



12 December 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, 18 December 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) Confirmation of Minutes - Ordinary Council Meeting held on 20.11.17
- (8) Matters arising from Minutes
- (9) Notices of Motion
- (10) Reports of Staff
  - (a) Executive Services
  - (b) Corporate Services
  - (c) Infrastructure Services
  - (d) Planning and Environmental Services
- (11) Delegates Reports
- (12) Closed Meeting

Yours faithfully

Rebecca Ryan  
**General Manager**

## Meeting Calendar 2017/2018

### December

<b>Time</b>	<b>Date</b>	<b>Meeting</b>	<b>Location</b>
6.00pm	18 December 2017	Council Meeting	Community Centre

### February

<b>Time</b>	<b>Date</b>	<b>Meeting</b>	<b>Location</b>
6.00pm	5 February 2018	Cultural Centre Working Group Meeting	Community Centre
5.00pm	8 February 2018	Cemetery Forum Meeting	Community Centre
6.00 pm	8 February 2018	Access Advisory Committee Meeting	Community Centre
6.00pm	15 February 2018	Sports Council Meeting	Community Centre
10.00am	16 February 2018	Local Traffic Committee Meeting	Community Centre
6.00pm	19 February 2018	Council Meeting	Community Centre
4.00pm	20 February 2018	Local Emergency Management Committee Meeting	Community Centre
6.00pm	27 February 2018	Tourism, Town and Villages Committee Meeting	Community Centre

### March

<b>Time</b>	<b>Date</b>	<b>Meeting</b>	<b>Location</b>
6.00pm	5 February 2018	Cultural Centre Working Group	Community Centre
5.00pm	8 February 2018	Cemetery Forum	Community Centre
6.00 pm	8 February 2018	Access Advisory Committee	Community Centre
6.00pm	15 February 2018	Sports Council	Community Centre
10.00am	16 February 2018	Traffic Committee Local Area	Community Centre
6.00pm	19 February 2018	Council Meeting	Community Centre
4.00pm	20 February 2018	Local Emergency Management Committee	Community Centre
6.00pm	27 February 2018	Tourism, Town and Villages Committee	Community Centre

**INDEX OF REPORTS OF THE BLAYNEY SHIRE COUNCIL MEETING**  
**HELD ON MONDAY 18 DECEMBER 2017**

<b>MAYORAL MINUTE .....</b>	<b>4</b>
01) General Manager's Annual Performance Review .....	4
02) LGNSW Planning Award 2017 .....	6
<b>CONFIRMATION OF MINUTES .....</b>	<b>7</b>
03) Minutes of the Previous Meeting held on Monday 20 November 2017.....	7
<b>NOTICES OF MOTION.....</b>	<b>18</b>
04) Notice of Motion.....	18
<b>EXECUTIVE SERVICES .....</b>	<b>19</b>
05) CENTROC Regional Tourism Group Destination Plan.....	19
06) Joint Organisations.....	23
07) Tallwood Hall Village Enhancement Program .....	26
08) Minutes of the Blayney Shire Tourism, Towns and Villages Committee Meeting held 28 November 2017.....	29
<b>CORPORATE SERVICES .....</b>	<b>34</b>
09) Report Of Council Investments As At 30 November 2017 .....	34
10) Annual Report 2016/17.....	39
11) Expressions of Interest - Borrowings .....	40
12) Disclosures By Newly Elected Councillors .....	46
13) Lease Of Industrial Land For Agistment Purposes .....	47
<b>INFRASTRUCTURE SERVICES.....</b>	<b>59</b>
14) Director Infrastructure Services Monthly Report.....	59
15) Tender for Supply and Delivery of Road Signs - Centroc Panel Contract .....	63
16) Blayney Shire Sport and Recreation Plan .....	65
<b>PLANNING AND ENVIRONMENTAL SERVICES .....</b>	<b>69</b>
17) Draft Development Control Plan 2017 .....	69
18) Development Application 53/2017, Telecommunications Facility, Lot 10 Section 21 DP 758062, 11 Sawyer Street Barry.....	73
<b>DELEGATES REPORTS.....</b>	<b>97</b>
19) Upper Macquarie County Council - Delegates Report for October 2017 .....	97
20) Upper Macquarie County Council - Delegates Report for November 2017 .....	99
<b>CONFIDENTIAL MEETING REPORTS.....</b>	<b>106</b>
21) Land Acquisition For Road Re-Alignment Newbridge Road - Part Lot 140 DP 750382 .....	106

**01) GENERAL MANAGER'S ANNUAL PERFORMANCE REVIEW**

**Author:** Mayor Scott Ferguson

**File No:** PE.PA.3

---

**Recommendation:**

1. That Council nominate an additional Councillor, along with the Mayor, Deputy Mayor and a Councillor nominated by the General Manager to comprise the Performance Review Panel.
2. The Council delegate all tasks necessary for the completion of the Performance Review to the Performance Review Panel.
3. That the Performance Review Panel members all undertake training in accordance with the Performance Review Guidelines.
4. That the Mayor be delegated authority to finalise all arrangements, including a suitable date for the Performance Review Panel to convene and that all Councillors be notified of the date and provided with an opportunity for input and feedback.

**Report:**

The annual performance review for the General Manager is due early in the New Year. The purpose of this Mayoral Minute is to advise Councillors of the regulatory requirements, invite comments from Councillors, arrange the composition of the Performance Review Panel and authorise the Mayor to complete the review process.

In summary Council's requirements are:

- Ensure that performance is reviewed at least annually
- Establish a Performance Review Panel, comprising the Mayor, Deputy Mayor, another Councillor nominated by Council and a Councillor nominated by the General Manager.
- Ensure that panel members are trained in performance management of General Managers
- Delegate the role of conducting the performance review, reporting findings and recommendations to Council and developing the Performance Agreement, to the Panel.
- Ensure that all Councillors are notified of the relevant dates for the review and that those not on the panel can contribute by providing feedback to the Mayor
- Ensure that statutory requirements under Section 223 under the Local Government Act (1993) to monitor performance of the General Manager are adhered to. The Mayor also has statutory requirements under Section 226 under the Local Government Act, to lead the performance review.

Council has a very successful and robust performance review process in place, facilitated by Graeme Fleming PSM. It is proposed to continue with this process. I have been able to negotiate with Mr Fleming to include the Councillor training component as part of the review process at no extra cost.

**Enclosures (following report)**

Nil

**Attachments (separate document)**

Nil

**02) LGNSW PLANNING AWARD 2017**

**Author:** Mayor Scott Ferguson

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

---

**Recommendation:**

That Council's Director Planning and Environmental Services be congratulated on receiving a LGNSW Planning Award 2017 – Excellence in Leadership Division for Outstanding Individual Contribution – Rural/Regional Council.

**Report:**

Council's Director Planning and Environmental Services, Mark Dicker, recently received the LGNSW Planning Award 2017 – Excellence in Leadership Division for Outstanding Individual Contribution – Rural/Regional Council.

This is a fantastic achievement and Mark is to be congratulated.

**Enclosures (following report)**

Nil

**Attachments (separate document)**

Nil

**03) MINUTES OF THE PREVIOUS MEETING HELD ON MONDAY 20 NOVEMBER 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 20 November 2017, being minute numbers 1711/001 to 1711/025 be confirmed.

**MINUTES OF THE BLAYNEY SHIRE COUNCIL ORDINARY MEETING HELD IN THE CHAMBERS, BLAYNEY SHIRE COUNCIL COMMUNITY CENTRE, ON 20 NOVEMBER 2017, COMMENCING AT 6.00PM**

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

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

**ACKNOWLEDGEMENT OF COUNTRY**

**RECORDING OF MEETING STATEMENT**

**APOLOGIES**

Nil

**DISCLOSURES OF INTEREST**

Nil

**PUBLIC FORUM**

James Conna – Item 5 – Combined Churches Community Christmas Lunch

Jamie Sherlock – Item 17 – Review of Determination – DA55/2016 – Animal Breeding, Keeping and Training Facility – Lot 144 DP 750408, 73 Somers Lane, Mandurama

Alita Funnell – Item 17 – Review of Determination – DA55/2016  
– Animal Breeding, Keeping and Training Facility – Lot 144 DP  
750408, 73 Somers Lane, Mandurama

### **SKILLSET DELEGATE REPORT – IAN TOOKE**

#### **MAYORAL MINUTE**

As part of the Millthorpe's year of celebrating 150 years, the Golden Memories Millthorpe Museum have published a book 'Historic Homes of Millthorpe and District – Millthorpe Sesquicentenary 1867-2017'. This publication was supported by a Blayney Shire Council Local Heritage Assistance grant. The Mayor officially launched this community project on 28 October 2017 in Millthorpe, where this signed copy was handed over to Council for permanent display and keeping which he presented to Council.

### **CONFIRMATION OF MINUTES**

#### **MINUTES OF THE PREVIOUS MEETING HELD MONDAY 16 OCTOBER 2017**

1711/001

#### **RESOLVED:**

That the Minutes of the Ordinary Council Meeting held on 16 October 2017, being minute numbers 1710/001 to 1710/017 be confirmed.

(Kingham/Reynolds)

**CARRIED**

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

Nil

#### **MINUTES OF THE EXTRAORDINARY MEETING HELD MONDAY 6 NOVEMBER 2017**

1711/002

#### **RESOLVED:**

That the Minutes of the Ordinary Council Meeting held on 6 November 2017, being minute numbers 1711/E001 to 1711/E004 be confirmed.

(Ewin/Newstead)

**CARRIED**

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

Nil

### **EXECUTIVE SERVICES REPORTS**

#### **COMMUNITY REPRESENTATIVES COUNCIL COMMITTEES**

1711/003

#### **RESOLVED:**

That Council appoint the following community representatives to the Blayney Shire Access Advisory Committee:

- Jenny McMahon



- Tom Williams
- Shane Oates

(Ferguson/Somervaille)

**CARRIED**

**1711/004**

**RESOLVED:**

That Council appoint 5 community representatives to the Blayney Shire Financial Assistance Program Advisory Committee.

(Ferguson/Denton)

**CARRIED**

**1711/005**

**RESOLVED:**

That Council appoint the following 5 community representatives to the Blayney Shire Financial Assistance Program Advisory Committee:

- David Kennedy
- Delanie Sky
- Miles Hedge
- Rebecca Price
- Graeme Summerson

(Denton/Somervaille)

**CARRIED**

**1711/006**

**RESOLVED:**

That Council include a minimum of 1 representative for each cemetery in the shire; being Newbridge, Neville, Hobbys Yards, Blayney, Lyndhurst and Carcoar and appoint the following community representatives to the Blayney Shire Cemetery Forum:

- David Grills
- Hayley Lavers
- Helen Dent
- Mitchell Groves
- Vicki Pulling
- Janelle Adams
- Kevin Radburn Snr
- Kevin Radburn
- Geoff Braddon
- Candice Braddon

(Ferguson/Kingham)

**CARRIED**

**1711/007**

**RESOLVED:**

That Council appoint the following 3 plus 1 alternate community representatives to the Blayney Shire Cultural Centre Working Group:

- Elizabeth Russ
- Graeme Summerson
- Ian Tooke
- Margaret Paton

(Somervaille/Newstead)

**CARRIED**

- 1711/008 RESOLVED:**  
That Council appoint the following community representatives to the Blayney Shire Floodplain Management Committee:
- Tom Williams
  - Nyree Reynolds
- (Somerville/Kingham)  
**CARRIED**

- 1711/009 ORANGE TDO LTD RESOLVED:**
1. That Blayney Shire Council, make an application to the Minister for Local Government under s358 of the Local Government Act 1993 seeking approval to participate in the formation of a corporation to be set up to deliver industry led regional tourism services for the Blayney, Cabonne and Orange council areas, subject to Council's approval of the constitution.
  2. That Council accept the proposed agreement with TDO Ltd trading as Orange Region Tourism Ltd to develop tourism focussed destination marketing and promotion strategies for the Cabonne, Orange and Blayney region for an initial period from 1 July 2017 to 30 June 2020.
  3. That Council reaffirms the appointment of the Mayor, as representative of Blayney Shire Council, to the Board of the new Orange Region Tourism Limited Corporation.
- (Somerville/Ewin)  
**CARRIED**

- 1711/010 COMBINED CHURCHES COMMUNITY CHRISTMAS LUNCH RESOLVED:**  
That Council provides support for the proposed Combined Churches 2017 Christmas Eve Lunch to be held at the Blayney Shire Community Centre.
- (Kingham/Reynolds)  
**CARRIED**

## **CORPORATE SERVICES REPORTS**

- 1711/011 REPORT OF COUNCIL INVESTMENTS AS AT 31 OCTOBER 2017 RESOLVED:**
1. That the report indicating Council's investment position as at 31 October 2017 be received.
  2. That the certification of the Responsible Accounting Officer be received and the report be adopted.
- (Reynolds/Newstead)  
**CARRIED**

**AUDITOR'S PRESENTATION – CHRIS CLAYTON FROM THE  
AUDIT OFFICE AND LEANNE SMITH FROM INTENTUS  
CHARTERED ACCOUNTANTS**

**2016/2017 AUDITED FINANCIAL STATEMENTS**

1711/012

**RESOLVED:**

1. That Council adopt the 2016/2017 Financial Statements and accept the Auditor's Report, as submitted by Auditor General.
2. That the 2016/2017 transfers to and from Council's restricted cash be approved.

(Reynolds/Somervaille)

**CARRIED**

**QUARTERLY BUDGET REVIEW STATEMENT - SEPTEMBER  
2017**

1711/013

**RESOLVED:**

1. That the Quarterly Budget Review Statement for the quarter ending 30 September 2017 be received.
2. That the supplementary votes of \$1,128k proposed in the Quarterly Budget Review Statement be adopted resulting in an increase to operating expenditure of \$249k, a decrease in operating income of \$377k and an increase to capital expenditure of \$502k offset by capital income variations of \$758k.
3. That the budgeted expenditure and transfers from External and Internal Restricted Cash of \$1,827k for works carried over from the 2016/17 financial year be endorsed.

(Newstead/Reynolds)

**CARRIED**

**ADOPTION OF LEASE OF COUNCIL LAND FOR AGISTMENT  
PURPOSES POLICY**

1711/014

**RESOLVED:**

That the Lease of Council Land for Agistment Purposes Policy be adopted and included in Council's policy register.

(Ewin/Somervaille)

**CARRIED**

**MINUTES OF THE BLAYNEY SHIRE AUDIT COMMITTEE  
MEETING HELD 30 OCTOBER 2017**

1711/015

**RESOLVED:**

That the minutes of the Blayney Shire Audit Committee meeting held 30 October 2017 be received.

(Reynolds/Ewin)

**CARRIED**

**INFRASTRUCTURE SERVICES REPORTS****DIRECTOR INFRASTRUCTURE SERVICES MONTHLY REPORT**

1711/016

**RESOLVED:**

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

(Reynolds/Newstead)

**CARRIED****ROAD FUNDING ALLOCATIONS**

1711/017

**RESOLVED:**

That Council receive and note the proposed work locations for resealing, heavy patching, and footpath renewals.

(Kingham/Reynolds)

**CARRIED****PROPOSED ROAD NAME - UNNAMED ROAD AT 168 FOREST REEFS ROAD, MILLTHORPE**

1711/018

**RESOLVED:**

1. That Council note the report on the naming of the Unnamed Road at 162 -168 Forest Reefs Road, Millthorpe and:
  - a. That it be included on Council's Asset Register as a Council Public Road with a length of 250m, and;
  - b. That the recommended name, Old Showground Lane be placed on public exhibition for a period of not less than 28 days and the public and relevant authorities be invited to make submissions.

(Reynolds/Ewin)

**CARRIED****CARCOAR ROAD - COWRIGA CREEK WET CROSSING****MOTION:**

That Council accept the licence for the wet crossing on Carcoar Road, Licence Number RI 567669 and authorise the Mayor and General Manager to execute and affix the Council Seal to the Licence, and other associated documents for this Licence.

(Ewin/Somerville)

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

That this matter be deferred to a Councillor Workshop.

The Amendment was put and lost.

A further **AMENDMENT** was foreshadowed by Cr Reynolds:

That before any works be undertaken on the licenced land a report be provided to Council with various options for a crossing

and potential costings.

The mover and seconder agreed to have this point 2 included in the original motion now being:

1. That Council accept the licence for the wet crossing on Carcoar Road, Licence Number RI 567669 and authorise the Mayor and General Manager to execute and affix the Council Seal to the Licence, and other associated documents for this Licence.
2. That before any works be undertaken on the licenced land a report be provided to Council with various options for a crossing and potential costings.

This Amendment became the substantive motion and was put.

**1711/019 RESOLVED:**

1. That Council accept the licence for the wet crossing on Carcoar Road, Licence Number RI 567669 and authorise the Mayor and General Manager to execute and affix the Council Seal to the Licence, and other associated documents for this Licence.
2. That before any works be undertaken on the licenced land a report be provided to Council with various options for a crossing and potential costings.

(Ewin/Somervaille)

**CARRIED**

**MINUTES OF THE BLAYNEY TRAFFIC COMMITTEE**  
**MEETING HELD 17 OCTOBER 2017**

**1711/020 RESOLVED:**

1. That the minutes of the Blayney Traffic Committee, held on Tuesday 19 October 2017, be received and noted.
2. That Council provides in principle support to Millfest to be held Saturday 9 December 2017 subject to the following conditions:
  - a. All implementation and Traffic Control works and Plans are to be completed by persons qualified to do so.
  - b. The Event Organiser is to notify all Emergency Services of the event and associated road closures, including Blayney Hospital.
  - c. The Event Organiser is to notify all business proprietors and residents affected by the event at least 7 days prior to the event.
  - d. The Event Organiser will, advertise the temporary road closures, including a contact number for an event organiser, at least seven days prior to the event, in the local media.
  - e. Council is to be provided with an up to date copy of a \$20M Public Liability Insurance Policy indicating Blayney

- Shire Council's interests, with the date and location of the event, and
- f. The provision of satisfactory parking arrangements put in place by the Event Organisers.
3. That Council provides in principle support to the Millthorpe Markets to be held Sunday 3 December 2017 subject to the following conditions:
- a. Development and implementation of a Traffic Management Plan (including Traffic Control Plans). All implementation and Traffic Control Works and Plans are to be completed by persons qualified to do so. Specifically the Event Organiser needs to provide updated TCP (including 40km zone, formalised road closure at Redmond Oval entrance and No Parking at Millthorpe Rural Fire Service), which Council will forward to Roads and Maritime Services (RMS).
  - b. Approval is to be obtained from the RMS Traffic Operations Manager.
  - c. Approval is to be obtained from NSW Police.
  - d. The Event Organiser is to notify all Emergency Services of the event and associated road closures, including Blayney Hospital.
  - e. The Event Organiser is to notify all business proprietors and residents affected by the event at least 7 days prior to the event.
  - f. The Event Organiser will, advertise the temporary road closures, including a contact number for an event organiser, at least seven days prior to the event, in the local media.
  - g. Council acknowledges copy of \$20M Public Liability Insurance Policy indicating Blayney Shire Council's interests, with the date and location of the event.
  - h. Event Organiser to email bicycle clubs – advising Millthorpe Markets are on 3 December and could they ask their members to avoid riding to or around Millthorpe due to the increased traffic conditions.

(Reynolds/Newstead)

**CARRIED**

**MINUTES OF THE EXTRAORDINARY MEETING OF  
BLAYNEY SHIRE SPORTS COUNCIL HELD ON THURSDAY,  
19 OCTOBER 2017**

1711/021

**RESOLVED:**

That the minutes of the Blayney Shire Sports Council Meeting, held on Thursday 19 October 2017, be received and noted.

(Kingham/Reynolds)

**CARRIED**

**PLANNING AND ENVIRONMENTAL SERVICES REPORTS**

**REVIEW OF DETERMINATION - DA55/2016 - ANIMAL BREEDING, KEEPING AND TRAINING FACILITY - LOT 144 DP 750408, 73 SOMERS LANE MANDURAMA**

1711/022

**RESOLVED:**

That pursuant to Section 82A of the Environmental Planning and Assessment Act, 1979, Council’s Refusal Notice of Determination dated 21 December 2016 of Development Application No. DA55/2016 for an animal breeding, keeping and training facility at Lot 144 DP 750408, 73 Somers Lane, Mandurama be reaffirmed for the following reasons:

- a. The development will have unacceptable noise exceedances during the daytime period,
- b. The development will be non-complaint with the daytime noise criterion of the Industrial Noise Policy,
- c. The development is not considered to meet the objective of the RU1 Primary Production zone that aims “To minimize conflict between land uses within this zone and land uses within adjoining zones.”,
- d. The development is likely to create ongoing land use conflict particularly to neighbouring residential dwellings for the wider locality which is not in the public interest,
- e. The site is considered unsuitable for the proposed development given the number of residential dwellings in close proximity, settlement pattern of the locality and ongoing daytime noise exceedances associated with the development,
- f. Issues relating to noise raised within submissions remain unresolved,
- g. Council is not satisfied that the known daytime noise exceedances could be mitigated on an ongoing basis to prevent ongoing land use conflict with neighbouring properties.

(Reynolds/Newstead)

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 Ferguson	
Councillor Kingham	
Councillor Somerville	
Councillor Reynolds	
Councillor Newstead	
Councillor Denton	
<b>Total (7)</b>	<b>Total (0)</b>
	<b>CARRIED</b>

**CLOSED MEETING****1711/023 RESOLVED:**

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

**LAND ACQUISITION FOR ROAD RE-ALIGNMENT  
ERROWANBANG ROAD - ROBSON**

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

(Reynolds/Ewin)  
**CARRIED**

**CONFIDENTIAL MEETING REPORTS****LAND ACQUISITION FOR ROAD RE-ALIGNMENT  
ERROWANBANG ROAD - ROBSON****1711/024 RESOLVED:**

1. That Council approve the acquisition of land for the purpose of road re-alignment, being part of Lot 111 DP806674 as required for road re-alignment safety improvements along the Errowanbang Road and the land be classified as public road, as detailed in the report.
2. That Council authorise the Mayor and General Manager to affix the Council Seal to associated transfer document required to facilitate the acquisition.

(Ewin/Kingham)  
**CARRIED**

**1711/025 RESOLVED:**

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

(Reynolds/Newstead)  
**CARRIED**

**AT THE RE-OPENING OF THE MEETING TO THE PUBLIC, THE MAYOR  
ANNOUNCED THE OUTCOME OF RESOLUTION NUMBER 1711/024.**

There being no further business, the meeting concluded at 8.19pm.

The Minute Numbers 1711/001 to 1711025 were confirmed on 18 December 2017 and are a full and accurate record of proceedings of the Ordinary Meeting held on 20 November 2017.



---

Cr S Ferguson  
**MAYOR**

---

Mrs R Ryan  
**GENERAL MANAGER**

**04) NOTICE OF MOTION****Department:** Executive Services**Author:** Councillor Reynolds**CSP Link:** 5.1 A diverse and sustainable population in our communities and villages.**File No:** CR.ME.3

---

The following notice of motion has been submitted by Councillor Reynolds:  
That Council explore options to include the Forest Reefs area in the Council's Community Plan.

**General Manager Comment**

At the August meeting, Council noted the report on Integrated Planning and Reporting (IP&R) framework/statutory requirement to review the Blayney Shire Community Strategic Plan and approved the program to engage with community facilitating the drafting, public exhibition and adoption of the suite of strategic plans by 30 June 2018 (**Resolution No 1708/007**).

The CSP principles in summary are as follows;

- The CSP should identify the main priorities and aspirations of the whole shire, providing a clear set of strategies to achieve the community vision of the future.
- The community engagement strategy must involve a whole-of-community process
- The CSP must be based on the social justice principles of access, equity, participation and rights.
- It should also address social, environmental, economic and civic leadership issues.

Since then, staff and Councillors have been actively working with community members to review the local Town and Village Community Plans by the end of 2017. The inclusion of the whole shire is critical in addressing the principles of the IP&R framework and it is intended to focus on the rural, business and industry, government agency and school groups in early 2018.

**Enclosures (following report)**

Nil

**Attachments (separate document)**

Nil

**05) CENTROC REGIONAL TOURISM GROUP DESTINATION PLAN****Department:** Executive Services**Author:** Community Development and Tourism Projects Officer**CSP Link:** 1.4 Internationally recognised brand for Blayney Shire.**File No:** ED.PL.1

---

**Recommendation:**

That Council endorse the Centroc Regional Tourism Group Management Plan 2017 - 2020 and approves the membership fee of \$7,500 of the Centroc Regional Tourism program for Blayney Shire Council.

**Reason for Report:**

To provide an update to Council in regards to the former Regional Tourism Organisation, Central NSW now under the auspice of Centroc Board. In undertaking this auspice role, confirmation of Blayney Shire Council's membership contribution is sought to the Centroc (Central NSW) Regional Tourism Group (CRTG) for FY 2017/18.

**Report:**

Council received and noted a report in regards to the operations of Central NSW Tourism in August 2017.

As reported then, it was identified that to best manage this period and build on the success of Councils' collaborating to support tourism, the Centroc Board had agreed to manage regional tourism operations for Central NSW Tourism.

Tourism and destination managers, past members of the Central NSW Tourism Board along with elected representatives, the sponsoring General Manager and Centroc staff have developed a CRTG Management Plan 2017 - 2020 taking the wisdom and experience of Central NSW Tourism and leveraging Centroc functions and networks.

The plan recognises the depth of skills and experience that currently exist in each of the tourism units of Centroc member Councils and notes the importance of local branding, marketing and promotion, which is very mature for some Councils.

Centroc brings synergies to regional tourism including advocacy, planning and regional development. The tourism managers of the region have developed a plan moving forward that seeks to build on the good work done by Central NSW Tourism. This will include ongoing work in social media marketing and public relations. Enthusiasm in the region is significant including working collaboratively on grant funded programs.

Work undertaken by the CRTG on the budget and fee structure have reduced anticipated fees to Council while maintaining a tailored program of support for Council delivering an agreed regional strategy.

The Central NSW Tourism Board moved to dissolution as of 30 June 2017. The final steps under NSW Incorporations legislation was completed by the end of October with all assets transferred to Centroc. There is a budgeted transfer of \$32,000 that will be accepted by Centroc for the purpose of supporting the CRTG.

The respective Tourism Managers, Officers, Portfolio Mayor and Sponsoring General Manager have met bi-monthly to develop the attached CRTG Management Plan 2017 - 2020. In addition a review was undertaken of the proposed membership fee structure given the role and new focus of the CRTG.

The CRTG has a significant role in facilitating collaboration, joint projects and leveraging each other to implement social media and public relations campaigns as well as providing a framework for best practice in tourism. In this light the region is focusing on:

- Boosting Visitor Nights
- Increasing Visitor Expenditure
- Increasing Length of Stay
- Increase consumer insights of region through the development of original content

The following broad areas of function for the CRTG were identified:

1. Developing and delivering a regional approach for tourism for member Councils
  - a) Supporting regional tourism managers as they work collaboratively
  - b) Developing, implementing and reviewing regional strategy
  - c) Seeking funding from non-member Council sources where possible
  - d) Recognising the role of tourism in the delivery of jobs and growth
2. Setting professional standards in the delivery of tourism support services
  - a) Share learning, expertise, collateral
  - b) Better value through aggregation of spend
  - c) Being abreast of best practice and innovation and implementing where practicable
  - d) Using evidence to inform change through the collection and analysis of data
3. Engaging with key stakeholders
  - a) Be a true acknowledged organisation with equal partnership with the Government
  - b) Long term relationship with the Government, in a role that goes beyond individuals and is more systematic / sustained as people “move on”

- c) Influence future government funding programs, by identifying and reporting the gaps in the funding and policy for the Board to advocate
  - d) Maximise every funding opportunity
  - e) Influence the “pooled” or shared funding between the three levels of government to get better value for communities from the total spend
4. Delivering collaborative marketing programming
- a) Informed by data
  - b) Building on the existing success of and learnings from the Unearth Campaign
  - c) Leveraging funding from non-member sources
5. Optimising existing product
- a) Linking Destinations in the region through niche product offerings
  - b) Developing targeted marketing and PR campaigns to promote the depth of product available in the region.
  - c) Assist in the development of programs that link accommodation and experiences across the region
  - d) Develop regional marketing assets that ‘drive’ the visitor to travel through the region, ie regional app, maps, trails, itineraries

The revised budget based on the CRTG Management Plan with a new fee structure was endorsed by the Centroc Board at the November meeting for the FY 2017/18.

<b>Membership Category (population)</b>	<b>Revised proposed membership CRTG2017-2018</b>
<5,000	\$2,500
>5,000	\$7,500
>10,000	\$15,000
>15,000	\$20,000
>35,000	\$25,000

The Board resolved at its meeting 23 November endorsing this revised approach. In summary, this buys an integrated and aggregated social media and public relations campaign building on the work done under the Unearth Central NSW banner, linking of niche tourism experiences, grant writing, best practice and advocacy functions.

The proposed revised membership does not include any additional marketing fee. Additional projects to those outlined with budget will be on an ‘opt-in’ basis. Existing staff resource will be utilised depending on the target market, campaign and expected outcomes.

**Risk/Policy/Legislation Considerations:**

Blayney Shire Council is an active member of Centroc and now a member of the Orange Regional Tourism collaboration with Orange City and Cabonne

Councils. Whilst this membership to the CRTG is optional as a regional activity and program, support for retaining our involvement is recommended.

**Budget Implications:**

Membership fees have been budgeted within the FY2017/18 Tourism Projects budget.

**Enclosures (following report)**

Nil

**Attachments (separate document)**

- 1 Centroc Regional Tourism Group Management Plan  
2017-2018 47 Pages

**06) JOINT ORGANISATIONS**

**Department:** Executive Services

**Author:** General Manager

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

**File No:** GR.LR.3

---

**Recommendation:**

That Council notes the report and endorse investigation and regional discussions on options available to Blayney Shire Council becoming a founding member of a new Central NSW (Centroc) Joint Organisation.

**Reason for Report:**

To inform Council about the Joint Organisation legislation 'Local Government Amendment (Regional Joint Organisations) Bill as recently introduced by the NSW Parliament.

Seek endorsement to progress Centroc and OLG regional discussions and negotiation with the intent of Blayney Shire Council becoming a founding member of a new Central NSW (Centroc) Joint Organisation (JO).

**Report:**

The legislation will allow Councils in regional NSW to voluntarily join JO's. Blayney Shire Council was involved with the Centroc Pilot JO in 2016.

The principal function of a JO will be strategic planning and priority setting, intergovernmental collaboration, and regional leadership and advocacy.

The NSW Government will provide seed funding of \$3.3 million, \$300K per JO for establishment costs. Formal correspondence from the Office of Local Government (OLG), Frequently Asked Questions and Next Steps is **attached** under separate cover for information.

1. A Council must make a resolution as outlined by the OLG, endorsing the decision by Council to being part of the new JO area noting the other member council areas.
2. A Council nomination is to be submitted to the Minister prior to 28 February 2018 with this resolution.
3. Following a period of 28 days from making of the resolution Council is to inform the Minister that there has been no rescission.
4. The Minister then makes a recommendation of the new JO name and council areas included to be proclaimed by the Governor.

The OLG is seeking nomination by Councils to establish a JO by 28 February 2018. Centroc has have requested this be put back to March or April, as the Regulations have not been published, the Christmas/New Year break and since most Councils particularly in regional NSW do not have a January meeting.

A meeting has been organised with Centroc and the OLG to discuss the JO legislation on Tuesday 12 December, which may dispel some of the Centroc concerns.

This is a logical transition for Centroc to move into a JO and it is important for Blayney Shire Council to be part of this regional entity.

The JO will operate as a body corporate with the following functions;

- Establishing strategic regional priorities
- Regional leadership and advocacy
- Regional inter-governmental cooperation

Subject to delegation by the member councils, the JO may deliver services and provide other assistance to the region.

**Risk/Policy/Legislation Considerations:**

The JO legislation addresses the current constraints on the Regional Organisation of Councils (ROC) governance model as a s355 Committee of Council. Centroc is a s355 Committee of Forbes Shire Council, with staff employment shared by a number of member Councils.

The JO will employ its own staff and be a legal entity in its own right as per the legislation, similar to that of a County Council.

A minimum of 3 councils may form a JO, and borders are flexible as long as within NSW Department of Planning boundaries. This covers the whole Orana and Central NSW region for the Centroc JO.

Board members include at least the Mayor of each member council and any other additional voting representative of the member councils as determined by the JO; and non-voting representatives. Non-voting representatives include a representative of NSW Department Premier and Cabinet and any other non-voting member as determined by the JO Board.

General Managers, whilst able to attend meetings are neither a voting delegate or a member of the Board. This does not mean that a GMAC group as exists now cannot operate to provide executive advice and support to the Board.

The operations, employment of staff and charter are similar to that of a general purpose and County Council. County Councils may be included as a non-voting member of the Board.



Council no longer requires the JO, to be deemed Fit as notified by the Minister for Local Government, the Fit for the Future process has come to a conclusion. Blayney Shire Council, having met financial sustainability criteria is now eligible and able to access the TCorp State Borrowing Facility.

**Budget Implications:**

Membership fees will be determined by the Board. Council has a budget allocation for the associated membership fees to Centroc which would transfer to the JO, and so until this time any budget implications are not possible to predict.

**Enclosures (following report)**

Nil

**Attachments (separate document)**

1	Letter from Office of Local Government	1 Page
2	Joint Organisation Nomination	9 Pages
3	Joint Organisations FAQs	5 Pages
4	Joint Organisations - Next Steps	8 Pages

**07) TALLWOOD HALL VILLAGE ENHANCEMENT PROGRAM**

**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:** PM.MA.3

---

**Recommendation:**

That Council approve the reallocation of \$5,000 Village Enhancement Program funds for the Tallwood Hall Trust towards a Ride on Lawn Mower.

**Reason for Report:**

For Council to consider a request to change the funding as approved in October 2016 and allocated towards the Tallwood Hall building to the Trust preferred project which is to purchase a ride on lawn mower.

**Report:**

At the October 2016 meeting in regards to the Development Coordinator Program, Council resolved to allocate \$5,000 from the Village Enhancement Plan \$5,000 for the Tallwood Hall (**Resolution No 1610/006**).

In discussions with the Tallwood Hall Trust Committee they have not been in a position to plan a project or seek funding to match this contribution. They have undertaken major works in the past few years and addressed most of the issues of concern, and have not reached a consensus in regards to the next priority. However, they have requested that what would be of great benefit to the committee would be to purchase a ride on lawn mower.

This mower would be stored at the Tallwood RFS Shed and used for both Hall and RFS Shed grounds. It will save volunteer time and effort in driving a privately owned machine to the Hall/RFS Shed when required.

A quote of \$7,263 ex GST from a local mower business has been obtained, and the Tallwood Hall Trust have funds available to meet difference.

**Risk/Policy/Legislation Considerations:**

Whilst not capital works, it is a capital purchase of a plant item that the Tallwood Hall Trust will be required to accept all responsibilities, including property insurance, WHS and the ongoing care and maintenance.

**Budget Implications:**

This \$5,000 has been revoted from the 2016/17 into the 2017/18 financial year Village Enhancement Program budget.

**Enclosures (following report)**

1 Letter from Tallwood Hall Trust

1 Page

**Attachments (separate document)**

Nil

Tallwood Public Hall Trust

c/- K Adams

558 Carcoar Road,

TALLWOOD NSW 2798

10<sup>th</sup> December, 2017

Blayney Shire Council

Adelaide Street

BLAYNEY NSW 2799

Dear Rebecca ,

On behalf of the Tallwood Public Hall Trust, I am seeking approval for the relocation of \$5000 that was originally approved for the painting of our hall. We have had the hall painted and fortunately we were able to cover the cost of this ourselves.

Therefore we are asking that you release the funds to go towards the purchase of a ride on lawn mower. Currently one of our members uses his own mower to maintain the Tallwood Hall and Tallwood Rural Bushfire Brigade grounds. We feel that it is now time for us to purchase our own mower and hopefully encourage other volunteers to take over the mowing of the grounds on a roster basis. We are planning to house the mower in the neighbouring Bushfire Shed until such time that we have funds to build our own storage shed. A shed is the next thing on our wish list that we will be working towards over the next couple of years.

Kind regards

Kerry Adams

**08) MINUTES OF THE BLAYNEY SHIRE TOURISM, TOWNS AND VILLAGES COMMITTEE MEETING HELD 28 NOVEMBER 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:** GO.ME.1

---

**Recommendation:**

1. That the minutes of the Blayney Shire Tourism, Towns and Villages Committee meeting, held Tuesday 28 November 2017, be received and noted.
2. That Council write to Member for Bathurst requesting further consultation for Stop on Request to Newbridge services.
3. That Council refer to Traffic Committee and write to the Member for Bathurst and Minister for Transport regarding safety concerns and the traffic on Newbridge Railway Bridge at Cadia/Sealink on Newbridge Road.

**MINUTES OF THE TOURISM, TOWNS AND VILLAGES COMMITTEE  
MEETING  
HELD ON TUESDAY 28 NOVEMBER 2017  
AT THE BLAYNEY SHIRE COMMUNITY CENTRE**

Meeting commenced at 6.00 pm.

**PRESENT**

Cr Bruce Reynolds (Chair), Rebecca Ryan, Loretta Kervin, Elizabeth Russ, Mary Dowrick Debere, Jo Richardson, Judy Belecky, Sharelle Cartwright, Kerry Strom-Cook, Wayne Moore, Bill Burdett, Anne-Marie Perkins, Vicki Pulling, Richard Bloomfield, John Burke and Evan Lee.

**WELCOME AND INTRODUCTIONS**

The Chair, Cr Bruce Reynolds, welcomed everyone and introductions were made round the table.

**APOLOGIES**

Tamara Miller

**DISCLOSURES OF INTEREST**

Nil

**ADOPTION OF MINUTES FROM PREVIOUS MEETING – 8 JUNE 2017**

Recommended that the minutes from the previous Town and Villages Committee meeting held on 8 June 2017 be adopted.

(Elizabeth Russ / Kerry Strom-Cook)

**BUSINESS ARISING**

Central West Libraries

- Refurbishment
- Digitization
- Operation Plan 2018/19 – Feb/March 2018
- Tourism, Town and Villages Committee
- Hay Bale – dry season
- Newbridge Railway Footbridge to General Business
- Millthorpe Stop on Request \$1M
  - Community consultation has commenced
  - Platform options
- Lyndhurst – Road Safety Officer

**ACTION:** GM to investigate and refer to Traffic Committee the street signs speed limit 50km/hr in Lyndhurst on Cowra side.

- Rockdell Road – needs intersection sign from Cowra side.

**BLAYNEY AND VILLAGES VISITOR GUIDE**

- Prospectus presented

**COLLABORATIVE MARKETING OPPORTUNITIES CALENDAR 2018**

- Orange Regional Tourism
- 2018 Calendar of events being coordinated to avoid clashing and gain leverage for marketing and cooperation
- What's Happening on Website

**VILLAGE/TOWN COMMUNITY PLAN REVIEWS 2017 AND BLAYNEY SHIRE COMMUNITY STRATEGIC PLAN REVIEW 2018****ORANGE REGIONAL TOURISM CORPORATION**

- A CEO has been appointed
- Branding project to commence
- Ministerial consent required which is been addressed by member Councils
- Mayor reaffirmed Board Member ORT

**Action:** GM to invite new CEO of Orange Regional Tourism to attend next meeting of Tourism, Town and Villages Committee

**EVENT ORGANISERS**

- Event organisers encouraged to communicate with Council early in planning stages need or demand for Public Amenities

### **AUSTRALIA DAY NOMINATIONS**

- The GM flagged need for everyone to consider nominating someone from their local community

### **DELEGATES REPORTS**

#### **Lyndhurst**

- Houses selling pretty well
- Carols in Recreation Ground in December
- Craft Group
- Café/Catering
- Mens Group
- Highway tidy up VEP funding provided
- Market Day, visit by plus car clubs
- Gatsby Night at the Hall Fundraiser
- Dancing at Hall, fitness classes daily

**ACTION:** GM to note BBQ status at Recreation Ground

#### **Kings Plains**

- Regis moving along talking with landholders about pipe for H2O, from Centennial Coal.
- RFS main meeting Christmas Party this weekend.

#### **Newbridge**

- Railway; disappointed – access to Platform
- Platform needs access – what we got was a Taxi Service. Continue lobbying.

### **RECOMMENDATION**

That Council write to Member for Bathurst requesting further consultation for Stop on Request to Newbridge services.

(Wayne Moore / Loretta Kervin)

- Masterplan Sport and Recreation discussed at Progress
- Kitchen and storage facilities at Hall underway
- New Art Gallery at Newbridge, opposite pub corner, open weekends.
- Road bridge between Newbridge and Railway bridge over railway line on Newbridge Road

### **RECOMMENDATION:**

That Council refer to Traffic Committee and write to the Member for Bathurst and Minister for Transport regarding safety concerns and the traffic on Newbridge Railway Bridge at Cadia/Sealink on Newbridge Road.

(Wayne Moore / Elizabeth Russ)

#### **Hobbys Yards**

- Annual BBQ 25/11; 50 adults, 11 children
- Notice Board a great success

- Toilet seat stolen and gas lead from gas bottle.

**Barry**

- Progress meeting/Christmas Party – 10 December
- New notice board
- Light installed in toilet
- 14 Dec – Village Plan evening

**Neville**

- Recycled bins moved to corner Barry/Trunkey Road
- Crown Land grant for floor in supper room received
- Hall window repaired FAP
- Bush Poetry night
- Neville Equestrian event October
- Carcoar Running Festival - Hotel opened early
- Show washed out
- Working dog trail last weekend.

**Blayney**

- Farmers' Market
- B2B first Sunday in April
- Billy and Me Opening on Sundays
- Orange Newcrest Challenge 4 March – challenge is membership of Business Owners.
- Textures of One 17/18 March
- Motif keyhole and Artisan market.

**Millthorpe**

- Very busy time sesquicentenary events
- Historical Homes book
- School events
- Stone Wall completed
- Inala Units
- Redmond Oval fence project
- Stop on Request
- MVC – members of ORT
- Millthorpe Markets – 3 December
- Millfest – 9 December
- Banjo Paterson Festival and Arts Trail – February 2018 – 1,600 people \$40k
- Garden Ramble.

**Mandurama**

- Ball at Hall – 5 May 2018
- New toilets and footpath
- Catered for Vintage Bike Rally – 14 October 2017
- New RFS shed commenced, nearing lock up.
- Yoga weekly at the Hall



**Carcoar**

- Carcoar Cup
- Carcoar Show
- Artist sketch proposed for Water Tank being reviewed
- Indigenous Rural Wradjuri Theme for concrete poles at Pound Flat
- Interpretative signage at bus shelter installed
- School of Arts – gazetted, Inc Body is Trust
- Pound Flat Stage 1 and Stage 2
- Carcoar Village Fair 2018
- Boot camp Monday nights at Recreation
- Sailing Club
- Sports and Recreation Club, new amenities block, 50 members.

**Blayney Visitor Information Centre**

- Run by volunteers
- Promoting the Shire
- Volunteers needed for The Cottage
- Struggling to maintain hours that should be open and volunteers
- Drop in any flyers to The Cottage

**Rotary**

- Plant a tree for every member is 2018 Project
- Line of trees on Bathurst Road
- Seating and tables at Billy Soo Park; Hedge of Callistemon

**FUTURE MEETING DATES**

- Tuesday 27 February 2018
- Tuesday 22 May 2018
- Tuesday 28 August 2018
- Tuesday 27 November 2018

**MEETING CLOSE**

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

**Enclosures (following report)**

Nil

**Attachments (separate document)**

Nil

**09) REPORT OF COUNCIL INVESTMENTS AS AT 30 NOVEMBER 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 November 2017 be received.
2. That the certification of the Responsible Accounting Officer be received and the report be adopted.

**Reason for Report:**

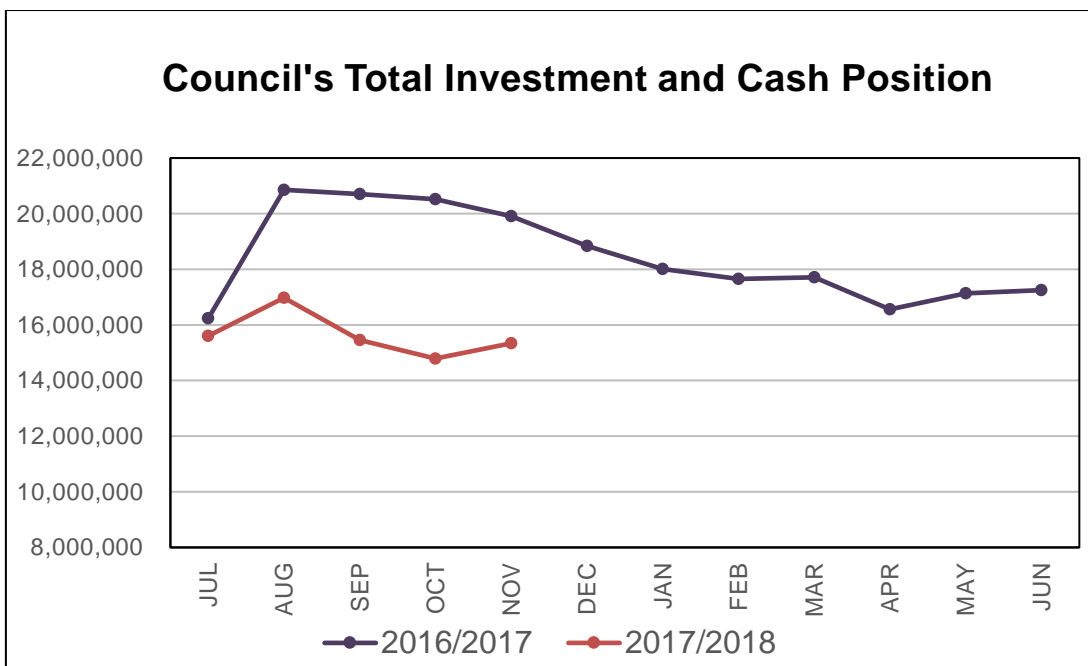
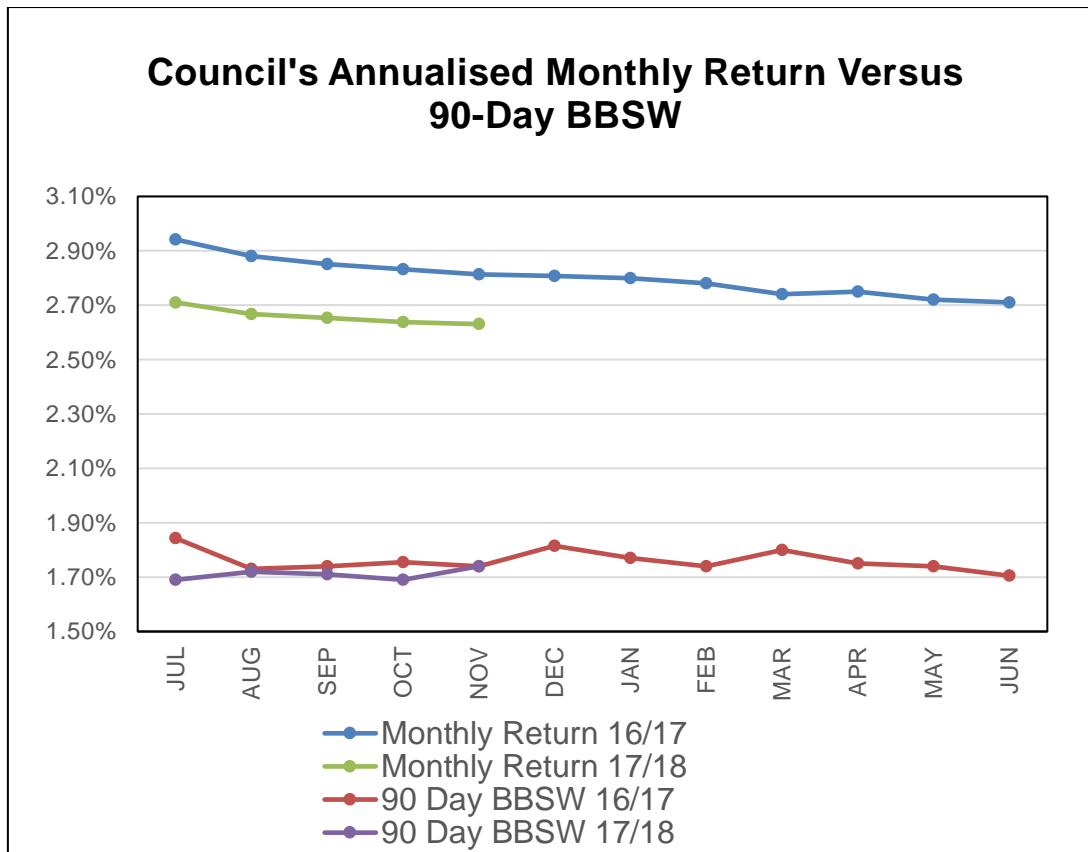
For Council to endorse the Report of Council Investments as at 30 November 2017.

**Report:**

This report provides details of Council's Investment Portfolio as at 30 November 2017.

Council's total investment and cash position as at 30 November 2017 is \$15,342,698. Investments earned interest of \$30,022 for the month of November 2017.

Council's monthly net return on Term Deposits annualised for November of 2.63% outperformed the 90 day Bank Bill Swap Rate of 1.74%.



<b>REGISTER OF INVESTMENTS AND CASH AS AT 30 NOVEMBER 2017</b>				
<b>Institution</b>	<b>Rating</b>	<b>Maturity</b>	<b>Amount \$</b>	<b>Interest Rate</b>
MyState Bank Ltd	A2/BBB	07/12/2017	500,000	2.750%
Auswide Bank Ltd	A3/BBB-	14/12/2017	500,000	2.800%
NAB	A1+/AA-	16/01/2018	500,000	2.480%
AMP Bank	A1/A	06/02/2018	500,000	2.700%
MyState Bank Ltd	A2/BBB	20/02/2018	500,000	2.700%
MyState Bank Ltd	A2/BBB	06/03/2018	500,000	2.550%
MyState Bank Ltd	A2/BBB	20/03/2018	500,000	2.550%
NAB	A1+/AA-	03/04/2018	500,000	2.560%
NAB	A1+/AA-	17/04/2018	500,000	2.510%
NAB	A1+/AA-	24/04/2018	500,000	2.520%
AMP Bank	A1/A	15/05/2018	500,000	2.600%
Auswide Bank Ltd	A3/BBB-	22/05/2018	500,000	2.800%
AMP Bank	A1/A	29/05/2018	500,000	2.600%
Auswide Bank Ltd	A3/BBB-	05/06/2018	500,000	2.800%
AMP Bank	A1/A	19/06/2018	500,000	2.600%
Bankwest	A1+/AA-	03/07/2018	500,000	2.550%
ME Bank	A2/BBB	17/07/2018	500,000	2.570%
ME Bank	A2/BBB	31/07/2018	500,000	2.570%
AMP Bank	A1/A	14/08/2018	500,000	2.600%
AMP Bank	A1/A	28/08/2018	500,000	2.600%
Bendigo & Adelaide Bank	A2/BBB+	04/09/2018	1,000,000	2.500%
ING Bank	A1/A	04/09/2018	500,000	2.600%
ING Bank	A1/A	18/09/2018	500,000	2.590%
Bendigo & Adelaide Bank	A2/BBB+	20/11/2018	500,000	2.550%
<b>Total Investments</b>			<b>12,500,000</b>	<b>2.610%</b>
Benchmarks:	BBSW 90 Day Index			1.740%
	RBA Cash Rate			1.500%
Commonwealth Bank - At Call Account			502,864	1.400%
Commonwealth Bank Balance - General			1,219,626	1.350%
Tcorp IM Cash Fund			1,120,208	2.300%
<b>TOTAL INVESTMENTS &amp; CASH</b>			<b>15,342,698</b>	

\* % Interest rates as at 30/11/2017

Short Term Credit Rating*	Policy Maximum	Current Holding %	Current Holding \$
A-1+	100%	20%	2,500,000
A-1	80%	32%	4,000,000
A-2	60%	36%	4,500,000
A-3	40%	12%	1,500,000
			12,500,000

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

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

**RESTRICTED CASH, CASH EQUIVALENTS & INVESTMENTS**

	\$ 000's
External Restrictions - Sewer*	5,342
External Restrictions – Unexpended Grants*	132
External Restrictions - Other*	2,591
	<b>8,065</b>
Internal Cash Restrictions*	5,648
Unrestricted	1,629
	<b>7,277</b>
<b>TOTAL CASH &amp; INVESTMENTS</b>	<b>15,343</b>

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

**CERTIFICATION – RESPONSIBLE ACCOUNTING OFFICER**

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

**Risk/Policy/Legislation Considerations:**

The Responsible Accounting Officer must table a written report to Council on money invested pursuant to s.625 of the Local Government Act. Investments made are in accord with the framework established within Council's Investment Policy.

**Budget Implications:**

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

**Risk/Policy/Legislation Considerations:**

The Responsible Accounting Officer must table a written report to Council on money invested pursuant to s.625 of the Local Government Act. Investments made are in accord with the framework established within Council's Investment Policy.

**Budget Implications:**

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

**Enclosures (following report)**

Nil

**Attachments (separate document)**

Nil

**10) ANNUAL REPORT 2016/17****Department:** Corporate Services**Author:** Director Corporate Services**CSP Link:** 6.3 A well-run Council organisation.**File No:** GO.RP.1

---

**Recommendation:**

That Council receive the report on lodgement of the 2016/17 Annual Report.

**Reason for Report:**

To report to Council the lodgement of the 2016/17 Annual Report within the statutory timeframe.

**Report:**

Council is required to prepare an Annual Report on its activities annually, lodge it to the Office of Local Government (OLG) and place it on Council's website by the prescribed deadline of 30 November 2017.

The 2016/17 Annual Report was lodged with the OLG and placed on Council's website by the prescribed due date:

<http://www.blayney.nsw.gov.au/your-council/council-publications/annual-reports/annual-reports>.**Risk/Policy/Legislation Considerations:**

Council is required under the Local Government Act s.428 to complete the Annual Report within 5 months after the end of financial year, post it on council's website and furnish a copy to the Minister.

**Budget Implications:**

Council staff coordinate preparation and compilation of the Annual Report. Associated costs are borne within budget allocations from the 2017/18 Operational Plan.

**Enclosures (following report)**

Nil

**Attachments (separate document)**

Nil

**11) EXPRESSIONS OF INTEREST - BORROWINGS**

**Department:** Corporate Services

**Author:** Chief Financial Officer

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

**File No:** FM.LO.1

---

**Recommendation:**

1. That the report on Expressions of Interest – Borrowings submissions received from suitable lending institutions to fund its Bridge Replacement Program be received.
2. That Council proceed with Option 1 for a term of 20 years at a fixed rate.
3. That Council select the institution that facilitates the best financial outcome for Council being TCorp at 3.71%p.a. over 20 years, subject to eligibility requirements.
4. That in the event that TCorp not allocate borrowings, Council select Commonwealth Bank at 4.08%p.a. over 20 years.
5. That Council delegate authority to the Mayor and General Manager to sign all necessary documentation to establish the Loan Funding Agreement.
6. Provide normal security to the successful financial institution in the form of a charge over general rates income of Council.

**Reason for Report:**

For Council to review the quotations received from suitable lending institutions to supply borrowing facilities to fund Council's bridge replacement program.

**Report:**

Council at its meeting held 16 October 2017 resolved:

That Council endorse the application of borrowings of \$3m to fund the Bridge Replacement Program as approved in Council's 2016/17 and 2017/18 Operational Plans (**Resolution No. 1710/009**)

On 1 December 2017, Council invited Expressions of Interest from the Commonwealth Bank, ANZ Bank, Westpac Bank and National Australia Bank to provide quotations for borrowings for the amount of \$3M.



Upon advice received from the Minister for Local Government in late November of Council's eligibility to apply for access to TCorp State Borrowing Facility, Council also invited TCorp to provide a quotation.

Council sought quotations from each institution for the following 3 option

**Option 1:** 20 Years fixed with quarterly repayments

**Option 2:** 20 Years variable with quarterly repayments

**Option 3:** 20 Years fixed for 5 years with quarterly repayments. (For renegotiation after 5 years).

Expressions of Interest closed at 4.00pm on 8 December 2017. A total of 3 submissions were received, a summary of the results is provided as an attachment.

Westpac Bank also provided a quotation, however it was after the EOI closing time and consequently has not been considered above.

In the current interest rate environment, a fixed loan provides certainty of cash flow obligations over the life of the loan. With interest rates at a record low, it is prudent to lock in a long term at a low rate and provide assurance for the next 20 years. It is therefore recommended that Council select Option 1 being a fixed rate for 20 years.

**Risk/Policy/Legislation Considerations:**

All borrowings must be made in accordance with the Office of Local Government Revised Borrowing Order. A copy of the Order is attached for reference.

TCorp have provided the most competitive rates for all options however, provision of loan facilities is subject to lodgement of an application for loan funds and an assessment of Council's financial position.

TCorp will review the following in making its assessment:

- Council's last 5 years' audited financial statements.
- Council's current Long Term Financial Plan and key assumptions used in the forecasts.
- Strategic documents including current asset management plans, operational plans and delivery plans.

TCorp will also consider the key risks Council may be facing and will measure financial performance with specific focus on the following key performance indicators both historically and projected:

- Operating Performance ratio.
- Debt Service Cover and Interest Cover ratios.
- Liquidity and financial flexibility ratios.

There are a number of factors that have the potential to impact on Council's Operating Performance ratio this year and potentially jeopardise Council's eligibility for TCorp borrowings, most notably:

- The 2016/17 financial year saw the removal of the Community Centre special rate variation (SRV) additional component which resulted in \$209k reduction in Council's rateable income. In Council's 2017/18 Long Term Financial Plan there was an option for Council to apply for an SRV to recoup income lost, however Council will not be proceeding with this option.
- In June 2016/17 Council received an advance payment of the 2017/18 Financial Assistance Grant of \$1,229k. Council's revised budget for 2017/18 at 30 September 2017 is forecasting a deficit of (\$1,159k) post this adjustment.
- Council has also seen significant changes to its financial position since the initial Fit For The Future (FFF) assessment in 2014. Whilst Council has continued to meet FFF benchmarks over the last few years it is more likely attributed to windfalls associated with additional grant funding than a true measure of improvement in Council's financial sustainability.

Applications for borrowings with TCorp must be submitted between 1 July and 31 December each year. However, TCorp has advised this will not be an issue for Blayney as we are one of 28 councils with eligibility recently announced.

The Bridge Replacement Program is now well under way with more than \$1.7m expended on the project to date. If Council is able to meet TCorp lending requirements it will likely come as a result of having to make substantial amendments to Council's long term financial plan which will not be finalised until May 2018. This will put significant strain on Council's immediate cash flow should Council not be able to access borrowings for a further 6 months.

Based on an assessment of Council's 2016/17 audited financial statements pre-approval of borrowings up to \$3 million has been confirmed with the Commonwealth Bank who also provided a competitive quote. Drawdown of funds would be possible within a matter of days but most likely early in the new year after the Christmas shut down period.

Council's current Debt Service Ratio as at 30 June 2017 was 21.14x. After borrowing of these funds the Debt Service Ratio is forecast to be at 9.8x for the year ended 30 June 2018, still below the industry benchmark of >2x

#### **Budget Implications:**

While the quoted variable rates would provide initial savings there is no certainty as to how much and for how long. Over a 20 year term rates will fluctuate and even at the end of 5 years they are not forecast to be lower than the current 5 year fixed rates offered.

Council currently has 4 loans all of which are fixed with interest rates ranging from 5.54% - 8.05%.

Council has budgeted interest on all proposed loans in its Long Term Financial Plan using indicative rates provided by Tcorp at time of preparation. For the purposes of this plan, the assumption for borrowings was an interest rate of 3.25%.

**Enclosures (following report)**

- 1 Office of Local Government Revised Borrowing Order 2 Pages

**Attachments (separate document)**

- 2 Borrowing Quotations 15 Pages

*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.*



Circular No. 09-21  
Date 29 May 2009  
Doc ID. A175889

Contact Finance Policy Section  
02 4428 4100

### REVISED BORROWING ORDER

The Minister for Local Government has issued a revised Borrowing Order pursuant to section 624 of the *Local Government Act 1993*. The revised Order replaces the Order dated 27 September 1993.

The revised Order, which is attached to this circular, retains the limitation on councils to borrow only in Australia and in Australian currency. All other limitations or restrictions have been removed.

Nothing in this revised Order affects any borrowings made before the date of the new Order, which was made in compliance with the previous Ministerial Order dated 27 September 1993. Such borrowings are taken to be in compliance with this Order.

Councils are reminded that under their Charter they are to have regard to the long term and cumulative effects of their decisions. Accordingly, councils must exercise reasonable care and diligence that a prudent person would exercise when borrowing funds. The borrowing of money is not a function that council can delegate. It is expected that councillors would have a full understanding of the terms and conditions of borrowing arrangements before entering into any contract.

**Ross Woodward**  
Acting Director General

Department of Local Government  
5 O'Keefe Avenue NOWRA NSW 2541  
Locked Bag 3015 NOWRA NSW 2541  
T 02 4428 4100 F 02 4428 4199 TTY 02 4428 4209  
E [dlg@dlg.nsw.gov.au](mailto:dlg@dlg.nsw.gov.au) W [www.dlg.nsw.gov.au](http://www.dlg.nsw.gov.au) ABN 99 567 863 195

**Local Government Act 1993 – Borrowing Order**  
(Related to borrowings by Council)

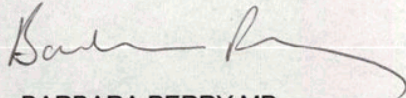
I, BARBARA PERRY MP, Minister for Local Government, in pursuance of section 624 of the Local Government Act 1993, hereby impose restrictions on borrowings by a council as follows:

A council shall not borrow from any source outside the Commonwealth of Australia nor in any other currency other than Australian currency.

Transitional Arrangements

Nothing in this Order affects any borrowings made before the date of this Order, which was made in compliance with the previous Ministerial Order dated 27 September 1993, and such borrowings are taken to be in compliance with this Order.

Dated this 13<sup>th</sup> day of May 2009



BARBARA PERRY MP  
Minister for Local Government

**12) DISCLOSURES BY NEWLY ELECTED COUNCILLORS**

**Department:** Corporate Services

**Author:** Director Corporate Services

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

**File No:** PE.DI.1

---

**Recommendation:**

That the Disclosures by Councillors Returns for the period as at 14 December 2017, as tabled be received.

**Reason for Report:**

For Council to fulfil its “*Disclosure of Interests in Written Returns*” obligations under Division 2 of the Local Government Act (1993) for maintaining a register and tabling of returns.

**Report:**

In accordance with Sect 450A of the Local Government Act (1993), all returns disclosing interests of newly elected Councillors, must be tabled at the first meeting of Council following the last day for lodgement of the returns. This date was 14 December 2017.

Accordingly, a copy of the returns will be tabled at this meeting for the newly elected Councillors as follows:

- Councillor Denton;
- Councillor Newstead; and
- Councillor Reynolds.

**Risk/Policy/Legislation Considerations:**

S.449 of the Local Government Act (1993) requires a councillor to complete and lodge with the general manager, within 3 months after becoming a councillor, a return in the form prescribed by the regulations.

**Budget Implications:**

Nil

**Enclosures (following report)**

Nil

**Attachments (separate document)**

Nil

**13) LEASE OF INDUSTRIAL LAND FOR AGISTMENT PURPOSES****Department:** Corporate Services**Author:** Director Corporate Services**CSP Link:** 3.4 Sustainable land use practices across the Shire.**File No:** PM.TN.8

---

**Recommendation:**

1. That Council lease industrial land for a period of 3 years with a 1 year option to the following parties:

Lot 1	(Part Lot 1, DP 1072760):	C. Spears \$300
Lot 3	(Lot 202, DP 1196179):	G. Bird \$500
Lot 4	(Part Lot 2, DP 881885):	N. Collins \$500
Lot 5	(Part Lot 2, DP 881885) :	C. Bright \$650
Lot 7	(Part Lot 2, DP 881885):	N. Collins \$500
Lot 8	(Part Lot 2, DP 881885):	S. & K. Bennett \$1,500
Lot 10	(Lot 3, DP 1103517):	S. & K. Bennett \$1,500
Lot 11	(Part Lot 1, DP 134341):	A. Nicholson \$957
Lot 12	(Lot 222, DP 1175708):	N. Collins \$1,300

2. That Council invite further expressions of interest for Lease of Industrial Land for Agistment Purposes for lots 2, 6 and 9 not allocated.

**Reason for Report:**

For Council to consider expressions of interest received for Lease of Industrial Land for Agistment Purposes.

**Report:**

Council recently advertised Expressions of Interest for Lease of Industrial Land for Agistment Purposes (EOI 15/2017) closing 7 December 2017. There are 12 lots of land of various sizes located in the Blayney Industrial Area available for lease. A condition of leasing this land is that 4 weeks' notice can be given to terminate lease and vacate in the event that Council has sold or leased land for a commercial purpose.

The leasing of land assists Council with management of land for fire and weeds while affording the opportunity for interested parties to obtain access to the land for animal grazing.

Lease periods are set for 3 years with a 1 year option. Lease charges are indexed annually based on the All Australian Weighted Consumer Price Index. Outgoing leases are due for expiry on 31 January 2018 with the leases under consideration for commencement from 1 February 2018.

A copy of the expression of interest document and summary of submissions received are provided as attachments. Applicants were invited to offer a fixed price per annum and provide details of their experience with maintaining land for agistment. Council received 9 submissions and all submissions were compliant with the exception of 1 submission received after the deadline. The late submission was excluded from the preliminary review and land allocation.

There were 4 lots that received no offers. As the late submission included an offer for a lot not allocated, a further lease has been recommended to Council. It is also recommended that Council invite further expressions of interest for the unallocated lots of land.

**Risk/Policy/Legislation Considerations:**

Should Council choose not allocate leases a program of maintenance of land will be required to manage weeds and fire hazards.

**Budget Implications:**

Income generated helps to offset expenditure associated with land held including insurance, land rates and water charges. Costs to be incurred for 2017/18 are anticipated to be in the order of \$18,700. In 2016/17 Council generated income \$3,427 (excluding GST) from lease charges. Council approval of leases as proposed will result in income of \$7,006 (excluding GST).

**Enclosures (following report)**

- |   |   |          |
|---|---|----------|
| 1 | EOI 15/2017 Lease of Industrial Land for Private Purposes | 10 Pages |
|---|---|----------|

**Attachments (separate document)**

- |   |  |        |
|---|--|--------|
| 2 | EOI Nov 2017 Analysis of Offers for Leasing of Industrial Land | 1 Page |
|---|--|--------|

*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.*





**EOI No. 15/2017**

**Expression of Interest:  
Lease of Industrial Land for private  
purposes**

**November 2017**

**“EXPRESSION OF INTEREST” ADVERTISEMENT**

**BLAYNEY SHIRE COUNCIL**  
**LEASE OF INDUSTRIAL LAND FOR PRIVATE PURPOSES**  
**EOI No. 15/2017**

Council invites Expression of Interests from suitable persons or organisations wanting to lease vacant land in the Blayney Shire Council Industrial Estate for private purposes.

Documentation may be obtained from: [www.blayney.nsw.gov.au/your-council/tenders](http://www.blayney.nsw.gov.au/your-council/tenders)

**Closing time:** 4.00pm, Thursday 7 December 2017.

For all enquiries, contact Council on telephone (02) 6368 2104.

R Ryan

General Manager

---

For insertion in:  
Blayney Chronicle, Thursday 23 November 2017.

**Background:**

Council invites Expression of Interests from suitable persons or organisations wanting to lease vacant land in the Blayney Shire Council Industrial Estate for private purposes.

Blayney Shire Council has a number of vacant lots in its Industrial Estate that could be utilised on a lease basis until such time that the land is leased for a commercial purpose or sold. To enable Council to better manage these areas, this document has been advertised to invite suitable persons or organisations to apply for use of this land, based on the contents of this document.

**Information on the Land:**

Council has provided a map with this document clearly marking the lots available. The lot sizes are as follows:

<b>Tender Lot Number</b>	<b>Approximate Size</b>	<b>Water Available</b>	<b>Property Description</b>
1	5,627 m <sup>2</sup>	No	180 Marshalls Lane Blayney Part Lot 1, DP 1072760
2	2.109 ha	No	8 Tollbar Street, Blayney Lot 1, DP 842577
3	3.380 ha	No	112 Marshalls Lane, Blayney Lot 202, DP 1196179
4	1.780 ha	Yes	Saleyards Paddocks (Marshalls Lane) Part Lot 2, DP 881885
5	1.790 ha	Yes	Saleyards Paddocks (Marshalls Lane) Part Lot 2, DP 881885
6	1.880 ha	Yes	Saleyards Paddocks (Lowe St.) Part Lot 2, DP 881885
7	1.670 ha	Yes	Saleyards Paddocks (Gerty St.) Part Lot 2, DP 881885
8	1.650 ha	Yes	Saleyards Paddocks (Gerty St.) Part Lot 2, DP 881885
9	2.600 ha	Yes	Saleyards Paddocks (Lowe St.) Lot 1, DP 134341
10*	2.707 ha	Yes	Saleyards Paddocks (Gerty St.) Lot 3, DP 1103517
11	2.453 ha	Yes	Saleyards Paddocks (Lowe St.) Part Lot 1, DP 134341
12*	7.310 ha	Yes	Saleyards Paddocks (Gerty St.) Lot 222, DP 1175708

**\*Properties subject to an existing option for a lease of land for a commercial purpose.**

Lots for lease are offered 'as is' on an unfenced basis. The existence of any current fencing should not be relied upon as continuous to be in place at lease commencement. Approximate sizes and land boundaries disclosed in maps are indicative and not to scale. Council recommends prospective applicants inspect the land prior to submission.

**Specifications of terms and conditions by Council:**

1. Licence fee will apply as set out in agreement and paid to Council.
2. The Council hereby leases/licences and authorises the Lessee/Licensee to enter upon and use for the purpose of grazing use only that piece of land described in the Lease/Licence Agreement.
3. The Lease/Licence remains in force for the period specified within the agreement.
4. The Lessee/Licensee shall comply with the terms and conditions specified in this document.
5. Council does not make or give any warranty, promise or covenant to the Lessee/Licensee for quiet enjoyment of the lease licence area.
6. Purpose - The Lessee/Licensee shall have the use of the area for the purpose of grazing, other activities shall not be conducted without the written consent of Council.
7. Control of Rubbish - The Lessee/Licensee shall keep the said area and buildings clean and tidy and all papers and other rubbish shall be collected and removed.
8. Licensee not to Permit Nuisance - The Lessee/Licensee shall not do or permit or suffer anything in or upon the land which may be or become a nuisance or annoyance or cause of damage to the owner or to the owners or occupiers of other property in the neighbourhood. The Trust reserves the right to remove form or refuse entry to the reserve/land any person regardless of any arrangements or contract with the lessee/licensee.
9. Protection of Trees - During the continuance of this Licence the Lessee/Licensee will not cut down, fall, injure or destroy any growing or living timber standing or being upon the land. No removal of dead timber for firewood is permitted.
10. Burn Off - The lessee shall not carry out any burning off on the land licensed except with the consent of the Council in writing first obtained and after compliance with the requirements of the Rural Fires Act, 1997, as amended by subsequent Acts. Any consent granted in accordance with this condition shall be subject to such conditions as the Council may impose.
11. Fire Hazard - The lot cannot become a fire hazard. Should the lot, in Council's opinion become a fire hazard, Council will arrange for the lot to be slashed at the expense of the lessee.
12. Control of Noxious Weeds and Animals - The Lessee/Licensee will during the continuance of this Licence use all proper means for keeping down and exterminating upon the land all rabbits and other vermin and noxious animals and insects and all noxious weeds and plants and comply with all laws and regulations now or hereafter in force with relation to the keeping down or extermination of same.
13. Fencing - The Lessee/Licensee shall provide and maintain stock proof fencing where necessary around the perimeter of the land so as to prevent stock from straying and a swing gate installed to allow access for vehicles up to 4 metres wide. When installing or replacing fences the Lessee/Licensee should consult with adjoining landowners prior to erection.

- The Lessee/Licensee must regularly inspect the stock proof fencing that encloses the stock on the land to satisfy themselves that the fencing is stock proof. The Lessee/Licensee must be aware that they hold absolute legal liability for any damage or loss to any party caused by the escape of grazing animals from the subject land. Council cannot accept liability for damage or loss to any party caused by animals escaping the subject land due to a failure of the Lessee/Licensee to inspect and maintain stock proof fencing.
14. Insurance Council requires the applicant to hold a current Public Liability Insurance Cover policy to the value of \$20 million, which nominates Blayney Shire Council as a principal. The lessee shall furnish a copy of insurance cover to Council every year following renewal.
  15. The Lessee/Licensee shall indemnify and keep indemnified the Council against all actions, suits, claims, debts, obligations and other liabilities during the continuation of the Licence and further.
  16. The Lessee/Licensee shall maintain all other insurances as may be required by the Workers' Compensation Act or any other Act or Acts of Parliament in regard to the conduct of activities of the licensee on the demise premises. Copy of such is to be forwarded to the Council.
  17. Water - For those lots that have water supplied the costs of water usage and maintenance will be the responsibility of the lessee.
  18. Rates & Charges - Council Rates will remain the responsibility of Blayney Shire Council unless lease agreement stipulates otherwise.
  19. Access - In the case of land with access road / right of way, for access to other properties which are leased for grazing purposes, gates shall be provided at both ends for access by adjoining lessee.
  20. Council Access - The Council may by its Agents, Servants or Workman enter upon the land described in the Schedule hereto or any part thereof during the continuance of this agreement. No relationship of the landlord and tenant is or is intended to be created between the parties hereto by virtue of this lease/licence or in any way whatsoever.
  21. Usage - Council limits the use of the lots to animal grazing. Under no circumstances are hazardous or toxic substances allowed on Council properties.
  22. Sublet - The Lessee/Licensee shall not assign, sub-let or otherwise deal with the demised premises without the consent of Council.
  23. Fixtures – The ownership of existing fixtures will be decided prior to the establishment of a new lease or licence. Any new fixtures erected after a new lease or licence is granted will be owned by the Lessee / Licensee and must be maintained during the period of the lease / licence. The transfer of fixtures owned by an outgoing Lessee / Licensee is their responsibility.
  24. The Lessee / Licensee shall not interfere with any other person authorised by the Council to use the reserve or any part thereof.

25. Termination of agreement - If, for any reason, these conditions are breached, Council reserves the right to terminate the lease. Termination of this agreement may be terminated by either part by four (4) weeks' notice in writing to the other and shall be sufficiently served if left at the last known address of the Lessee/Licensee.
26. Council inspection – An inspection will take place every quarter to ensure the lessee is adhering to all conditions of the lease. Any failure to meet Council's criteria will terminate the lease immediately upon inspection, with one weeks' notice to be made available to transport stock/equipment from the lot. Should the applicant not remove all articles from the lot within the week, all articles will be impounded, with release of such articles being at the appropriate rate specified in Council's Fees & Charges listing for the current year.
27. The lot will be available for purchase to any party during the term of the lease. Council can terminate the lease in writing, giving the applicant four weeks' notice to vacate the land.

Lease payments made in advance will be refunded on a pro-rata basis. The lessee will have the right to remove any internal fencing the lessee has erected.

28. The initial lease payment is payable upon signature of the lease and annually thereafter. A tax invoice will be issued and must be paid in full within 30 days of issue. The invoice period shall be 1 February to 31 January annually or pro-rata based on a lesser period where applicable.
29. The lease fee will be subject to an increase every year on the lease renewal date based on the annual All Australian Weighted Consumer Price Index published for the December quarter of the previous year.
30. For those lots that have water supplied, the costs of water usage and maintenance will be the responsibility of the applicant.
31. The lease shall be for a period of three years, unless terminated, with a one year option.

**Instructions for Applicants:**

Applicants must complete the application form attached and include a copy of their current Public Liability Insurance cover as stated above (if available). The submission of an application is an acknowledgement by the applicant that they are aware and will comply with each specification listed above and agrees to the termination provisions made by Council.

**Selection Criteria**

Expressions of interest once received will be assessed against an assessment criteria, with a report to Council submitted detailing all applicants and assessment against the selection criteria detailing a recommendation for preferred applicants.

The following criteria shall be used for assessment of submissions:

1. Price offered per annum for Lot (70%)
2. Track record of maintaining property to a standard acceptable. (30%) (Applicants should detail their experience of maintaining land for Agistment and may detail contact details of referees or previous lessors dealt with).

**Further Information:**

Further information can be obtained from Blayney Shire Council's Director Corporate Services, Anton Franze on (02) 6368 2104.

**Lodgement of Expression of Interest**

Expression of interest must be:

- Lodged in the tender box on the ground floor foyer of Council's Office at 91 Adelaide Street, Blayney;
- Received by email or in the mail prior to the time fixed for closing;
- In a plain sealed envelope, on which are printed the words "EOI 15/2017 – Lease of Industrial Land for private purposes". (For hard copy submissions only.)
- Address for lodgement of applications by post is:

**"EOI No. 15/2017 – Lease of Industrial Land for private purposes"**

**The General Manager**

**Blayney Shire Council**

**PO Box 62**

**Blayney NSW 2799**

Late applications will not be considered.

**Closing of Applications**

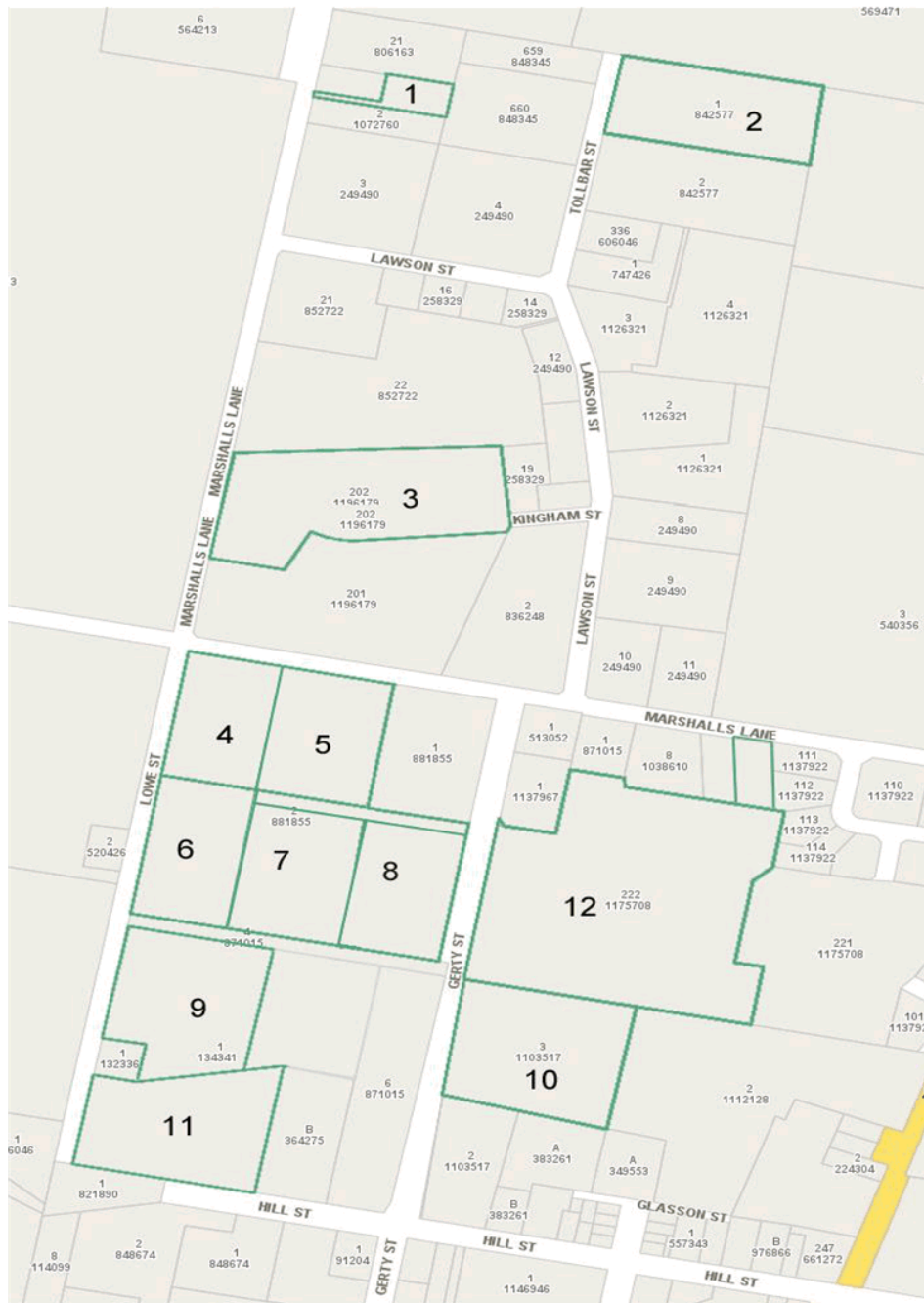
Applications close at 4pm on Thursday 7 December 2017.

**Attachments**

Attached to this Expression of Interest specification is a map detailing the lots available for leasing in the Blayney Shire Council Industrial Estate, as well as the application form required for submission.

**Lots available in the Industrial Estate and Saleyards Holding Paddocks**

Below is a map and aerial imaging of Lots available numbered 1 to 12 highlighted.









**EOI No. 15/2017**  
**Expression of Interest: Application Form for Lease**  
**of Industrial Land for private purposes**

Name of applicant:	
Address of applicant:	
Phone number:	
Email:	
Lot applied for (list lot number and offer separately):	
Quotation offer for lot/s applied for (per annum GST Inclusive):	\$
Insurance Company:	
Date stock proof fencing to be installed:	
Track record of maintaining property to a standard acceptable. (Attach information as required.)	

The term of the lease will be from 1 February 2018 until 31 January 2019 or as determined by Council.

As the applicant I understand the terms and conditions as presented in this document.

Signature: \_\_\_\_\_

Witnessed: \_\_\_\_\_

Date: \_\_\_\_\_

**14) 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 December 2017, be received and noted.

**Reason for Report:**

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

**Report:**

**Major Works**

Southern Cadia Access Route

Works have commenced on the base layer from Gap Road through to Dirthole Creek Bridge. Council's Operations staff have exceeded their productivity target to date for this layer, with Hanson's providing excellent service for the delivery of this material, prioritising Council's works in their scheduling.

Road Maintenance Works

Gravel resheeting and patching has been undertaken on Nyes Gates, Greghamstown and Glenelg Roads.

New culverts have been installed on Gap Road to help address issues associated with scouring of the road.

Maintenance grading has recently focused on various roads in the north eastern sector of the shire.

Pot hole patching and edge break issues have been focused on those roads identified for reseals this financial year.

Resealing Program

Council's reseals are currently scheduled for the week 15 January 2018. It is expected that all works will be ready for this date, with Newbridge Road requiring heavy patching prior to the sealing date.

Council has received a notice of a recent increase in the price of bitumen that will apply from January, so will carefully consider the designs to ensure works are completed within budget.

### Footpaths

Works on the new ramp and associated fence replacement on Park Street outside “Rosebank”, in Millthorpe, have been finalised with the completion of the installation of a new property fence. This project provides a safer, improved access for the community, along Park Street.

Footpath renewal works have recently seen 250m replaced in Olive Street, and 40m of new footpath installed to connect the Mandurama shop with the Memorial Hall in Gold Street.

A new 35m section of footpath has been installed to complete a missing section on Orange Road at the service station.

Works are currently underway to provide a new footpath along Tucker and Ewin Streets in Blayney.

### **Major Contracts**

#### Replacement of 6 Timber Bridges

The contract for this project will soon reach completion. The main focus being completion of the Newbridge Road bridge.

It is anticipated that the contract will reach Practical Completion in the week commencing 11 December. Excluding Newbridge road, works that remain to be completed are the installation of guardrail on Dowsetts Lane, and the placement of the final asphalt seal on Coombing Street, Felltimber Road and Dowsetts Lane bridges.

With the bridge structure on Newbridge road programmed for completion (including guardrail, asphalt and drainage) for 12 December, the remaining work is Council’s responsibility and outside the scope of the contract. This involves the construction of approach works and bitumen seal. Existing base material required replacement and modification, resulting in delays. It is proposed to reopen the road when the bridge is activated, and prior to sealing, with final sealing programmed for the week of 18 December.

#### Energy Efficiency Program

Council conducted an RFQ process for the design and installation of new lighting at both the Council depot and CentrePoint. The review included assessment of preliminary design and technical data to demonstrate the contractors ability to deliver on the outcomes. The review of submissions resulted in Laser Electrical being awarded the contract. The project is to include the replacement of existing lighting with new high efficiency LED lighting and ensure areas comply with relevant regulation and standards. The process demonstrated deficiencies in the pool, dry courts and workshop to comply with Australian Standards in these areas. The project will offer lighting that provides a safer environment for workers and users. The design will be optimised to incorporate sensors that will switch selected areas on/off based on light and/or movement. The project is expected to commence with the final design to be completed in January and installation expected in March. It is

estimated the final design could provide savings of up to \$19,000 per annum in power costs across the 2 sites.

### **Parks and Recreation**

Council's Parks and Recreation Staff celebrated the successful completion of the Belubula Revive project with the community on 25 November 2017. This project has been a huge success, with it exceeding its targeted environmental outcomes through the hard work of Council Staff, contractors, and the community.

### **Assets**

Assets staff are currently preparing data for the rewriting of all of Councils Asset Management Plans and Strategy. The information contained in these documents will be a key input into the community consultation, required for the development of Councils Integrated Planning and Reporting documents.

Council is required to revalue its building and other structures assets by the 30 June 2018. Council participated in the development of a Centroc joint tender for these services. The tender closes in mid-December, and will be assessed prior to the Christmas shutdown.

### **Wastewater**

The Calcium Nitrate dosing system at Millthorpe was installed to reduce odour and minimize the extent of damage caused by corrosion of Hydrogen Sulphide gases (H<sub>2</sub>S) on the Millthorpe rising main. This chemical is proving to be ineffective in its objective, predominantly due to the pipelines unique rising and gravity sections of the system.

Council is working with the contractor to design a trial of Magnesium Hydroxide Liquid (MHL). MHL is a chemical commonly used in wastewater systems to increase the pH level of the sewage to keep the H<sub>2</sub>S in its liquid phase. Preventing the H<sub>2</sub>S from entering its gas phase decreases the likelihood of odour and subsequent complaints, as well as increasing asset life. MHL has also been selected as it is classified as a non-hazardous good, therefore reduces our risk to workers, environment and the community.

The MHL trial will commence late in January 2018 and is expected to last up to 3 months. Logging of H<sub>2</sub>S at the 3 manholes on the rising main will occur prior to the trial, to obtain a base line, and then during the dosing phase of the trial. This trial will confirm the effectiveness of MHL to decrease H<sub>2</sub>S gas levels in our unique system. The trial will also confirm the optimal dosing rates required to provide an effective result. If proven effective, the retrofit of our current dosing system is possible to enable the equipment for the new chemical to be dosed at Millthorpe.

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

Information report only

### **Budget Implications:**

Information report only

**Enclosures (following report)**

Nil

**Attachments (separate document)**

Nil

15) **TENDER FOR SUPPLY AND DELIVERY OF ROAD SIGNS -  
CENTROC PANEL CONTRACT**

**Department:** Infrastructure Services

**Author:** Director Infrastructure Services

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

**File No:** RD.CT.3

---

**Recommendation:**

1. That Council accept and sign contracts with the following providers for the Supply of road signs:
  - Artcraft Pty Ltd
  - Barrier Signs Pty Ltd
  - De Neefe Pty Ltd

**Reason for Report:**

Council has participated in Centroc's regional contract for the purchase of road signs for the past 13 years. The most recent Road Sign panel contract expired on 30 September 2017.

This report seeks Council's endorsement of the selection of preferred suppliers to Centroc's regional contract for the supply and delivery of road signs for the next 2 years.

**Report:**

Council agreed to participate in the Centroc Regional Road Signs Contract in December 2016 (**Resolution No. 1612/016**).

Centroc has run many successful regional contracts which save members both time and money. Through GMAC and the Centroc Best Practice in Stores Management Group, it was resolved to develop another regional contract for supply and delivery of road signs.

The Centroc Request for Quotation/Tender (RFx) for the Supply and Delivery of Road Signs was managed under the auspices of the Centroc Best Practice in Stores Management Group.

The panel gave consideration to responses from 5 companies:

- ArtCraft
- Barrier Signs
- De Neefe Signs
- Hi-Vis Signs and Safety
- Roadside Services and Solutions

The panel reviewed all RFX responses on 19 September 2017 using the Apet 360Pro tender evaluation tool and recommended that 3 tenderers be on a panel to supply road signs to interested Centroc members.

### **Conclusion**

It is recommended that Council accept and sign contracts with the following suppliers for the supply and delivery of road signs to Central NSW Councils:

- Artcraft
- Barrier Signs
- DeNeefe Signs

The term of the contract is 2 years, from 1 January 2018 to 31 December 2019 with the option for a 12 month extension.

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

Centroc manages the process including all costs of advertising and tender assessment and takes a management fee, which for the road signs contract is typically 4%, from the supplier to cover these costs which Council is not responsible for.

Council has previously recommended to Centroc that the Centroc Contract Management Fee be replaced with an upfront Contract Management Fee that is determined by a transparent and accountable basis.

As Council purchases less than \$150,000 worth of road signs each year it is not bound to purchase off of a contract. Staff can seek quotes each time they look to purchase signs but have no guarantee of what the quotes can come in at. This requires more staff time regarding each purchase.

Council utilises the Road Signs panel suppliers, and a local sign writer for its signs depending upon needs and type.

### **Budget Implications:**

Expenditure on road signs is accounted for within Council's existing budget allocations.

Councils ongoing participation in this Centroc regional contract, benefits larger buying power of multiple councils will be seen in the purchase price of the signs as well as time saving for council staff in not having to retrieve quotes each time a purchase of signs is required.

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

Nil

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

Nil



**16) BLAYNEY SHIRE SPORT AND RECREATION PLAN****Department:** Infrastructure Services**Author:** Director Infrastructure Services**CSP Link:** 5.2 Fit and healthy community members.**File No:** RC.TE.6**Recommendation:**

That Council adopt the Blayney Shire Sport and Recreation Plan 2017, as prepared by Place Design Group and Blayney Shire Council.

**Reason for Report:**

To seek adoption of the Blayney Shire Sport and Recreation Plan 2017 (the Plan) following the exhibition of the draft plan and after considering feedback from the community.

**Report:****Executive Summary**

The Plan provides an evidence based approach for the future allocation of resources; to secure internal and external funding for sport and recreation priorities, and has been undertaken in a coordinated, open approach with the shire community.

*The Blayney Shire Sport and Recreation Plan will aspire to guide and facilitate a complimentary sport and recreation network for the Shire, universally accessible to all parts of the community, to encourage participation for all.*

The Plan focusses on existing Council owned and managed public open space across the Shire, and groups the planning process into a Blayney (Town) network and separate villages, whilst considering each village and their relationship both within the Shire and the wider region. Individual Master Plans have been prepared for the following key sporting facilities; King George, Dakers, Napier and Redmond Ovals, Blayney Showground, Lyndhurst, Mandurama and Newbridge Recreation Grounds and Carcoar sportsground.

**Public Exhibition**

The Draft Blayney Shire Sport and Recreation Plan 2017 was placed on public exhibition from 17 October to 14 November 2017.

Notification of the public exhibition was advertised in the Blayney Chronicle and made available on the Blayney Shire Council website and promoted through Council's social media channels. Hard copies were also made available at the Blayney Council office.

The Plan (draft) was issued via email, with hard copies also provided upon request to members of the Blayney Shire Sports Council, prior to discussion at an extraordinary meeting (19 October) of the Sports Council.

The minutes of the Extraordinary Sports Council meeting were adopted at the ordinary November meeting of Council. Comments highlighted items included within the plan, and priorities for various user groups, rather than changes required to the plan.

Upon request of the Sports Council, the plan was also emailed to Village and Progress Associations across the shire seeking local input to the relevant facility plan for each village.

Feedback was received from Village and Progress Associations, Blayney Little Athletics and other King George Oval user groups.

Areas of concern expressed by submissions, other stakeholder input, and Council's comments are summarised below:-

<b>Area of Concern</b>	<b>Council Comments</b>
<p><u>Lyndhurst Recreation Ground</u> Site drainage, vegetation improvements and topography issues</p> <p>Preferred materials</p> <p>Proposed BBQ locations</p> <p>Provide playground equipment</p>	<p>Prior to any future works, investigations for improving overland flow paths, easier maintenance of grounds, and visual amenity improvements to be investigated.</p> <p>Future building works to be in keeping with existing structures to maintain rural feel.</p> <p>Proposed BBQ to east of multipurpose court relocated to north of court.</p> <p>Removed BBQ proposed to west of playing field and included playground equipment at alternate location.</p>
<p><u>Carcoar Sport Ground</u> New fence to ground</p> <p>Oval lighting</p> <p>Proposed BBQ</p>	<p>Prior to replacement of the fence, consultation with the community and other stakeholders to be undertaken.</p> <p>Provide improved lighting to oval for training purposes.</p> <p>Provide standalone BBQ or as part of proposed amenities building.</p>
<p><u>Newbridge Recreation Ground</u> Location of proposed horse enclosure</p> <p>Additional items requested</p>	<p>Enclosure relocated to western boundary of site.</p> <p>The following additional items were included:-</p> <ul style="list-style-type: none"> <li>• Demolish old sheds at rear of sports shed.</li> <li>• Provide for exercise stations.</li> <li>• Provide for quarter size basketball court</li> </ul>

<u>King George Oval</u> No. 2 Oval lighting  Additional storage  Athletics track requirements	Provide improved lighting to oval for training purposes. Repurpose existing change facilities in grand stands, upon construction of new change rooms. Reconfiguration required beyond southern field fence to provide for 8 lanes, with 110m sprint track and alignment of finish lines.
<u>Redmond Oval Millthorpe</u> Additional items requested	The following additional items were included:- <ul style="list-style-type: none"> <li>• Provide for exercise stations.</li> <li>• Provide for half court basketball court, to upgrade old bitumen based court near playground.</li> <li>• Provide improved lighting to oval for training purposes.</li> </ul>

The proposed changes do not substantially change the strategic directions of the Plan, rather increase the level of assets, at the time in which they might be realised.

#### Document

A proposed amended version of the Plan is **attached** and entitled as the “Strategies and Implementation” document. In order to understand the proposed strategies and implementation, the “Opportunities Analysis” document is also **attached** to provide context.

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

##### Asset Management

Council owns and manages recreation related assets including the CentrePoint facility (but excluding other sport and recreation related buildings) with a written down value of \$6.9m and an estimated gross replacement cost of \$16.1m. This represents 9.2% of Councils total asset portfolio.

Council is currently preparing revised Asset Management Plans for its asset portfolio, which will be considered as part of the preparation of the new Resourcing Strategy under the Integrated Planning and Reporting requirements of the NSW Office of Local Government.

Strategic planning and prudent management of these assets is required to ensure that recreation assets deliver the required levels of service safely, in a financially sustainable manner, whilst maximising the available resources.

#### Policy

The Plan has been developed in consultation with stakeholders and the community, to identify current and future sport and recreation requirements, using an evidence based approach. It provides Council with direction on where to target future expenditure of funds, and for grant applications.

It will underpin Council's aim of providing safe, accessible and appropriate sport and recreation facilities that support health and well-being, and our local sporting and recreational organisations.

#### Legislative

For the purpose of the plan, the legislative context relates to land to which the Crown Lands Act 1989 applies, and includes land that Council and other bodies (Trusts) control, but which is owned by the Crown.

#### **Budget Implications:**

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

As the end of 2017/18 (Q1), Place Design Group had claimed \$98,000, with \$2,200 outstanding, subject to variations.

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

Nil

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

- |   |   |          |
|---|---|----------|
| 1 | Final Sport and Recreation Plan - Opportunities Analysis        | 60 Pages |
| 2 | Final Sport and Recreation Plan - Strategies and Implementation | 58 Pages |
| 3 | Final Sport and Recreation Plan - Master Plans                  | 10 Pages |

**17) DRAFT DEVELOPMENT CONTROL PLAN 2017**

**Department:** Planning and Environmental Services

**Author:** Director Planning and Environmental Services

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

**File No:** DB.PO.2

---

**Recommendation:**

That Council;

1. Endorse the Draft Blayney Shire Development Control Plan 2017 as attachment to this report, for public exhibition.
2. Authorise the General Manager to make any minor amendments including insertion of additional diagrams to the Draft Blayney Shire Development Control Plan 2017 content, as required for its exhibition.
3. Place the Draft Blayney Shire Development Control Plan 2017 and ancillary documents on public exhibition as required under the procedures of the Environmental Planning and Assessment Act 1979 and Environmental Planning and Assessment Regulation 2000.
4. Exhibit the Draft Blayney Shire Development Control Plan 2017 in accordance with the Community Engagement Strategy described in the report.

**Reason for Report:**

To obtain Councils endorsement of the proposed Community Engagement Strategy and place the Draft Blayney Shire Development Control Plan 2017 on public exhibition.

**Report:**

A Development Control Plan (DCP) is not legally binding, but provides detailed planning and design guidelines to support planning controls in a Local Environmental Plan.

DCPs identify additional development controls and standards for addressing development issues at a local level and can be applied with more flexibility than in a Local Environmental Plan.

Council presently has the following DCPs;

- North Blayney,
- Millthorpe – Heritage Conservation,
- Blayney – Rural Residential Development,

- Carcoar – Heritage Conservation,
- Blayney – Medium Density Housing,
- North Millthorpe.

The draft DCP is a Comprehensive DCP, which if adopted at a future Council meeting one DCP with multiple chapters will apply to the entire Blayney Shire LGA, rather than multiple DCPs applying throughout the LGA.

The Draft Blayney Shire DCP 2017 comprises the following sections;

<b>PART A:</b>	Introduction
<b>PART B:</b>	Notification/Advertising
<b>PART C:</b>	Residential Development
<b>PART D:</b>	Commercial, Community and Industrial Development
<b>PART E:</b>	Other Land Uses
<b>PART F:</b>	Subdivision
<b>PART G</b>	Environmental Management and Hazards
<b>PART H:</b>	Heritage Conservation

#### Community Engagement Strategy

Public exhibition is proposed to consist of;

1. Public exhibition for 49 days of the Draft DCP from Thursday 25 January 2018 until 5pm Thursday 15 March 2018 (EPAR 2000 requires minimum 28 days). Advertisement would commence after public notice is given in Councils weekly column of the Blayney Chronicle.
2. One paper copy of Draft DCP will be made available for inspection at Councils Administration Centre, 91 Adelaide St Blayney (copies would be made available upon request, however photocopying charges as per Council's 2017/18 Operational Plan Fees and Charges would apply).
3. Draft DCP placed on Councils website for the public exhibition period.
4. Emails to be sent:
  - To all Construction and Development Professionals who have recently dealt with Council (approx. 60 addresses) advising of the Draft DCP public exhibition.
  - To the Blayney Shire Tourism, Town and Village Committee advising of the Draft DCP public exhibition.
  - Through Councils connect newsletter (approx. 300 addresses) advising of the Draft DCP public exhibition.
5. Briefing sessions to be held in February/March 2018:

- Construction & Development Professionals briefing (builders, developers, consultant town planners, surveyors, architects and draftspeople etc).
  - Individual briefing sessions can be provided upon request.
  - Attendance at Village Committee/Progress Association meetings for; Millthorpe, Carcoar, Lyndhurst and others as requested.
6. Council staff will be available during office hours to answer questions at Customer Service Counter during public exhibition period.
7. Draft Development Control Plan reported back to Council to the 16 April 2018 Council meeting including summary of community consultation which persons can present at the Public Forum.

It is considered paramount not to commence the exhibition and engagement until late January as some residents are likely to be away from the LGA because of school holidays.

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

#### Legislation

Development Control Plans must be prepared in accordance with part 3 of the Environmental Planning and Assessment Regulation 2000.

Part 3 stipulates:

- Public exhibition of the draft DCP for a minimum of 28 days.
- A public notice must be placed in the Blayney Chronicle indicating the places, dates and times for inspection of and comment on the Draft Development Control Plan.
- Copies of the draft DCP are to be made publically available.
- Council must consider any submissions made prior to approval of a development control plan.
- Council upon making a DCP must provide a copy to the secretary of DPE.

A further report will be tabled to the 16 April 2018 Council meeting after the public exhibition has concluded. That report will include any submissions received during the exhibition period.

The NSW Government is currently reviewing the Environmental Planning and Assessment Regulation 2000 which may result in greater regulation of DCPs. Draft consultation does outline potential changes to standardise the structure of DCPs across NSW.

Any changes to the regulation are not expected to be finalised within the next 12 months. If change to the regulation proceed, requiring Council to alter the structure of the Draft Blayney Shire DCP 2017, that opportunity would be used as an opportunity to review and undertake any necessary amendments to the DCP that are identified after commencement of the Blayney Shire DCP 2017.

The draft DCP does require some minor formatting prior to exhibition commencing. In particular Council has used drawings (referenced accordingly) from other Councils DCPs to show how drawings will be used thorough the DCP to visually illustrate the requirements of the DCP.

Council has engaged a sketch artist to prepare sketches of the DCP requirements, unfortunately not all of the sketches were finalised in time for this business paper preparation, and will inserted prior to the exhibition commencing.

**Budget Implications:**

Council has engaged an external planning consultant and a sketch artist to assist Council staff with the development of the Draft Development Control Plan 2017.

External consultant expenditure will be approximately \$36,000 and is allocated within the 2017/18 operational plan.

**Enclosures (following report)**

Nil

**Attachments (separate document)**

1	Blayney Development Control Plan 2017	204 Pages
---	---------------------------------------	-----------



**18) DEVELOPMENT APPLICATION 53/2017, TELECOMMUNICATIONS FACILITY, LOT 10 SECTION 21 DP 758062, 11 SAWYER STREET BARRY**

**Department:** Planning and Environmental Services

**Author:** Director Planning and Environmental Services

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

**File No:** DB.AB.1124

---

**Recommendation:**

That Council approve Development Application 53/2017 for a telecommunications facility, Lot 10 Section 21 DP 758062, 11 Sawyer Street, Barry subject to the conditions in Enclosure 7.

**Reason for Report:**

For Council to consider and determine Development Application 53/2017 for a telecommunications facility, Lot 10 Section 21 DP 758062, 11 Sawyer Street, Barry, as 3 submissions were received for the proposed development.

**Report:**

The proposed development is to install a 30m telecommunications facility (monopole) on the subject land within the village of Barry. The works will include four (4) omni antennas on the proposed headframe at an elevation of 30m (33.4m top of antennas), and ancillary equipment such as tower mounted amplifiers, feeders, cables on the proposed base station, plus install associated equipment in the existing shelter.

The development would seek to deliver the Federal Government's mobile black spot program, to increase coverage across Australia, to provide capacity relief to existing Telstra sites, and provide reliable NextG Telstra services.

A number of other facilities have been erected throughout the Blayney Shire and they are not stand-alone developments. The network is highly interdependent, the facilities being connected to each other to form a chain of facilities that link back to the fibre network via a series of radio transmission dishes ie. a wireless link.

In the site selection process, Telstra advise that a search of potential sites is undertaken to address the network's technical requirements, with a view to also having the least possible impact on the surrounding area. They use computer modelling tools, as well as the experience and knowledge of radio engineers, which the main criteria are:

- The potential to co-locate on an existing telecommunications facility.

- The potential to locate on an existing building or structure.
- Visual impact and the potential to obtain relevant town planning approvals.
- Proximity to community sensitive locations and areas of environmental heritage.
- The potential to obtain tenure at the site.
- The cost of developing the site and the provision of utilities.

3 sites in and around Barry were considered, and with a lack of co-location opportunities in the area, the land in Sawyer Street was found to be the most suitable for the following reasons:

- Optimal technical coverage for the area.
- No land clearing involved.
- Siting and location facilitate service delivery to the immediate residential area plus connection to services for vehicles travelling along Hobbys Yards Road.

The proposal is for a 30m slimline monopole tower, rather than a bulky 40m lattice pole to reduce visual impact. Grey neutral colours are chosen to also address visual impacts.

Of the 2 other sites considered, one site was potentially suitable for a 40m pole at 2145 Hobbys Yards Road. This site would not achieve the service coverage objectives for Barry, and would require a tower higher than 40m, which would potentially pose greater adverse visual impacts. The other site at 2574 Hobbys Yards Road is higher than Sawyer Street, but due to distance and separation from Barry, plus irregular ground elevation, was found to pose contrary impacts to Telstra's desired service coverage.

The preferred site is a regular allotment on the corner of Selwyn and Sawyer Streets, Barry. It is 1962sqm, and drains gently to the south west. There is some vegetation along the western and southern boundaries, but generally the site is grassed, with some rock outcrops. An existing Telstra exchange facility is already located on the land in the north eastern corner.

All components would be located in a fenced, secure compound within the existing Telstra owned site.

Generally the site is surrounded by residential and rural development. The site is on the eastern edge of the village, with dwellings to the north, west and south. Rural farmland is located to the east.

Aerial image 1 shows the location of the proposed tower in relation to the village of Barry. The proposed tower location is marked with a yellow pin.

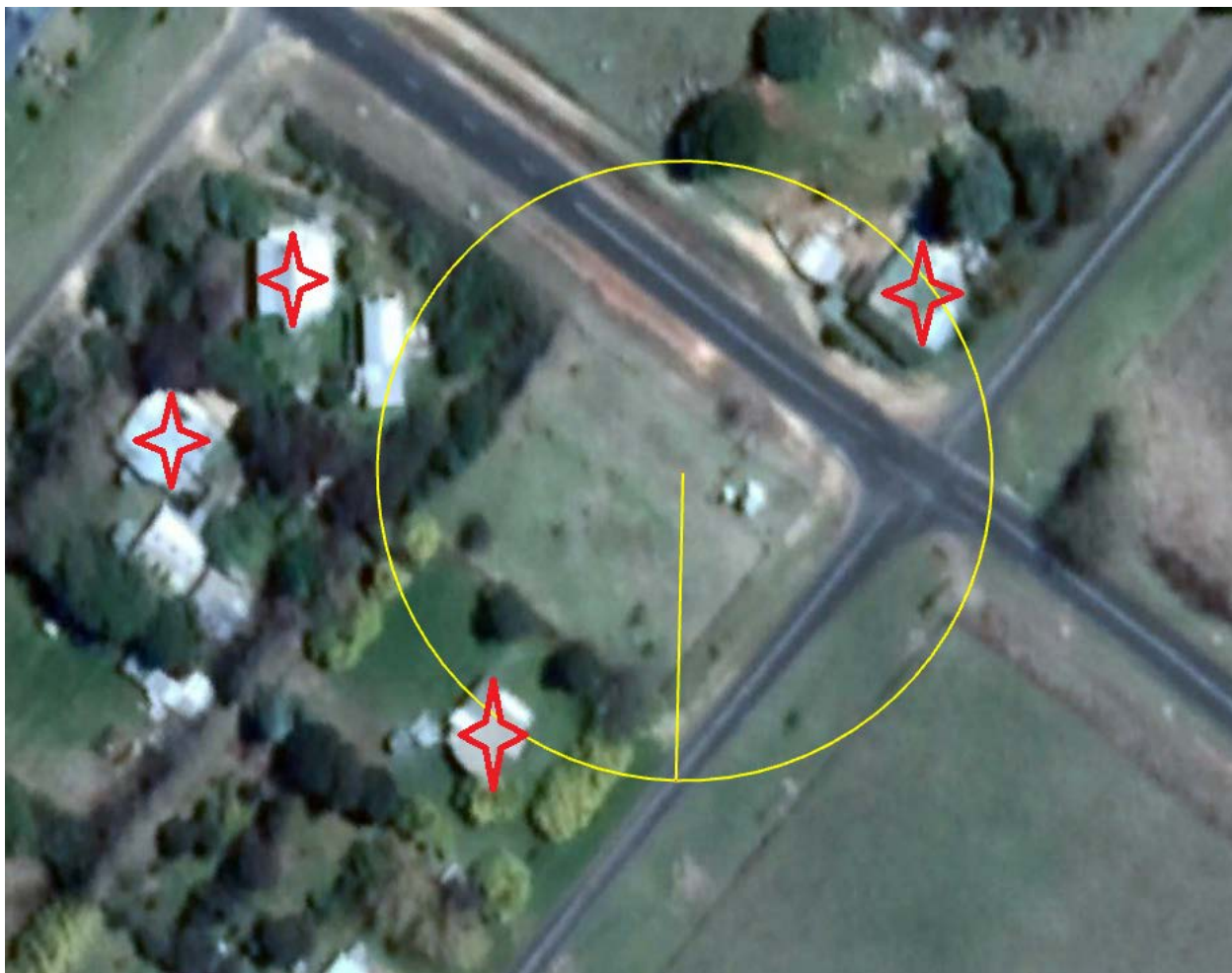


Aerial Image 1

The distance of the proposed tower to the nearest adjoining dwellings is, approximately;

- 42m - 16 Sawyer St Barry
- 45m - 8 Selwyn St Barry
- 63m - 9 Turner St Barry
- 76m - 7 Turner St Barry

Aerial image 2 shows a 50m radius circle around the proposed tower. The abovementioned 4 dwellings are marked with a red star.



Aerial Image 2 with yellow 50m radius circle

Access to the preferred site for construction would be via the existing entrance off Selwyn Street. Once constructed, the development site would require maintenance once a year, for a period of one day.

Noise levels are expected to be low. Construction noise would be short term, followed by ongoing low level noise from the operation of air-conditioning equipment.

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

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

##### **1. Commonwealth Legislation**

The Telecommunications Act 1997 applies and has been considered for this development. In order to be exempt from the planning approval process, the development must be deemed “low impact”. The proposed development is not defined as “low impact” and therefore development consent is required.

**2. State Environmental Planning Policies**

State Environmental Planning Policy (Infrastructure) 2007 applies to this development. Clause 113 of the Infrastructure SEPP 2007 (SEPP) defines the proposed development as a “Telecommunications Facility”.

Clause 115 (1) of the SEPP states *“Development for the purposes of telecommunications facilities, other than development in clause 114 or development that is exempt development under clause 20 or 116, may be carried out by any person with consent on any land”*. Subsequently the proposed development is not considered as exempt development under clause 20 or 116 of the SEPP, nor is VisionStream a public authority. Therefore development consent from Council is required.

It is noted that the proposed development through clause 115 and definition in clause 113 is permissible with consent in any zone within the Blayney LGA, including land zoned R5 Large Lot Residential where the development is proposed.

Clause 115 (3) of the Infrastructure SEPP 2007 states *“Before determining a development application for development to which this clause applies, the consent authority must take into consideration any guidelines concerning site selection, design, construction or operating principles for telecommunications facilities that are issued by the Director-General for the purposes of this clause and published in the Gazette”*. Council as the consent authority must therefore consider the proposal against the NSW Telecommunications Facilities Guideline including Broadband dated July 2010.

Table 1: Summary of the proposed development against the NSW Telecommunications Facilities Guideline including Broadband dated July 2010.

**Principle 1: A telecommunications facility is to be designed and sited to minimise visual impact.**

Requirement	Comment
(a) As far as practical, a telecommunications facility that is to be mounted on an existing building or structure should be integrated with the design and appearance of the building or structure.	Not Applicable. This requirement applies to facilities to be mounted to existing structures. The proposed development is for the installation of a new structure.
(b) The visual impact of telecommunications facilities should be minimised, visual clutter is to be reduced particularly on tops of buildings, and their physical	Not Applicable. This requirement applies to facilities to be mounted to existing structures. The proposed development is for the installation of a new structure.

<p>dimensions (including support mounts) should be sympathetic to the scale and height of the building to which it is to be attached, and sympathetic to adjacent buildings.</p>	
<p>(c) Where telecommunications facilities protrude from a building or structure and are predominantly backgrounded against the sky, the facility and their support mounts should be either the same as the prevailing colour of the host building or structure, or a neutral colour such as grey should be used.</p>	<p>Not Applicable. The proposed development is not to be attached to an existing structure. All visible elements will be a grey neutral colour.</p>
<p>(d) Ancillary facilities associated with the telecommunications facility should be screened or housed, using the same colour as the prevailing background to reduce its visibility, including the use of existing vegetation where available, or new landscaping where possible and practical.</p>	<p>The cabinets and compound are likely to be partly screened by existing vegetation and landscaping, but the tower could not be screened. The tower will be coloured a grey neutral colour to render the tower as unobtrusive as possible.</p>
<p>(e) A telecommunications facility should be located and designed to respond appropriately to its rural landscape setting.</p>	<p>In order to provide the most effective coverage to the area the site is the desired location for the tower. The applicant investigated 2 additional sites prior to lodgement of the application. The tower will be coloured a grey neutral colour to render the tower as unobtrusive as possible.</p>
<p>(f) A telecommunications facility located on, or adjacent to, a State or local heritage item or within a heritage conservation area, should be sited and designed with external colours, finishes and scale sympathetic to those of the heritage item or conservation area.</p>	<p>The proposal is not within a heritage conservation area or located on or adjacent to a State or local heritage item.</p>
<p>(g) A telecommunications facility should be located so as to minimise or avoid the obstruction of a significant view of a heritage item or place, a landmark, a streetscape, vista or a panorama, whether</p>	<p>In order to provide the most effective coverage to the area the site is the desired location for the tower. The proposed tower is required to protrude to some degree in order to achieve its service objectives.</p>

viewed from public or private land.	The cabinets and compound are likely to be partly screened by existing vegetation and landscaping.
(i) The relevant local government authority must be consulted where the pruning, lopping, or removal of any tree or other vegetation would contravene a Tree Preservation Order applying to the land or where a permit or development consent is required.	No tree or vegetation is proposed to be removed.
(h) A telecommunications facility that is no longer required is to be removed and the site restored, to a condition that is similar to its condition before the facility was constructed.	The existing SCAX shelter and toilet are not part of the mobile network and required to be retained.
(j) The siting and design of telecommunications facilities should be in accordance with any relevant Industry Design Guides.	The Statement of Environmental Effects considers all relevant industry guidelines including the Australian Communications Industry Forum (ACIF) Industry Code.

**Principle 2: Telecommunications facilities should be co-located wherever practical.**

Requirement	Comment
(a) Telecommunications lines are to be located, as far as practical, underground or within an existing underground conduit or duct.	All feeder cables are proposed to run internally within the monopole so not to protrude on the outside of the pole.
(b) Overhead lines, antennas and ancillary telecommunications facilities should, where practical, be co-located or attached to existing structures such as buildings, public utility structures, poles, towers or other radio-communications equipment to minimise the proliferation of telecommunication facilities and unnecessary clutter.	There are no existing towers in this location or vicinity that would enable achievement of the service objectives.
(c) Towers may be extended for the purposes of co-location.	Not Applicable. As discussed above.

<p>(d) The extension of an existing tower must be considered as a practical co-location solution prior to building new towers.</p>	<p>Not Applicable. As discussed above.</p>
<p>(e) If a facility is proposed not to be co-located the proponent must demonstrate that co-location is not practicable.</p>	<p>As discussed above, co-location is not possible as there are no existing telecommunication towers in this location. The site contains an existing Telstra exchange facility. The Statement of Environmental Effects also discusses other candidate sites and the lack of telecommunications facilities in the area to co locate.</p>

**Principle 3: Health standards for exposure to radio emissions will be met.**

Requirement	Comment
<p>(a) A telecommunications facility must be designed, installed and operated so that the maximum human exposure levels to radio frequency emissions comply with Radiation Protection Standard.</p>	<p>The applicant has provided 2 EME Reports for the proposed development. The initial SoE dated June 2017 indicates the EME level for the existing Telstra exchange facility to be 0.11% of the public exposure limit, with the new tower to have an EME of 0.12% of the public exposure limit.</p> <p>The applicant undertook further modelling in response to issues raised in submissions during the notification period. The most recent EME report advises the maximum EME level for the proposed tower would be 0.019% where the maximum Australian Radiation Protection and Nuclear Safety Agency (ARPANSA) standard is 100%.</p> <p>Additionally, Telstra specifically modelled the EME for 7 Turner St Barry due to the resident advising of concerns because they have a</p>



	<p>neurostimulator for medical reasons. Telstra advised, that for 7 Turner St Barry has an EME exposure level of 0.0017% and the EME exposure limit, will be 0.0035% of the public exposure limit.</p> <p>On 5 December 2017 Telstra provided further information at the request of Council to consider the specific model of neurostimulator of the resident at 7 Turner St Barry.</p> <p>Telstra advise the manufacturer would be better suited to provide specific advise however, their research found <i>“the information suggest the neurostimulator would be capable of operating normally (without experiencing EMI) in an environment where the field strength level did not exceed around 9 V/m which is significantly higher than the current and future predicted levels (0.26 and 0.23 V/m respectfully at the objectors residence and at most 1.98V/m within the town limits) from the proposed Telstra Barry Facility at 11 Sawyer St Barry.”</i></p> <p>The resident with the neurostimulator has not been able to provide written support from a licensed medical professional that the neurostimulator would be impacted by the proposed telecommunications facility at 11 Sawyer St Barry.</p>
<p>(b) An EME Environmental Report shall be produced by the proponent of development to which the Mobile Phone Network Code applies in terms of design, siting of facilities and notifications. The Report is to be in the format required by the Australian Radiation Protection Nuclear Safety Agency. It is to show the predicted levels of electromagnetic energy</p>	<p>See comments above in (a).</p>

<p>surrounding the development comply with the safety limits imposed by the Australian Communications and Media Authority and the Electromagnetic Radiation Standard, and demonstrate compliance with the Mobile Phone Networks Code.</p>	
---	--

**Principle 4: Minimise disturbance and risk to maximize compliance.**

Requirement	Comment
<p>(a) The siting and height of any telecommunications facility must comply with any relevant site and height requirements specified by the <i>Civil Aviation Regulations 1988</i> and the <i>Airports (Protection of Airspace) Regulations 1996</i> of the Commonwealth. It must not penetrate any obstacle limitation surface shown on any relevant Obstacle Limitation Surface Plan that has been prepared by the operator of an aerodrome or airport operating within 30 kilometres of the proposed development and reported to the Civil Aviation Safety Authority Australia.</p>	<p>The maximum height of the tower is 33m, which is below the “Tall Structure” height of 110m AGL requiring notification to CASA.</p>
<p>(b) The telecommunications facility is not to cause adverse radio frequency interference with any airport, port or Commonwealth Defence navigational or communications equipment, including the Morundah Communication Facility, Riverina.</p>	<p>The Applicant has indicated the base station has been designed to create no electrical interference problems with other radio based systems.</p>
<p>(c) The telecommunications facility and ancillary facilities are to be carried out in accordance with the applicable specifications (if any) of the manufacturers for the installation of such equipment.</p>	<p>The applicant is required to obtain a Construction Certificate prior to works commencing onsite which is when the specifications are detailed.</p>
<p>(d) The telecommunications facility is not to affect the structural integrity of any building on which it is erected.</p>	<p>Not Applicable. The facilities are not being erected / attached to any existing building.</p>

(e) The telecommunications facility is to be erected wholly within the boundaries of a property where the landowner has agreed to the facility being located on the land.	11 Sawyer St Barry is owned by Telstra Corporation Ltd and contains an existing Telstra exchange facility.
(f) The carrying out of construction of the telecommunications facilities must be in accordance with all relevant regulations of the Blue Book – ‘Managing Urban Stormwater: Soils and Construction’ (Landcom 2004), or its replacement.	A condition of consent will be worded to ensure construction is in accordance with the Blue Book.
(g) Obstruction or risks to pedestrians or vehicles caused by the location of the facility, construction activity or materials used in construction are to be mitigated.	No impact to pedestrians or vehicles are envisaged.
(h) Where practical, work is to be carried out during times that cause minimum disruption to adjoining properties and public access. Hours of work are to be restricted to between 7.00am and 5.00pm, Mondays to Saturdays, with no work on Sundays and public holidays.	A condition of consent will be placed to works only take place between these times.
(i) Traffic control measures are to be taken during construction in accordance with <i>Australian Standard AS1742.3-2002 Manual of uniform traffic control devices – Traffic control devices on roads.</i>	This matter has been considered by Councils Infrastructure Services department.
(j) Open trenching should be guarded in accordance with <i>Australian Standard Section 93.080 – Road Engineering AS1165 – 1982 – Traffic hazard warning lamps.</i>	This matter is a Workforce Health and Safety concern.
(k) Disturbance to flora and fauna should be minimised and the land is to be restored to a condition that is similar to its condition before the	Minimal Impact is envisaged.

work was carried out.	
(l) The likelihood of impacting on threatened species and communities should be identified in consultation with relevant state or local government authorities and disturbance to identified species and communities avoided wherever possible.	The proposed site is not known to contain any threatened species or threatened communities.
(m) The likelihood of harming an Aboriginal Place and / or Aboriginal object should be identified. Approvals from the Department of Environment, Climate Change and Water (DECCW) must be obtained where impact is likely, or Aboriginal objects are found.	There are no known Aboriginal archaeological heritage items on or in the vicinity of the site.
(n) Street furniture, paving or other existing facilities removed or damaged during construction should be reinstated (at the telecommunications carrier's expense) to at least the same condition as that which existed prior to the telecommunications facility being installed.	This matter has been considered by Councils Infrastructure Services department.

State Environmental Planning Policy No 44 – Koala Habitat Protection  
 No trees are proposed to be removed for construction of the development.  
 Therefore the proposed development complies with the SEPP.

### 3. Local Environmental Plans

The land is zoned R5 Large Lot Residential under the *Blayney Local Environmental Plan 2012*. Whilst the development is not permissible in the zone under the BLEP 2012, clause 115(1) of the Infrastructure SEPP 2007 allows the development to be permissible with consent on any land.

The objectives of the BLEP 2012 R5 Large Lot Residential zone are considered as follows:

- To provide residential housing in a rural setting while preserving, and minimising impacts on, environmentally sensitive locations and scenic quality.

**Comment:** The proposed development is not for residential housing.

- To ensure that large residential lots do not hinder the proper and orderly development of urban areas in the future.  
**Comment:** The proposed development is not for large residential lots.
- To ensure that development in the area does not unreasonably increase the demand for public services or public facilities.  
**Comment:** Power and telephone are available to the land. No utility demands would drain servicing resources from the village, as the cost of any upgrades would be carried by the developer.
- To minimise conflict between land uses within this zone and landuses within adjoining zones.  
**Comment:** Landuse conflict has been raised in the submissions, and this matter is considered later in this report.

### **Clause 6.5 Drinking water catchment**

The subject land falls within a drinking water catchment area. The objective of this clause is to protect drinking water catchments by minimising the adverse impacts of development on the quality and quantity of water entering drinking water storages.

Before determining a development application for development on land to which this clause applies, the consent authority must consider the following:

- (a) whether or not the development is likely to have any adverse impact on the quality and quantity of water entering the drinking water storage, having regard to the following:
  - (i) the distance between the development and any waterway that feeds into the drinking water storage,
  - (ii) the on-site use, storage and disposal of any chemicals on the land,
  - (iii) the treatment, storage and disposal of waste water and solid waste generated or used by the development,
- (b) any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development.

**Comment:** There are no watercourses on or near the subject land. Stormwater would be directed into the local road drainage system, and sediment and erosion control measures would be in place during construction. The impact of the propose works on the catchment is therefore minimised.

Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that:

- (a) the development is designed, sited and will be managed to avoid any significant adverse impact on water quality and flows, or
- (b) if that impact cannot be reasonably avoided—the development is designed, sited and will be managed to minimise that impact, or
- (c) if that impact cannot be minimised—the development will be managed to mitigate that impact.

**Comment:** Runoff would be directed into the local road drainage system, and sediment and erosion control would be under taken during construction. Thus Council is satisfied that impact from the proposal on the catchment is minimised.

**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 would 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 would 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 would 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 would apply to the land to which the development relates**

Not applicable to this development.

**79C (b) the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality**

### **Context and setting**

The proposed development seeks to provide increased mobile phone coverage to the Barry and Hobby Yards region. The site is located within the edge of the rural residential area of Barry.

All components would be located in a fenced, secure compound in a cleared, grassy site, adjacent to the intersection of Selwyn and Sawyer Streets. The closest dwelling is approximately 42m away to the north, with dwellings also to the south, and to the immediate west.

Views of the tower throughout the village would be variable due to topography and existing vegetation. However the tower would be highly visible from many sites within the village, which is a requirement to achieve the desired service levels.

Existing development in Barry is single storey buildings with a low density across the village. Views from the village are of the farmed countryside and ridges in all directions, broken only by vegetation.

The cabinets and compound could be partly screened by vegetation and landscaping, but the tower could not be screened. Due to the nature of its purpose it should not be screened. The tower could be coloured to minimise visibility, but could not be totally obscured. Visionstream have nominated a soft grey to render the tower as unobtrusive as possible.

The developer has attempted to consider other sites and the developer has attempted to minimise impact with the site chosen.

It is important to note telecommunications facilities are required to protrude in order to achieve the desired service levels within the target coverage area.

### **Access, transport and traffic**

Access for construction would be via the existing entrance off Selwyn Street. Once constructed, the development site will require access for maintenance 2-3 times a year.

There is not expected to be any significant increase in traffic nature, volume or frequency. Council's Engineer has upgrading requirements relating to the entrance. He has required the relocation of utility services if necessary.

### **Services/utilities**

The facility will require connection to electricity, which is available in the vicinity, already connected to the site and would be provided underground. No other additional services or utilities are required for the development.

### **Site design, internal design and construction**

The construction work required for this development includes a fenced compound, apparatus attached to the proposed tower, two antennas, and equipment cabinets and other ancillary equipment. The overall height of the tower with the attached facilities would be 33m.

The works are to be located immediately adjacent to the Selwyn/Sawyer Streets intersection and would include sediment and erosion control measures to protect the adjoining properties from erosion and sediment movement. The facility would be constructed to industry standard and the requirements of the Building Code of Australia.

The compound and the cabinets would be located to the immediate west of the existing cabinet and partly screened from Sawyer and Turner Streets by existing landscaping.

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

There no particular known natural hazards associated with the development. Submissions raised concerns and objections on health concerns in particular regarding electromagnetic radiation exposure from the facility. The Australian

Communications and Media Authority advise regulatory arrangements with respect to electromagnetic radiation exposure, and the facility will comply with this advice.

All designs are certified in accordance with relevant Australian Standards, and should not result in any increase in the level of risk to the public. Mandatory standards for human exposure are applied and the site will be secured to prevent public access.

The applicant has provided 2 EME Reports for the proposed development. The initial SoE dated June 2017 indicates the EME level for the existing Telstra exchange facility to be 0.11% of the public exposure limit, with the new tower to have an EME of 0.12% of the public exposure limit.

The applicant undertook further modelling in response to issues raised in submissions during the notification period. The most recent EME report advises the maximum EME level for the proposed tower would be 0.019% where the maximum Australian Radiation Protection and Nuclear Safety Agency (ARPANSA) standard is 100%.

Additionally, Telstra specifically modelled the EME for 7 Turner St Barry due to the resident advising of concerns because they have a neurostimulator for medical reasons. Telstra advised, that for 7 Turner St Barry has an EME exposure level of 0.0017% and the EME exposure limit, will be 0.0035% of the public exposure limit.

On 5 December 2017 Telstra provided further information at the request of Council to consider the specific model of neurostimulator of the resident at 7 Turner St Barry.

Telstra advise the manufacturer would be better suited to provide specific advise, their research found *“the information suggest the neurostimulator would be capable of operating normally (without experiencing EMI) in an environment where the field strength level did not exceed around 9 V/m which is significantly higher than the current and future predicted levels (0.26 and 0.23 V/m respectfully at the objectors residence and at most 1.98V/m within the town limits) from the proposed Telstra Barry Facility at 11 Sawyer St Barry.”*

An adjoining neighbour that has a neurostimulator for medical purposes has not been able to provide written support from a licensed medical professional that the neurostimulator would be unsatisfactorily impacted by the proposed telecommunications facility at 11 Sawyer St Barry.

### **Noise and vibration**

There are no particular matters relating to noise and vibration which might apply to this development. Noise levels would not significantly increase as a result of the development. The only noise emanating from the site following construction would be the operation of an air conditioning unit.



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

There are no known matters arising from this development which might affect flora or fauna, as the site is a highly disturbed commercial property. No other land resources such as extractive industries are affected. Air pollution is minimised, and existing mitigation measures would continue to prevent environmental impact.

**Water**

There are no particular water requirements for the development. Sediment and erosion control measures would be established across the site to direct surface water away from the site and into stormwater drains or natural drainage systems.

**Waste**

The development is not expected to generate waste during operation. Any waste accumulated during the construction phase would be collected, stored and disposed of appropriately at an approved waste facility.

**Safety, Security and Crime Prevention**

The company will have a security system in place, including fencing and signage to enable site security, safety and crime prevention.

**Economic impact**

The economic impacts from this development include increase in opportunity for fixed wireless broadband with high speed coverage within the Blayney Shire. This should enhance business performance in the area, enabling business and residences to undertake a wider range of communication opportunities.

**Social Impact**

The social impacts relating to this development relate to the more effective operation of local businesses and residences, through more effective communication.

Health concerns may also be considered a social impact and have been discussed elsewhere in this report.

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

The cumulative impact of the development is for the operation of local broadband services within effective industry standards that could lead to positive environmental and community impact on communications.

Health concerns, in particular EME exposure could also be considered an impact which have been discussed elsewhere in this report.

**Ecologically Sustainable Development**

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: flooding, heritage, contamination and bushfire.

**79C (c) Suitability of the site for the development**

The site is not particularly suitable for the development, being clearly seen from nearby residences and businesses, and from along Hobbys Yards Road.

The tower cannot be successfully screened by distance, topography or vegetation. It is located on the higher environs of Barry village, at a point which can be seen from a wide range of locations in all directions.

It is understood that the tower would serve Barry and the Hobbys Yards Road area, and the location suits the need to be interdependent with other facilities in the region.

The applicant also outlines in the SoE how 2 alternate sites have been investigated and that 11 Sawyer St Barry remains the preferred location for the proposed development.

The applicant has provided 2 EME Reports for the proposed development. The initial SoE dated June 2017 indicates the EME level for the existing Telstra exchange facility to be 0.11% of the public exposure limit, with the new tower to have an EME of 0.12% of the public exposure limit.

The applicant undertook further modelling in response to issues raised in submissions during the notification period. The most recent EME report advises the maximum EME level for the proposed tower would be 0.019% where the maximum Australian Radiation Protection and Nuclear Safety Agency (ARPANSA) standard is 100%.

Additionally, Telstra specifically modelled the EME for 7 Turner St Barry due to the resident advising of concerns because they have a neurostimulator for medical reasons. Telstra advised, that for 7 Turner St Barry has an EME exposure level of 0.0017% and the EME exposure limit, will be 0.0035% of the public exposure limit.

On 5 December 2017 Telstra provided further information at the request of Council to consider the specific model of neurostimulator of the resident at 7 Turner St Barry.

Telstra advise the manufacturer would be better suited to provide specific advise, their research found *“the information suggest the neurostimulator would be capable of operating normally (without experiencing EMI) in an*

*environment where the field strength level did not exceed around 9 V/m which is significantly higher than the current and future predicted levels (0.26 and 0.23 V/m respectively at the objectors residence and at most 1.98V/m within the town limits) from the proposed Telstra Barry Facility at 11 Sawyer St Barry.”*

The resident with the neurostimulator has not been able to provide written support from a licensed medical professional that the neurostimulator would be impacted by the proposed telecommunications facility at 11 Sawyer St Barry.

Access will be appropriate for the level of use, and soil/water movement across the site would be controlled.

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

69 properties within 1 km of the proposed development were notified of the proposed development for 14 days from 20 June 2017. The proposed development was also publically notified as advertised development in Councils weekly column in the Blayney Chronicle on 22 June 2017. Subsequently 3 submissions were received. A number of issues were raised which are considered below:

1. Object for health reasons – recently diagnosed and treated for breast cancer in 2015. Moving to Barry was supposed to decrease environmental factors impacting upon her health, both physical and mental. The proximity of the house to the tower (100m) causes concerns.

**Applicant response:** A substantial amount of information is available to the public on electromagnetic energy (EME) and perceived health effects. Telstra are obliged to ensure that EME levels do not exceed mandatory exposure limits, and must comply with the Australian Communications and Media Authority requirements and regulations. A summary of estimated RF EME Levels around the proposed mobile phone base station at Sawyer Street was provided, showing the maximum predicted EME Level would be 0.019% of the maximum level.

**Council comment:** Generally, the above comments are acceptable. The EME summary provided explains calculations of EME from the existing facilities and any proposed additional facilities. It explains how EME is calculated and estimates a figure of 0.019% of the maximum public exposure limit for the proposed systems.

2. Proximity of tower to home (40m) causes great concern, due to health risks from electromagnetic energy emitted from these towers.

**Applicant response:** The Australian Radiation Protection and Nuclear Safety Agency (ARPANSA) standards do not set arbitrary distances at which infrastructure must be sited from sensitive locations, as these distances do not necessarily reflect a precautionary approach. Sometimes siting further away can actually increase the EME to the sensitive area.

**Council comment:** There is no specific distance outlined for a telecommunications facility to be setback, rather emphasis is placed upon the EME exposure level compliance. The proposed development outlines the maximum predicted EME Level would be 0.019% of the maximum level.

3. Tower is on a dangerous intersection, where many accidents have occurred. A momentary glance up at this huge tower at the intersection would cause distraction from the road and another accident will occur.

**Applicant response:** The site is appropriate because it will be located towards the “rear” of the existing shelter, which increases its safety to oncoming vehicles. It would be within the compound and away from any road activity. It will be visible, but the grey neutral colours and overall monopole design will fade due to the sky line in the background. This location will mitigate any road safety issues.

**Council comment:** The location of the entrance to the property has been nominated away from the central intersection. The speed limit here is 50kph, and it is expected that traffic should slow on approach to the village. Any further speed/safety issues are a matter for NSW police.

4. Reduction in the value of adjoining properties for future sales.

**Applicant response:** Utility installations do not materially affect the ability of adjoining landowners to develop or enjoy the use of their properties. There is no physical impediment imposed on neighbouring properties. The potential impacts of the proposed works will be minimised as a result of the planning installation. The location and design actually minimises the visual impact on surrounding public areas.

The issue of property value is an extremely fluxed [one]. Variations in price being subject to a vast number of factors, many of which are subjective such as amenity, access to transport, condition of land improvements, views and the quality of telecommunications services. More significant are broader market forces affecting supply and demand for housing. There is no evidence to suggest that existing/proposed telecommunications or power infrastructure has adversely impacted local values.

**Council comment:** Land value is not a matter for a Council planning assessment.

5. There are many alternate possible sites in the vicinity. It should be placed out on rural land.

**Applicant response:** Sites are ranked and selected considering environmental impact, radio engineering performance, willing property owner, planning constraints, construction and maintenance, health and safety, and network connectivity.

The alternate sites considered for this proposal were at 2145 Hobbys Yards Road (1.3km from the village) and at 2174 Hobbys Yards Road (2.3km away

from the village). They were unsuitable based on the distance from the black spot area in Barry, resulting in poorer coverage and reception quality.

**Council comment:** The applicant has investigated 2 other locations and 11 Sawyer St Barry is the preferred location.

6. Objection on medical grounds: The writer details they live within 40m from the proposed tower location. The resident has a medically implanted neurostimulator, which is a highly sensitive device that is connected to her brain. She is unable to be exposed to the following items:

- Diathermy therapy
- Magnetic Resonance Imaging (MRI)
- Cardioverter defibrillators
- Theft detectors
- Metal Screening devices

In regards to electromagnetic interference (EMI) she is required to turn the stimulator off until she has moved away from the source, as the stimulator is on 24 hours a day. She is unable to move away from the Barry area and would live 40m away from the proposed mobile phone tower being erected.

Every time she visits her specialist who is in North Shore Sydney the neurostimulator is required to be turned off due to mobile phone towers. Every time the resident passes near these towers her stimulator emits very high stimulation that causes immense pain in both her brain and her chest where the box is located. She gets affected not only in Sydney but anywhere there is a mobile phone tower close as well as high voltage power lines.

A medical technician has advised not to place a mobile phone near the neurostimulator box in her chest or near the electrodes in her brain. She must use the speaker feature, while she is carrying the mobile phone it must be in her handbag not directly on her.

The neurostimulator device cost \$50,000.00 with each new battery costing \$20,000.00 approximately every ten years.

The writer has included copies of relevant paperwork to confirm her statement that is from the patient handbook from the devices manufacturer.

All types of wireless communications equipment can affect the device.

The writer has indicated that she would attempt to provide documentation from her doctor upon his return from leave, however no written advice was provided.

**Applicant response:** They advise that there is an existing small cell facility already located at the site on the roof of the existing SCAX facility. It operates at a predicted EME level of 0.0017%.

Telstra will be decommissioning the existing facility, which will be replaced by the proposed black spot facility. Then the predicted EME levels at the objector's residence will remain extremely low at 0.0035%.

**Council comment:** The applicant has provided 2 EME Reports for the proposed development. The initial SoE dated June 2017 indicates the EME level for the existing Telstra exchange facility to be 0.11% of the public exposure limit, with the new tower to have an EME of 0.12% of the public exposure limit.

The applicant undertook further modelling in response to issues raised in submissions during the notification period. The most recent EME report advises the maximum EME level for the proposed tower would be 0.019% where the maximum Australian Radiation Protection and Nuclear Safety Agency (ARPANSA) standard is 100%.

Additionally, Telstra specifically modelled the EME for 7 Turner St Barry due to the resident advising of concerns because they have a neurostimulator for medical reasons. Telstra advised, that for 7 Turner St Barry has an EME exposure level of 0.0017% and the EME exposure limit, will be 0.0035% of the public exposure limit.

On 5 December 2017 Telstra provided further information at the request of Council to consider the specific model of neurostimulator of the resident at 7 Turner St Barry.

Telstra advise the manufacturer would be better suited to provide specific advise, their research found *“the information suggest the neurostimulator would be capable of operating normally (without experiencing EMI) in an environment where the field strength level did not exceed around 9 V/m which is significantly higher than the current and future predicted levels (0.26 and 0.23 V/m respectfully at the objectors residence and at most 1.98V/m within the town limits) from the proposed Telstra Barry Facility at 11 Sawyer St Barry.”*

The resident with the neurostimulator has not been able to provide written support from a licensed medical professional that the neurostimulator would be impacted by the proposed telecommunications facility at 11 Sawyer St Barry.

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

The proposal is for the construction of telecommunications tower that would significantly increase the ability of this area to have reliable mobile phone service and coverage. Council must weigh this up against the health concerns raised by adjoining land owners during the notification of the proposed development.

**Conclusion**

The proposal is for the construction of telecommunications tower that would significantly increase the ability of this area to have reliable mobile phone service and coverage. Council must weigh this up against the health concerns raised by adjoining land owners during the notification of the proposed development.

Health concerns which is the primary objection within all 3 submissions is a significantly sensitive and emotive issue, particularly in relation to telecommunication facilities.

The applicant has demonstrated that the proposed development is significantly under the maximum allowable EME exposure levels for the surrounding area in accordance with ARPANSA standards. Additionally the applicant undertook additional EME modelling and specifically considered the individual neurostimulator model of an adjoining resident.

The adjoining neighbour with the medical neurostimulator has not been able to provide written support from a licensed medical professional that the neurostimulator would be unsatisfactorily impacted by the proposed telecommunications facility at 11 Sawyer St Barry.

Without a practicing and licensed medical professional being able to quantify in writing that there would be an unsatisfactory impact on the neurostimulator by the proposed development and the applicant being able to provide EME reports the proposed development is significantly below the maximum EME ARPANSA standards, it is the professional officers recommendation the development should be recommended for approval subject to conditions of consent.

**Risk/Policy/Legislation Considerations:**

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

**Budget Implications:**

Nil.

**Enclosures (following report)**

Nil

**Attachments (separate document)**

1	Location Plans	2 Pages
2	Plans	4 Pages
3	June 2017 SoEE	32 Pages
4	Submissions	9 Pages
5	Visionstream 25 July Response	13 Pages

- |          |                                       |         |
|----------|---------------------------------------|---------|
| <b>6</b> | Visionstream 5 December 2017 Response | 4 Pages |
| <b>7</b> | Conditions of Consent                 | 4 Pages |



**19) UPPER MACQUARIE COUNTY COUNCIL - DELEGATES REPORT FOR OCTOBER 2017**

**Department:** Executive Services

**Author:** General Manager

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

**File No:** EM.ME.6

---

**Recommendation:**

That Council note the Upper Macquarie County Council Delegates Report for October 2017.

**Report:**

Delegates to Upper Macquarie County Council (UMCC) are the Deputy Mayor Councillor Kingham and Councillor Reynolds.

A meeting of UMCC was held on Friday 20 October 2017 at the Council offices in Kelso. Both agenda and minutes are available on UMCC website and provided to Councillors for information on the Councillor Portal.

A number of matters were reported on and considered at the meeting. Included amongst these were:

**1. Election of Chairman and Deputy Chairman**

Being the first meeting of the new Council recently elected Councillors, like for their constituent Councils, were required to take an oath or affirmation of office.

Following this the election of the County Chairman and Deputy Chairman was undertaken with Councillor Ian North elected as Chairman and Councillor David Kingham elected as the Deputy Chairman.

Unlike for the election of mayors now the period for county council chairs is 12 months.

**2. “Spring” 2017 Aerial Spraying Program**

UMCC conducted an aerial weed spraying program in September 2017 principally targeting serrated tussock plus some blackberry. At the beginning of the aerial spraying program there were 92 properties booked comprising of 2,742 ha of serrated tussock and 40 ha of blackberry.

Unfortunately due to the poor and deteriorating dry weather conditions the Program was ceased on the 22 September 2017. At the time of ceasing the Program 52 landholders had taken part in the Program and a total of 1,732Ha sprayed, including 1,702Ha of Serrated Tussock and 30Ha of Blackberry being treated. Due to the ceasing of the program the remaining 40 properties

have been re-book for the February 2018 aerial spraying program. The 40 remaining properties would comprise an additional 1,040Ha of serrated tussock and 10Ha of blackberry.

### 3. Inspections (22 July 2017 to 6 October 2017)

During the period 500 inspections of properties and roads took place. These included:

LGA	No. of Inspections
Bathurst	152
Blayney	28
Lithgow	182
Oberon	138

UMCC issued 11 Individual Biosecurity Directions on four landholders during the period.

### 4. Weeds Action Program

UMCC receives funding from the NSW State Government via the Macquarie Valley Weeds Advisory Committee (MVWAC) under the Weeds Action Program (WAP).

The current NSW Weeds Action Program is the 2015-2020 Program (WAP1520). This Program follows, and builds on, the NSW Weeds Action Program 2010-2015. It is the target of the NSW Government to reduce the impact of weeds and this is guided by the [NSW Biosecurity Strategy 2013-2021](#) (the Biosecurity Strategy) and the NSW Invasive Species Plan 2015-2020 (the ISP).

Priorities for WAP1520 are to:

- prevent the establishment of new invasive species
- eliminate or prevent the spread of new invasive species
- reduce the impact of widespread invasive species
- ensure that NSW has the ability and commitment to manage invasive species.

For the 2016-17 period UMCC was allocated \$317,074 in WAP funding and these funds were fully expended during the period.

### 5. Community Events

From 1 July 2017 to 30 September 2017 UMCC staff attended community events. These events included:

- Blayney Farmers Market, Sunday 20 August 2017
- Burruga Show, 27 August 2017

#### Enclosures (following report)

Nil

#### Attachments (separate document)

Nil

**20) UPPER MACQUARIE COUNTY COUNCIL - DELEGATES REPORT FOR NOVEMBER 2017**

**Department:** Executive Services

**Author:** General Manager

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

**File No:** EM.ME.6

---

**Recommendation:**

1. That Council note the Upper Macquarie County Council Delegates Report for November 2017.
2. That Council endorse the recommendations of the Upper Macquarie County Council in maintaining the current organisation structure and operations, with a review of its organisational structure and operations in 12 months' time.

**Report:**

Delegates to Upper Macquarie County Council (UMCC) are the Deputy Mayor Councillor Kingham and Councillor Reynolds.

A meeting of UMCC was held on Friday 24 November 2017 at the Council offices in Kelso. Both agenda and minutes are available on UMCC website and provided to Councillors for information on the Councillor Portal.

A number of matters were reported on and considered at the meeting.

Included amongst these were:

**1. Tenders Aerial Spraying Program – 'Autumn' 2018**

The UMCC has been carrying out aerial spraying programs for at least the last 17 years. Following the success of past programs another program is proposed to be conducted commencing in mid-February 2018.

In the Autumn 2017 program almost 2,000 hectares were sprayed, targeting more than 1,000 hectares affected by serrated tussock and almost the same area of blackberry. The Spring program focussed principally on serrated tussock with 1,702 hectares where sprayed with another 1,040 being postponed to the Autumn program 2018, due to dry weather conditions.

Based on an estimated 2,000ha of land being sprayed (1,000ha on Serrated Tussock and 1,000ha on Blackberry) a tender was accepted from Commercial Helicopters. Commercial Helicopters has been performing the aerial spraying with UMCC for many years and UMCC has been satisfied with its services.

## **2. 19<sup>th</sup> Biannual Weeds Conference**

The Conference was held 16 - 19 October 2017 in Armidale NSW with 3 UMCC staff attending, the Acting Chief Weeds Officer and 2 Weeds Officers.

Over the 3 days there were 64 papers presented from 49 presenters providing new and interesting information on all facets of weed control, data collection, weed identification and building weed awareness in the community.

The conference has alerted the attendees of several areas that may need to be investigated further and/or reviewed:

- With the new requirement for each property to have a biosecurity management plan, with new weed incursions onto property being one of the main focus points of the new Act, then vehicle hygiene will need to be investigated. There will be a need to clean vehicles before entering and leaving properties.
- With the information provided at the conference about water weeds being able to survive within our local LGA areas, staff will require training in the identification of water weeds to help land owners and constituent councils to meet their legal obligation under the Biosecurity Act.
- The monitoring of the sale to priority weeds. UMCC will also need to regularly check local markets and websites like Gum Tree, eBay for priority weeds for sale. There have been reports of priority weeds being sold on these sites, and there has already been a case in the Bathurst LGA of a person selling priority weeds on eBay.
- Watching for new chemicals and additives on the market to make it easier for mixing and storage and carting. This may lessen the chance of making an error whilst mixing.
- Awareness of remote locations that could be hotspots for potential weed threats due to a new incursion of weeds brought in by travellers. Examples of these locations are National Parks, State Forests and River Reserves. UMCC needs to be on the lookout for weeds coming into new areas not just the areas that are already known to have an infestation problem.
- Improvements to mapping systems through the new software package from Iconyx. This new package will improve the speed of inspections, property inspection report letters and plotting of infestations. With an overall improvement to the system and saving time for both the inspectors in the field and time in the office.

## **3. Alternative Governance Models for UMCC**

UMCC conducted a workshop with Councillors on 24 November 2017 to consider the options with a recommendation presented to the UMCC meeting on the same day. UMCC resolved as follows;

1. Council notes that a workshop was held earlier today providing councillor induction plus the workshop considered options in relation to Alternative Governance Models for the future of UMCC;
2. Council propose that Upper Macquarie County Council continue to operate under the current governance structure;
3. UMCC Councillor delegates report to their constituent councils on the proposal and recent improvements made to the organisation; and
4. Subject to responses from constituent councils, UMCC:
  - i. identifies targets that it wishes to achieve over the coming 12 months; and
  - ii. again reviews the status of the organisation at the December 2018 UMCC meeting.

UMCC have provided the report in regards to the Governance Model, which follows this report. Council delegates to UMCC, Councillor Kingham and Councillor Reynolds will speak to this matter.

Whilst this business as usual option does not address the long term financial concerns of UMCC under the current governance structure, the review in 12 months' time is positive. Ideally it would be recommended that UMCC include the General Managers and Mayors of member councils in this review in 2018.

#### **4. Inspections (7 October to 10 November 2017)**

During the period 170 inspections of properties and roads took place. These included:

<b>LGA</b>	<b>No. of Inspections</b>
Bathurst	45
Blayney	23
Lithgow	79
Oberon	23

The UMCC issued 17 Individual Biosecurity Directions on eight landholders during the period.

#### **5. 2018 Meeting Dates**

In accordance with UMCC's Code of Meeting Practice Council will hold Ordinary meetings on the following dates for 2018:

2 February 2018  
 16 March 2018  
 4 May 2018  
 15 June 2018  
 3 August 2018  
 21 September 2018  
 2 November 2018  
 7 December 2018

**6. 2016/17 Annual Report**

The Annual Report for the year 2016-2017 has been prepared and presented to the UMCC and a copy of the Annual Report has been placed on the UMCC website.

**7. Presentation of the 2016-17 Financial Statements**

Council completed and submitted its 2016-17 Financial Statements by the due date. A presentation was received at the Council meeting from its auditor in relation to these Statements.

**8. Community Events**

From 1 October 2017 to 10 November 2017 UMCC staff attended one community event, being the Oberon Farmers Market on 4 November 2017.

This was a good opportunity to promote awareness of Bio Security legislation, answer questions on weeds from people who may otherwise not know who to ask and to promote the work of UMCC in the Oberon Council area.

Staff attended with the display trailer. The trailer was set up and assisted in being able to answer a number of queries from the general public and to pass out an amount of informative material.

Whilst attendance was said to be down somewhat due to cool weather and forecast rain it was still a worthwhile exercise and achieved the results noted above.

Participation in such activities is part of the role of UMCC and are good promotional opportunities plus they also form part of the targets for the Weeds Action Plan (WAP) funding.

**Enclosures (following report)**

1 Upper Macquarie County Council Governance Model 3 Pages

**Attachments (separate document)**

Nil

# Upper Macquarie County Council

29 November 2017

Mrs Rebecca Ryan  
General Manager  
Blayney Council

Dear Rebecca

## Upper Macquarie County Council – Governance Model

You will be aware that there has been much discussion in recent times about the future of the Upper Macquarie County Council (UMCC). To progress this issue a meeting was held between the UMCC delegates and the Mayors and General Managers of the constituent councils to discuss the future directions of UMCC. This meeting was held on 9 March 2017 at the Bathurst Regional Council offices.

The UMCC as we now know it comprises the constituent councils of Bathurst Regional, Blayney, Lithgow and Oberon. It covers an area of almost 13,500 square kilometres, 77,000 residents and over 4,000kms of roads. Within this area of responsibility there are approximately 10,500 properties of a rural or rural/residential nature. While all properties, including residential properties, should be inspected from time to time those ones that have a rural element are the areas of main focus.

The UMCC was originally constituted by proclamation on 18 February 1949. With limited exceptions the Local Government Act 1993 applies to the UMCC in the same way as it applies to other local government councils and under Section 8 of the Act the UMCC has the same charter as any other council.

County councils were originally provided for in the Local Government Act 1919 and over time their roles have diminished. The number of county councils have reduced for various reasons, such as the large scale amalgamation of general purpose councils. Currently there are seven weed county councils in NSW incorporating 25 general purpose councils plus a further three general purpose councils that have other services provided to them e.g. water supply.

With the above in mind UMCC decided to review the situation for UMCC and discussions were held with UMCC councillors, staff and others in relation to the future of the organisation. During the research process, it was revealed that this was not the first time that the governance of UMCC has been questioned. It was found that there were questions asked about the reorganisation of the UMCC in 1990. While this reorganisation was not seeking the disbanding of the UMCC it was seeking a reduction in the UMCC councillor numbers and other improvements to be made to the organisation to make it more efficient.

**Council Chambers** – 7 Lee Street, Kelso **Mail** – PO Box 703, Bathurst 2795 **Phone** – (02) 6338 2875 **ABN** – 64420707530

The noxious weeds control authority for the areas of Bathurst Regional Council, Blayney and Oberon Shire Councils and the Lithgow City Council

## 2.

The main issues for the UMCC have been:

- The forecast long term financial sustainability of the organisation
- The reliance on government grants and contributions from constituent councils
- Ability to complete a considered satisfactory number of property inspections
- A significant amount of its financial resourcing being taken up in governance and general running of the organisation.

As stewards and custodians of their communities, councils and councillors are charged with the role to achieve the best outcomes for their local community, which includes ensuring that resources are used effectively and efficiently. In undertaking this responsibility UMCC considered a draft report on options for the organisation. This was broken into two main options and then sub options, these included:

- Option – UMCC to Continue and;
  1. Make no changes
  2. Seek additional contribution from constituent councils (advantages and
  3. Alternative funding arrangements
  4. Reduce administrative costs by one council undertaking the role of General Manager, or even councils rotating this role
  5. Shared services model between UMCC and a constituent council
  6. Expand the area of operations of UMCC
- Option – UMCC be Dissolved and;
  1. Transfer Noxious Weed Management to Local Land Services (LLSs)
  2. Transfer Weed Control Coordination to NSW Primary Industries
  3. Operate Weed control by the individual councils
  4. Transfer Weed Control Coordination to JO/ROC (Centroc) to run weeds
  5. Coordination by a Regional Chief Weeds Officer
  6. Deed of agreement between councils – a shared service model where one council is the service provider and others buy the services
  7. Delegation of service from several councils to one provider
  8. Operate a weeds business unit as a S355 committee of a constituent council, similar to that of the operation of Centroc

While some of the options considered were extremely unlikely to occur they were still considered from the point of view of discussion points.

Following this report the UMCC then conducted a workshop with councillors on 24 November 2017 to consider the options with a recommendation going to the UMCC meeting on the same day. At the UMCC meeting it was resolved;

*That:*

1. *Council notes that a workshop was held earlier today providing councillor induction plus the workshop considered options in relation to Alternative Governance Models for the future of UMCC;*
2. *Council propose that Upper Macquarie County Council continue to operate under the current governance structure;*
3. *UMCC Councillor delegates report to their constituent councils on the proposal and recent improvements made to the organisation; and*



3.

4. *Subject to responses from constituent councils, UMCC:*
- i. identifies targets that it wishes to achieve over the coming 12 months; and*
  - ii. again reviews the status of the organisation at the December 2018 UMCC meeting.*

In coming to this position UMCC had regard to the following advantages of continuing with the current structure:

- Specialised knowledge and knowledge support base of the staff. These staff are often sharing information and providing advice to one another. Such a base would likely not be available to the constituent councils if they were running the program themselves, especially for the smaller member councils.
- Independence from other councils – the UMCC has the responsibility for a specific issue and across multiple local government areas. This responsibility has the benefit that it is not a distraction to the day to day functions of the general purpose council.
- Ability to run larger scale programs – some programs are run on a larger scale that possibility would not be run by an individual council, e.g. aerial weed spraying program or the recent large scale inspections of Wattle Flat. These programs are unlikely to be run by individual councils.
- Greater level of consistency – with staff covering a wider region there is a greater consistency of approach, as opposed to different approaches across LGAs
- Greater level of input by councillors – under the current model UMCC councillors are able to play a more active role in the management and control of weeds in the control area. It provides a greater level of democratic input.

Other issues that UMCC took into account with this decision included:

- The increased number of property inspections being undertaken by UMCC
- UMCC's efforts in moving to the newly enacted Biosecurity Act
- Significantly increased community involvement with UMCC staff attending a number of community events over the past 12 months
- UMCC being more proactive in taking action against landholders that have not taken reasonable action to control weeds
- Grant funding being obtained to further improve inspection numbers such as remotely piloted aircraft (drones)
- Additional grant funding recently announced for the control of weeds assisting with UMCC's financial position
- Entering into service sharing with Bathurst Regional Council, e.g. document management

It would be appreciated if your Council could consider this and provide advice to the UMCC on what it sees as its position for the UMCC.

Should you have any further questions then please contact me.

Yours sincerely

RW Bailey  
**Acting General Manager**

**Matters to be dealt with in closed committee**

In accordance with the Local Government Act (1993) and the Local Government (General) Regulation 2005, in the opinion of the General Manager, the following business is of a kind as referred to in Section 10(2) of the Act, and should be dealt with in a part of the meeting closed to the media and public.

**21) LAND ACQUISITION FOR ROAD RE-ALIGNMENT NEWBRIDGE ROAD - PART LOT 140 DP 750382**

*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.*