attached schedule which outlines a summary of the grants issued during this period.

Council will shortly call for expressions of interest for the 2017-2018 LHAF.

**Issues:**

Nil

**Budget Implications:**

Funding is jointly contributed between the property owner, Council and the NSW Heritage Branch.

Provision has been made in the draft 2017/18 operational plan to continue the LHAF.

**Enclosures (following report)**

1 2016-2017 Local Heritage Assistance Fund

1 Page

**Attachments (separate document)**

Nil

## Blayney Shire Council Local Heritage Fund for 2016-17 Financial Year

## SUMMARY REPORT ON PROJECTS

	APPLICANT	HERITAGE ITEM ADDRESS	PROJECT DESCRIPTION	TOTAL PROJECT COST	APPLICANTS CONTRIBUTION	LOCAL HERITAGE FUNDING
1	Todd Hahn	34-36 Icely Street, Carcoar	Guttering	\$2,000	\$1,000	\$1,000
2	Andrew Lark	Rowlands Cottage, 36 Olive Street, Mandurama	Roof repair, exterior painting	\$10,000	\$9,000	\$1,000
3	Con Eliades	62 Adelaide Street, Blayney	Fire damage repair	\$15,000	\$14,000	\$1,000
4	Michael Edwards	33 Naylor Street, Carcoar	Window repairs	\$6,000	\$5,000	\$1,000
5	Stoke Stable Museum	16 Stoke Lane, Carcoar	Stone conservation	\$4,015	\$3,015	\$1,000
6	Blayney Uniting Church	92 Adelaide Street, Blayney	Rewiring	\$7,548	\$6,548	\$1,000
7	John Willing	Historic Homes of Millthorpe	Book	\$50,000	\$49,000	\$1,000
8	Pawel Koca	16-18 Loquat Street, Mandurama	Guttering, down pipes etc	\$2,500	\$1,500	\$1,000



**18) REQUEST FOR POLICY AND/OR PROCEDURE TO ALLOW USE OF SOUND AND VIDEO EVIDENCE GATHERING IN COMPANION ANIMAL NOISE INVESTIGATIONS**

**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:** EM.SP.2

---

**Recommendation:**

That Council declines the request to develop and implement a policy and/or procedure that would allow the use of sound and video evidence gathering during the investigation of companion animal noise complaints.

**Reason for Report:**

For Council to consider implementing a policy and/or procedure that would allow the use of sound and video evidence gathering by a third party to be used during the investigation of companion animal noise complaints.

**Report:**

Council has received a written request from a resident requesting Council consider implementing a policy and/or procedure that would allow the use of sound and video evidence gathering by a third party to be used during the investigation of companion animal noise complaints.

A detailed memorandum has been provided outlining the process and/or procedure the request is seeking for implementation. This paper is provided as an enclosure for Councillors information.

Council's current process for investigating alleged companion animal noise complaints is as follows;

- Person alleging unreasonable noise emissions is asked to keep a 7 day diary, recording instances of alleged unreasonable noise and provide the diary to Council;
- If the diary details a consistent pattern of barking, Council's Ranger will initially write to the owner of the dog/s alleged to be responsible. The letter advises the owner that Council has received a complaint alleging nuisance noise and Council will be looking to undertake patrols of the precinct and record noise emissions of what is witnessed during these patrols;

- Council's Ranger will proceed to undertake an intensified patrol of the precinct for a period of 7 to 14 days and record what noise is witnessed;
- While in the precinct Council's Ranger will contact neighbouring residents within the precinct to ascertain if neighbouring residents can verify and/or advise if any dogs in the area are creating unreasonable noise concerns;
- Upon completion of the intensified patrol and neighbour interviews, Council's Ranger determines if the noise is considered unreasonable and if a Nuisance Dog Order under the Companion Animals Act, 1998 should be issued; and
- Where Council's Ranger cannot confirm an allegation of unreasonable noise emission, Council does inform the complainant of their Civil right to pursue the matter through the NSW Attorney-General Community Justice Centre.

The above-mentioned process is the standard investigation process used by most NSW Council's to investigate companion animal noise complaints.

It is proposed that Council accept the use of sound and video surveillance equipment to quantify *"companion animals noise where animals bark intermittently, at night or where adjoining owner(s) for whatever reason are unwilling, unable or otherwise unavailable to corroborate accurately or truthfully"*.

Noise matters are extremely sensitive and can be subject to a particular individual's noise tolerance level. Council receives and investigates numerous complaints alleging unreasonable noise from companion animals.

Council is not the legislator but the regulator and it is imperative Council provide an impartial investigation to all parties involved in any alleged legislative noncompliance.

Council must assess each noise complaint from an unbiased independent position and ensure that its actions will not be construed as unnecessary harassment on an individual person. Council's investigations must also avoid the instigating of unwarranted legal proceedings against any person and becoming involved in a neighbour dispute.

To ensure the investigation is impartial and fair it is imperative Council must rely upon its own evidence gathering process. Council cannot rely upon evidence gathered or provided by a complainant who has a significant conflict of interest in the matter.

In considering this request Council contacted both the NSW Environmental Protection Authority and the NSW Police force for guidance from their respective organisations on the matter.

Both organisations advised they have experienced in a court that the interpretation of the Surveillance Devices Act 2007 Act can be frequently contested by legal professionals.

Both organisations advised Council should proceed with extreme caution in endorsing use of recording and listening devices for such a purpose because the device could potentially “*overhear, record and monitor a private conversation*” which would be a breach of the Surveillance Devices Act 2007.

Council could be legally vulnerable if it has endorsed such a process in a policy or procedure.

Recording of neighbour’s activities by visual or audio device is likely to create significantly more conflict and animosity; between neighbours towards Council and towards Council staff.

The proposal details a stringent and structured 6-step process for investigation of companion animal noise complaints. Council would prefer the focus to be on achieving as many positive outcomes during these investigations as possible.

Council’s current investigation process has a strong basis on personal engagement between Councils Ranger and all other persons involved in a complaint. History shows this to date Council’s investigation process is considered sound and has to date, not resulted in a legal challenge, nor has until now the process been questioned.

People respond more favourably and positively to personal engagement between two people rather a structured, specific written communication and reporting process.

Retaining a high level of personal interaction and engagement during the investigation process is considered paramount to continue to achieve the highest number of positive outcomes in this extremely sensitive field.

Council has previously used sound and video evidence provided by a resident as a trigger to commence its usual investigation process. However this was not relied upon as evidence nor was any further recorded evidence provided during the independent investigation.

**Issues:**

Council could be potentially leaving itself vulnerable and exposed legally for commencing an investigation or commencing prosecution for a breach under the Companion Animals Act 1998 based upon evidence that may not be considered reputable or legislative compliant.

Council endorsing and/or supporting the use of recording devices which could potentially record any neighbour’s activity (on their own property) is likely to create more conflict and animosity between neighbours throughout the Blayney Shire.

**Budget Implications:**

The cost of implementing a policy as proposed as not been investigated pending the direction from Council.

**Enclosures (following report)**

1 Memorandum

6 Pages

**Attachments (separate document)**

Nil

### Memorandum to Councillors

#### When neighbourhood noise offends in the Shire: Towards residents' access to justice or fair remedy

- It is common ground that our Shire is a great place to live - to raise a family or to retire: for indeed, it is a Shire within which residents have opportunity to work together and to realize their dreams.<sup>1</sup>
- Against this background, both our experience and also anecdotal accounts regrettably evidence neighbourhood noise problems in the Shire. This is an unwelcome threat to those sentiments - as indeed it also is to the health of our Shire's residents.
- Our understanding is that Council has sought to mitigate those problems where they arise. However, in our experience and again also with anecdotal evidence in mind, we suggest that these endeavours have not always met with commensurate success, especially when one has regard to the substantial & costly resources employed by Council in seeking to address them.
- Environmental noise is increasingly being recognised as a public health issue, as documented by the Public Health Association of Australia<sup>2</sup>.
- We submit that were Councillors minded to approve & adopt the following, as undertaken only recently by that Association<sup>3</sup> such would indeed help to safeguard the health of our Shire's population and to ameliorate residential amenity, not least for those members of the Shire who are vulnerable or without an advocate to help when confronted by harmful environmental noise<sup>4</sup>:

*"To advocate for development and implementation by government of policies and strategies to both promote health [in the Shire] and to reduce adverse environmental consequences from noise pollution; and*

*"To ensure that advocacy includes measures designed to raise community awareness of and commitment to implementing the necessary policy, structural and systemic, political and behavioural changes for addressing adverse environmental noise."*

- In this context, we also urge Councillors to resolve that proper cognizance be taken of appropriate, existing resources which will assist to bring remedy to those suffering from offensive neighbourhood noise in the Shire and in particular to assist vulnerable groups, whilst at the same time conserving Council's resources. By way of example, one could encourage the use of the NSW Attorney-General's nearby Community Justice Centres for the resolution of noise disputes; direct that appropriate educational, technological & procedural measures be investigated and where appropriate adopted by Council - see Appendices 1 & 2 hereto.

We thank Councillors sincerely for considering taking on this challenge - thereby also encouraging residents to work together for the health & benefit of all who dwell within our great Shire.

██████████  
██  
██████████

<sup>1</sup> As observed by Cr. Allan Ewin, refer:

<http://www.blayney.nsw.gov.au/your-council/council-and-councillors/council-and-councillors#councillors>

<sup>2</sup> Vide (at page 2), <https://www.phaa.net.au/documents/item/248>

<sup>3</sup> (Ibid., at page 4).

<sup>4</sup> For indeed, as the Association notes, "In some situations noise may not be particularly loud, but may be distracting. Moreover, the repetitive nature of a particular noise and/or the inability of an individual to control it can cause annoyance. Examples include dogs barking... / Vulnerable groups, such as children, older persons, people with mental health issues, may be affected by noise in different ways compared to other members of the population ... Deleterious effects of noise can include effects on concentration, attention and cognitive performance, depressed mood and irritability." (Ibid., at page 2).

## Appendix 1

**Offensive Neighbourhood Noise:  
Towards a fair & workable Shire procedure**

1. If Council receives from a reasonably acceptable or credible source whether from a Council employee or Shire resident *prima facie* evidence ("Evidence") of a noise likely to interfere unreasonably with the comfort or repose of a resident ("Resident"); or of a companion animal noise whether barking or otherwise occurring persistently or continuing to such a degree or extent that it unreasonably interferes with the peace, comfort or convenience of a Resident ("Offending Noise") then Council's Planning & Environmental Services Division will promptly enter a file note regarding same in Council's file, including as to such Evidence received ("File Note").
2. Within 14 days of entry of the File Note or earlier if pressing circumstances so dictate Council will notify the person or persons responsible for the Offending Noise or responsible for the companion animal making the noise ("Respondent") of same, whether by telephone or in writing.
3. Such notification will allow the Respondent a further period of 7 days to attend at Council chambers to view or examine the Evidence and to give an undertaking to Council to abate the Offending Noise; or alternatively to object or otherwise respond to the Evidence.
4. If Council considers that circumstances so warrant (whether in the case of any such objection by the Respondent or otherwise) Council may -
  - (a) informally request or direct the Respondent to abate the Offending Noise;
  - (b) in the case of companion animal noise, request informally that the Respondent and the Respondent's companion animal undertake behavioural training; or
  - (b) invite both Resident & Respondent to enter voluntary mediation at a Community Justice Centre conducted by the NSW Attorney-General's Department for this purpose ("Mediation").
5. In the event of a successful Mediation and any resultant undertakings made by either Resident or Respondent in concluding the Mediation, Council may note same to file.
6. In the event of an unsuccessful Mediation or (in the case of companion animal noise) a refusal by the Respondent to undertake suitable companion animal behavioural training, Council will consider whether to pursue its statutory (discretionary) remedies in respect of the Offending Noise; and in particular if Council in the meantime receives further evidence that such noise is continuing, Council will in reaching a decision as to whether those remedies are to be implemented or not take into account any written submission or further evidence tendered to it by either the Resident or Respondent in good faith.

Appendix 2

**Offensive Neighbourhood Noise:  
Towards fair & workable Solutions**

**Resources reasonably available to the Shire -**

- **Education** - Specifically relating to companion animal noise: Refer to letter of *Canine Connections* annexed hereto, dated 4 May 2017;
- **Application of Technology** - Relating to the objective & lawful recording of noise, including companion animal noise. Such is already advocated elsewhere (for example by Whitehorse City Council, Vic.), and stands to reduce substantially the time & expense of the numerous call-outs currently attended to by Council employees, it is submitted: Refer in this regard to copy letter addressed to Council's GM, dated 15-6-17 and annexed hereto.

# CANINE CONNECTIONS

ABN 20 961 645 377



4 May 2017

## To Whom it May Concern

In response to one of my clients who has neighbouring dogs causing a disturbance, apparently due to being under-stimulated and bored; living outside and causing problems or nuisance canine behaviors:

We offer a very good solution in these and similar circumstances, working with dogs from the age of a mere puppy of age 8 weeks to dogs as old as 17 years.

This solution is for the owner and dog to undertake a 6 week dog behavioural training course. These lessons last for 2 hours, at one week intervals and with the most popular program costing \$300.00 for this entire period. The course is fun to do and clients participating it can only benefit from the knowledge gained.

The course covers 4 main topics: Teaching the dog how to follow basic commands, using modern, force-free training methods; socialization (the how & why); being able to handle the pet dog (including grooming & the giving of medication); and learning how to manage the dog so that she/he doesn't have the need to practise annoying canine behaviors such as barking, digging and roaming.

This behavioural training is a vital and positive step in resolving these issues for the owner and the dog. The training is also cost-effective in the public interest because it obviates the need for a shire council having to spend substantial resources to investigate and patrol offending dogs. We have had much positive client feedback in all areas of this behavioural training.

In some cases in which clients come to realize during the course of their training how much work is involved in keeping a pet dog, they have successfully re-homed the dog to a life she/he deserves. In other instances, dogs have had to be referred to specialists, due to serious behavioural problems. In most of those cases as well the behavioural problems have been resolved.

[REDACTED]  
Accredited and Qualified Dog Behavioral Trainer, Delta Institute [www.deltasociety.com.au](http://www.deltasociety.com.au)  
Dog Training Professional Member, PPGA [www.ppgaaustralia.net.au](http://www.ppgaaustralia.net.au)  
Qualified Veterinary Nurse (UK)  
40 yrs Experience in Animal Welfare and Grooming (handling) of dogs & cats  
[REDACTED] [REDACTED]



15 June 2016

Your ref: Ms R. Ryan

Ms R, Ryan  
General Manager  
Blayney Shire Council  
91 Adelaide Street  
Blayney NSW 2799

Via email: council@blayney.nsw.gov.au

cc: Cr. Scott Ferguson, Mayor, Blayney Shire

Dear Rebecca,

**Preserving the amenity of the Shire: towards attenuating offensive noise**

Thank you for seeing us recently and for your kind letter of 30th May.

Council is to be commended for seeking to implement a public education campaign to encourage responsible companion animal ownership and in particular to address nuisance dog barking.

*Attenuating uncontrolled dog barking / the difficult issue of subjective data -*

In your letter the suggestion is made to revert once again to diaries, to permit data to be gathered where offensive noise is encountered. However and with respect, Council's own Ranger has observed that such can at best only produce subjective notes or data - i.e. that 'they would not stand up' to any objective test. In other words, residents' diary entries would not ordinarily suffice nor be expected to become a basis for Council to act.

It is said that such notes could be complemented by Ranger's own observations - or interviews with adjoining property owners. However this begs the issue as regards two important practical matters: namely those situations where observations by Ranger could not reasonably be expected to be made (dogs barking intermittently or at night); and the scenario where adjoining owner(s) for whatever reason are unwilling, unable or otherwise unavailable to corroborate accurately or truthfully.

Further, it is said that Council could not support more objective means, such as the cheap & straightforward, internet-based miniature recording camera & mike ("devices") which have already been trialled with assistance from Council's IT department. It is proposed that the use of such devices face statutory limitations - as indeed they do - or are not common practice. We submit however that these reservations need not encumber what would be a more pro-active approach by Council to address objectively or effectively an otherwise intractable problem in the Shire.

*Reasonable use of devices by residents for objective data gathering -*

In other words, we suggest that Council take a look at developing a protocol for devices being employed by residents in appropriate circumstances. The use of such devices is not new. Indeed, they are already employed both overseas<sup>1</sup> and by local government in Australia<sup>2</sup>. Furthermore, the correct and appropriate use of such devices is lawful<sup>3</sup>.

Accordingly with the amenity of the Shire and good neighbourly relations in mind, we urge Council to take a fresh approach to the issue of offensive neighbourhood noise; and such in circumstances where the present methodology involving subjective data-gathering has proven costly, both in terms of time and public funds and has occasioned a level of frustration, difficulty and delay.

Should any additional suggestions or particulars assist at this point, or should you wish to discuss further, please don't hesitate to get in touch.

In the meantime, we look forward to Council's response.



---

<sup>1</sup> For example, author & lecturer, Dr. Craig Mixon, Ed.D. (University of San Francisco) notes the need for objective data in the present context as follows: *"Many barking dog ordinances demand that the victim meet an impossible standard of proof ... In those situations, the problem can be solved through the use of monitors, who can come out by appointment or on a moment's notice, and stay for as long as it takes to determine the dimensions of the problem with certainty ... undoubtedly, off-duty police officers would make the best monitors, because they are already recognized by the courts as reliable witnesses. ... With an effective monitoring system in place the extent of a reported barking problem can be determined with certainty in just a matter of days"*; adding however by way of footnote or postscript to the above that, *"In the years since the section above was written, there have been tremendous advances in webcam technology. It is now possible for the police or animal control to set up a webcam near the yard of any dog suspected of barking problematically."* (Source: <http://barkingdogs.net/monitors.shtml>).

<sup>2</sup> Whitehorse City Council in Victoria, for example, adopts a threshold test for offensive noise in similar vein to that utilized by Blayney Shire Council, and in following terms, *"If a dog barking exceeds six (6) minutes of accumulated time in any hour between 7am and 10pm or, three (3) minutes accumulated time in any 30 minute period between the hours of 10pm and 7am is considered to be excessive"*; Whitehorse Council then goes on to note - in the context of objective data gathering, that, *"Council takes all allegations of dogs causing a nuisance very seriously, where a complaint is substantiated."* And further in this same context specifically approves of recordings being made by devices to establish objective data (in this case by co-operative dog owners themselves) in following terms, *"As many dogs behave differently when their owners are away from home ... monitor your dog by using one of many recording applications that are available on the internet for smart phones and tablet devices ..."* (Source: <http://www.whitehorse.vic.gov.au/Barking-Dogs.html>).

<sup>3</sup> Council's proposed protocol or procedures for residents would of course observe that the devices may not without a neighbouring owner's consent be located on the neighbour's land, as our legislation relevantly provides *inter alia* that, *"A person must not knowingly install, use or maintain an optical surveillance device on or within premises ... to record visually or observe the carrying on of an activity if the installation, use or maintenance of the device involves: (a) entry onto or into the premises ... without the express or implied consent of the owner or occupier of the premises ..."* (Surveillance Devices Act 2007 (NSW), Sect. 8(1) [Emphasis added]).