



14 February 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, 20 February 2017 at 6.00 pm for consideration of the following business -

- (1) Acknowledgement of Country
- (2) Recording of Meeting Statement
- (3) Apologies for non-attendance
- (4) Disclosures of Interest
- (5) Public Forum
- (6) Mayoral Minute
- (7) Notices of Motion
- (8) Confirmation of Minutes - Ordinary Council Meeting held on 19.12.16
- (9) Matters arising from Minutes
- (10) Reports of Staff
 - (a) Executive Services
 - (b) Corporate Services
 - (c) Infrastructure Services
 - (d) Planning and Environmental Services
- (11) Delegates Reports
- (12) Questions from Councillors
- (13) Closed Meeting

Yours faithfully

Rebecca Ryan
General Manager

5.30pm - Regional Tourism Development Update - Justin Byrne and Peter Robson

Meeting Calendar 2017

February

Time	Date	Meeting	Location
6.00 pm	20 February 2017	Council Meeting	Community Centre
4.00pm	21 February 2017	Local Emergency Management Meeting	Community Centre

March

Time	Date	Meeting	Location
6.00 pm	9 March 2017	Town and Villages Committee Meeting	Community Centre
2.30pm	17 March 2017	Upper Macquarie County Council	Council Chambers, Kelso
6.00 pm	20 March 2017	Council Meeting	Community Centre
5.30pm	22 March 2017	Financial Assistance Committee Meeting	Community Centre

April

Time	Date	Meeting	Location
6.00pm	3 April 2017	Cultural Centre Working Group Meeting	Community Centre
6.00 pm	18 April 2017	Council Meeting	Community Centre
10.00am	21 April 2017	Traffic Committee Meeting	Community Centre

INDEX OF REPORTS OF THE BLAYNEY SHIRE COUNCIL MEETING
HELD ON MONDAY 20 FEBRUARY 2017

CONFIRMATION OF MINUTES	1
01) Minutes of the Previous Meeting held Monday 19 December 2016.....	1
EXECUTIVE SERVICES	12
02) Council Meeting Dates	12
03) The Cottage MOU Blayney Shire Arts and Crafts Council Incorporated.....	14
04) Inala Units Millthorpe	18
05) Palliative Care Suite Blayney Health Service - Request for Financial Assistance	26
06) Risk Work Health and Safety Quarterly Report	32
07) Council Resolution Report.....	34
08) Minutes of the Blayney Shire Town and Villages Committee Meeting held Thursday 15 December 2016	39
09) Minutes of the Blayney Shire Cultural Centre Working Group Meeting held Monday 6 February 2017	43
CORPORATE SERVICES	45
10) Quarterly Budget Review Statement - December 2016.....	45
11) Report Of Council Investments As At 31 December 2016.....	48
12) Report Of Council Investments As At 31 January 2017.....	53
13) Related Parties Disclosures Policy	58
14) Requests For Interest Free Loans	60
15) Lease Of Visitor Information Centre Cafe.....	65
16) Six Monthly Delivery Plan Review - December 2016.....	67
INFRASTRUCTURE SERVICES	69
17) Director Infrastructure Services Monthly Report.....	69
18) Future development of unused land fronting Frape Street, Blayney.....	75
19) Resources For Regions Funding.....	80
20) Purchase of 2 Smooth Drum Rollers	85
PLANNING AND ENVIRONMENTAL SERVICES	88
21) Request for waiver of developer contributions - DA97/2014 - Two Lot Subdivision - Lot 1 DP 573283, 17 Pym Street Millthorpe	88
CONFIDENTIAL MEETING REPORTS	92
22) General Managers Annual Performance Review.....	92
23) General Managers Remuneration Report.....	92

01) **MINUTES OF THE PREVIOUS MEETING HELD MONDAY 19
DECEMBER 2016**

Department: Executive Services

Author: General Manager

CSP Link: 6.3 A well-run Council organisation.

File No: GO.ME.3

Recommendation:

That the Minutes of the Ordinary Council Meeting held on 19 December 2016, being minute numbers 1612/001 to 1612/026 be confirmed.

**MINUTES OF THE BLAYNEY SHIRE COUNCIL ORDINARY MEETING
HELD IN THE CHAMBERS, BLAYNEY SHIRE COUNCIL COMMUNITY
CENTRE, ON 19 DECEMBER 2016, COMMENCING AT 5.30 PM**

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

General Manager (Mrs R Ryan), Acting Director Corporate
Services (Mr G Newman), Director Infrastructure Services (Mr G
Baker), Director Planning & Environmental Services (Mr M
Dicker), Acting Executive Assistant to the General Manager (Ms
S Hibbert)

ACKNOWLEDGEMENT OF COUNTRY

RECORDING OF MEETING STATEMENT

APOLOGIES

Nil

MATTERS ARISING FROM THE MINUTES

Nil

DISCLOSURES OF INTEREST

Nil

PUBLIC FORUM

Mayor John Davis, Orange City Council
Agenda Item No. 19 - Orange Airport Planning Proposal -
Industrial and Technology Park

John Holliday, Spring Hill & Surrounds Consultative Committee
Agenda Item No. 19 - Orange Airport Planning Proposal -
Industrial and Technology Park

MAYORAL MINUTE

INALA UNITS

1612/001

RESOLVED

1. That Council forms a working group comprising the Mayor, the Deputy Mayor, the General Manager and the President and Vice President of the Millthorpe Village Committee to undertake an investigation into Inala Units.
2. That Council's consideration of the proposed sale of Inala Units be deferred until a report is provided to Council at the completion of this investigation.

(Ferguson/Somervaille)

CARRIED

CONFIRMATION OF MINUTES

**MINUTES OF THE PREVIOUS MEETING HELD MONDAY 21
NOVEMBER 2016**

1612/002

RESOLVED

That the Minutes of the Ordinary Council Meeting held on 21 November 2016, being minute numbers 1611/001 to 1611/019 be confirmed.

(Ewin/Braddon)

CARRIED

EXECUTIVE SERVICES REPORTS

LOCAL TOURISM ORGANISATION

1612/003

RESOLVED

That Council nominate the Mayor (or Councillor nominee) as the appointed member representing Blayney Shire to the Orange City Council Transition Board which will prepare a proposal for consideration to form an industry led tourism entity.

(Radburn/Ewin)

CARRIED

**MINUTES OF THE BLAYNEY SHIRE CULTURAL CENTRE
WORKING GROUP MEETING HELD MONDAY 5 DECEMBER
2016**

1612/004

RESOLVED

1. That the minutes of the Cultural Centre Working Group Meeting, held Monday 5 December 2016, be received.
2. That feedback be provided to the Disability Inclusion Action Plan to include a review of the Disabled Parking Options in Adelaide Street.
3. That the Canobolas RFS Zone Committee consider the locations and type of bush fire danger rating signs and their effectiveness in the Blayney Shire and to provide a solution as to a potential location and cost of an electronic sign in Blayney.

(Kingham/Oates)

CARRIED

CORPORATE SERVICES REPORTS

**REPORT OF COUNCIL INVESTMENTS AS AT 30 NOVEMBER
2016**

1612/005

RESOLVED

1. That the report indicating Council's investment position as at 30 November 2016 be received.
2. That the certification of the Responsible Accounting Officer be received and the report be adopted.

(Somerville/Braddon)

CARRIED

ANNUAL REPORT 2015/16

1612/006

RESOLVED

That the Council receive the report on the 2015/16 Annual Report lodgement.

(Oates/Ewin)

CARRIED

COMPLIANCE AND REPORTING ACTIVITIES

1612/007

RESOLVED

That the report on Compliance and Reporting Activities for the 6 month period to December 2016 be received.

(Ewin/Radburn)

CARRIED

**LOCAL GOVERNMENT REMUNERATION TRIBUNAL 2017
REVIEW**

1612/008

RESOLVED

That, subject to input, a Council submission be made to the Local Government Remuneration Tribunal review of 2017 annual determination of fees payable to Councillors and Mayors.

(Braddon/Ewin)

CARRIED

2017/18 RATE PEG ANNOUNCEMENT

1612/009

RESOLVED

That Council receive the report on the Rate Peg Announcement for 2017/18.

(Oates/Radburn)

CARRIED

**DEVELOPMENT OF NEW MODEL CODE OF MEETING
PRACTICE**

1612/010

RESOLVED

That, subject to input, a Council submission be made to the Development of a Model Code of Meeting Practice for Local Councils in NSW by the Office of Local Government.

(Radburn/Ewin)

CARRIED

**2016 BLAYNEY MUSIC SCHOLARSHIP PROGRAM
RECIPIENTS**

1612/011

RESOLVED

That the report on the 2017 Music Scholarship program recipients be received.

(Oates/Braddon)

CARRIED

**MINUTES OF THE BLAYNEY SHIRE AUDIT COMMITTEE
MEETING HELD 30 NOVEMBER 2016**

1612/012

RESOLVED

That the minutes of the Blayney Shire Audit Committee meeting held 30 November 2016 be received.

(Somerville/Oates)

CARRIED

INFRASTRUCTURE SERVICES REPORTS

MINUTES OF THE BLAYNEY SHIRE COUNCIL FLOODPLAIN RISK MANAGEMENT COMMITTEE MEETING HELD ON WEDNESDAY 7 DECEMBER 2016 IN THE COUNCIL CHAMBERS

1612/013

RESOLVED

1. That the Minutes of the Floodplain Risk Management Committee, held on 7 December 2016, be received and noted.
2. That the Floodplain Risk Management Committee recommend to Council the formal adoption of the Floodplain Risk Management Study and Floodplain Risk Management Plan for Blayney - Final dated December 2016.

(Radburn/Kingham)
CARRIED

TOWN OF BLAYNEY FLOODPLAIN RISK MANAGEMENT STUDY AND PLAN

1612/014

RESOLVED

That Council adopt the Floodplain Risk Management Study and Floodplain Risk Management Plan for Blayney – Final, dated December 2016.

(Radburn/Oates)
CARRIED

DIRECTOR INFRASTRUCTURE SERVICES MONTHLY REPORT

1612/015

RESOLVED

That the Director of Infrastructure Services Monthly report for December 2016 be received and noted.

(Ewin/Braddon)
CARRIED

CENTROC - REGIONAL ROAD SIGNS CONTRACT

1612/016

RESOLVED

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

(Somerville/Ewin)
CARRIED

MINUTES OF THE BLAYNEY SHIRE SPORTS COUNCIL
MEETING HELD THURSDAY 17 NOVEMBER 2016

1612/017

RESOLVED

1. That the Minutes of the Blayney Shire Sports Council Meeting, held on 17 November 2016, be received and noted.
2. That Sports Council recommend a demand audit and masterplan of recreational facilities within Blayney be undertaken, with the view to prepare “shovel ready” projects for funding purposes.

(Kingham/Oates)
CARRIED

MINUTES OF THE BLAYNEY TRAFFIC COMMITTEE
MEETING HELD 2 DECEMBER 2016

1612/018

RESOLVED

1. That the Minutes of the Blayney Traffic Committee Meeting, held on 2 December 2016, be received and noted.
2. That Council investigate the 3 recommendations from the meeting held 21 October 2016 between Council’s Manager Infrastructure Geoff Paton and Jenene Pout from Roads & Maritime Services, with a view to implement any changes mid school term 2017.
3. That Council approve the Newcrest Orange Challenge 2017 to be held Sunday, 5 March 2017, subject to the following conditions:
 - a) Council to receive certified and signed Traffic Control Plans.
 - b) 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.
 - c) Approval is to be obtained from the Roads and Maritime Services Traffic Operations Manager.
 - d) Approval is to be obtained from NSW Police.
 - e) Council is to be provided with a copy of a \$20M Public Liability Insurance Policy indicating Blayney Shire Council’s interests, with the date and location of the event.
 - f) The Event Organiser is to notify all Emergency Services of the event including Blayney Hospital.
 - g) The Event Organiser is to notify all business proprietors and residents affected by the event at least 7 days prior to the event.
 - h) The Event Organiser is to comply with the requirements of the “Guide to Traffic and Transport Management for Special Events” (Version 3.4), 2 August 2006, for a class 1 event.

- i) The Event Organiser is to comply with the requirements of the “Guide for Bicycle Road Races” NSW 1 January 2004.
 - j) Approval is to be obtained from Cabonne and Orange Council’s.
 - k) Advice is to be provided to RMS through the Traffic Management Plan (TMP) of alternate routes.
 - l) A formally nominated Controller/Liaison person for start of all events, shall be located at a designated place at all times.
4. That the Millfest 2017 event be approved subject to Traffic Committee sighting current public liability insurance and an updated Traffic Control Plan.
 5. That Council investigate alternative temporary signage for Wedding/Funeral signs in Adelaide Street, Blayney to the proposed hinged permanent signage.
 6. That in principle support be given to the 2017 NAB Blayney to Bathurst (B2B) Cycling Festival to be held Sunday, 2 April 2017 subject to receipt of updated Traffic Control Plan and the following conditions:
 - a) That Council receive certified and signed Traffic Control Plans.
 - b) 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.
 - c) Approval is to be obtained from the Roads and Maritime Services Traffic Operations Manager.
 - d) Approval is to be obtained from NSW Police.
 - e) Council is to be provided with a copy of a \$20M Public Liability Insurance Policy indicating Blayney Shire Council’s interests, with the date and location of the event.
 - f) The Event Organiser is to notify all Emergency Services of the event including Blayney Hospital.
 - g) The Event Organiser is to notify all business proprietors and residents affected by the event at least 7 days prior to the event.
 - h) The Event Organiser is to comply with the requirements of the “Guide to Traffic and Transport Management for Special Events” (Version 3.4), 2 August 2006, for a class 1 event.
 - i) The Event Organiser is to comply with the requirements of the “Guide for Bicycle Road Races” NSW 1 January 2004.
 - j) Advice is to be provided to RMS through the Traffic Management Plan (TMP) of alternate routes.
 - k) A formally nominated Controller/Liaison person for start of all events, shall be located at a designated place at all times.

7. That the Australia Day Carcoar 2017 event be approved subject to Council sighting a certificate of currency for public liability insurance and that Council prepare authorised Traffic Control Plan.
8. That support be given for Council to investigate options for Caravan/Long Vehicle Parking in Adelaide Street, Blayney and present to Traffic Committee.

(Radburn/Ewin)

CARRIED

CONTRACT 04/2016 TIMBER BRIDGES REPLACEMENT PROJECT

1612/019

RESOLVED

That Council enter into a contract with VEC Civil Pty Ltd for \$2,292,816 (ex GST) subject to provisional items and variations, to undertake the design and construction of 6 bridges at (Coombing Street Bridge over School Creek, Dowsetts Lane Bridge over Coombing Creek, Errowanbang Road Bridge over Dirt Hole Creek, Felltimber Road Bridge over Coombing Creek, Gallymont Road Bridge over Felltimber Creek and Newbridge Road Bridge over Evans Plains Creek.

(Braddon/Oates)

CARRIED

PLANNING AND ENVIRONMENTAL SERVICES REPORTS

DEVELOPMENT APPLICATION 55/2016 - ANIMAL BREEDING, KEEPING AND TRAINING FACILITY AT LOT 144 DP 750408, 73 SOMERS LANE MANDURAMA

1612/020

RESOLVED

That Council refuse Development Application 55/2016 for an animal breeding, keeping and training facility at Lot 144 DP 750408, 73 Somers Lane, Mandurama, for the following reasons:

1. Additional information, being an adequate noise assessment prepared by a suitably qualified person and geotechnical report have not been supplied as requested in accordance with clause 54 of the Environmental Planning and Assessment Regulation 2000,
2. An adequate noise assessment and geotechnical report has not been provided to;
 - a. Support the development.
 - b. Enable proper consideration of the compatibility of the development with the existing rural residential landuse pattern,
 - c. Confirm landuse conflict will not be created from the development,

- d. Confirm the site is suitable for the development,
- e. Enable proper consideration of the development and its impact upon the natural and built environment,
- f. Address issues detailed in submissions made against the development

(Radburn/Oates)

CARRIED

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

FOR	AGAINST
Councillor Ewin	
Councillor Braddon	
Councillor Oates	
Councillor Kingham	
Councillor Somerville	
Councillor Ferguson	
Councillor Radburn	
Total (7)	Total (0)

ORANGE CITY COUNCIL - ORANGE AIRPORT PLANNING PROPOSAL - INDUSTRIAL AND TECHNOLOGY PARK

1612/021

RESOLVED

That Council;

1. Advise Orange City Council and NSW Department of Planning and Environment, Council does not support the amended Orange City Council Planning Proposal including proposed addendum to the 2008 Blayney Cabonne Orange Sub-Regional Rural and Industrial Land Use Strategy for the rezoning of land surrounding the Orange Airport at Spring Hill to accommodate future industrial and technology based development.
2. Supports a joint review to be undertaken of the 2008 Blayney Cabonne Orange Sub-Regional Rural and Industrial Land Use Strategy in its entirety by; NSW Department of Planning and Environment, Blayney, Cabonne and Orange Councils.
3. That Council write to the local State Member; Hon Paul Toole seeking he make representation on Council's behalf to the NSW Minister for Planning outlining Council's concerns with this Planning Proposal and Councils desire to undertake a joint review of the 2008 Blayney Cabonne Orange Sub-Regional Rural and Industrial Land Use Strategy in its entirety together with; NSW Department of Planning and Environment, Blayney, Cabonne and Orange Councils.

4. If the; NSW Department of Planning and Environment, Blayney, Cabonne and Orange Council agree to undertake a joint review of the 2008 Blayney Cabonne Orange Sub-Regional Rural and Industrial Land Use Strategy in its entirety, Council fund ¼ of the total cost of the review by transferring \$50,000 from the Property Account Reserve for this purpose.

(Radburn/Somerville)

CARRIED

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

FOR	AGAINST
Councillor Ewin	Councillor Braddon
Councillor Oates	Councillor Kingham
Councillor Somerville	
Councillor Ferguson	
Councillor Radburn	
Total (5)	Total (2)

CONTAMINATED LAND POLICY

1612/022

RESOLVED

That Council place the draft Contaminated Land Policy on public exhibition for a period of 28 days.

(Oates/Ewin)

CARRIED

REQUEST FOR ADJUSTMENT TO CHARGES, BLAYNEY WASTE FACILITY

1612/023

RESOLVED

1. That Council approve an adjustment to the disposal rate charged to JR Richards for delivery of 61m³ of commercial waste to Blayney Waste Facility, from \$190 per m³ to \$48 per m³. This results in an adjustment of \$8,662 in JR Richards favour.
2. The total adjustment on this matter is \$15,052 in JR Richards favour.

(Kingham/Ewin)

CARRIED

MINUTES OF THE BLAYNEY SHIRE CEMETERY FORUM MEETING HELD THURSDAY 10 NOVEMBER 2016

1612/024

RESOLVED

That Minutes of the Blayney Shire Cemetery Forum Meeting, held on 10 November 2016, be received and noted.

(Braddon/Somerville)

CARRIED

**MINUTES OF THE BLAYNEY SHIRE ACCESS ADVISORY
COMMITTEE MEETING HELD THURSDAY 10 NOVEMBER
2016**

1612/025

RESOLVED

That the Minutes of the Blayney Shire Access Committee Meeting, held on 10 November 2016 be received and noted.

(Oates/Braddon)

CARRIED

DELEGATES REPORTS

1612/026

WBC ALLIANCE EXECUTIVE OFFICER REPORT
RESOLVED

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

(Braddon/Ewin)

CARRIED

There being no further business, the meeting concluded at 6.36pm

The Minute Numbers 1612/001 to 1612/026 were confirmed on 20 February 2017 and are a full and accurate record of proceedings of the Ordinary Meeting held on 19 December 2016.

Cr S Ferguson
MAYOR

Mrs R Ryan
GENERAL MANAGER

02) COUNCIL MEETING DATES

Department: Executive Services

Author: General Manager

CSP Link: 6.3 A well-run Council organisation.

File No: GO.ME.2

Recommendation:

That the meeting dates and times for Ordinary Meetings of Council post March 2017, for the following 5 months be adopted as follows;

Tuesday 18 April 2017
Monday 15 May 2017
Monday 19 June 2017
Monday 17 July 2017
Monday 21 August 2017

Reason for Report:

At the September meeting, Council established the meeting schedule from October 2016 to March 2017, as per the Local Government Act (1993) s365, and Council's Code of Meeting Practice (2015) as follows;

Monday 24 October 2016
Monday 21 November 2016
Monday 19 December 2016
Monday 20 February 2017
Monday 20 March 2017

A 6 month meeting schedule was decided since Council was bound by the Ministerial Order which listed Blayney as a council where the ordinary election due to be held on 10 September 2016 was postponed from the date of the order (15 April 2016) for a period of no more than 12 months.

Report:

Local Government Circular No 16/44 (November 2016) provided an update for council's subject to a merger proposal advising that if the council has not been merged by 10 April 2017; there will need to be an election date set which was most likely to be 9 September 2017 and the election conducted.

Given the third Monday in April, is the Easter Monday Public Holiday, it is proposed that Council approve the April meeting back a day. The following dates and times are recommended for the Ordinary Meetings of Council over the ensuing 5 months:

Tuesday 18 April 2017
Monday 15 May 2017
Monday 19 June 2017
Monday 17 July 2017
Monday 21 August 2017

These meetings are additional to the next monthly meeting on Monday 20 March 2017, as previously resolved by Council (**Resolution No 1609/002**)

Ordinary Meetings of Council commence at 6.00 pm in the Council Chambers, Blayney Shire Community Centre at 44 Church Street, Blayney.

Issues:

This schedule does not include Committee meetings, special Council meetings, workshops or training, civic functions and other commitments of Councillors.

Budget Implications:

Council meetings are a normal part of the operations of the organisation, and budgeted for in the 2016-2017 Operational Plan. This includes travel reimbursement costs of Councillors and catering for meals.

Enclosures (following report)

Nil

Attachments (separate document)

Nil

03) THE COTTAGE MOU BLAYNEY SHIRE ARTS AND CRAFTS COUNCIL INCORPORATED

Department: Executive Services

Author: General Manager

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

File No: CS.SV.3

Recommendation:

1. That Council approve the Memorandum of Understanding with the Blayney Shire Arts and Crafts Council Incorporated as presented.
2. That Council approve the annual donation of \$440 being the relevant hire charge for Cadia Meeting room as noted in Council's Operational Plan 2016/17 for 11 meetings per year and this donation be included in Council's Community Financial Assistance Program, Annual Financial Assistance list of recurrent contributions 2017/18.

Reason for Report:

The refurbishment of the Blayney Visitor Information Centre (the Cottage), being Stage 1 of the Cultural Centre Project is now complete. On Monday 30 January 2017, the new café commenced trading as per the commercial lease agreement approved by Council at the July 2016 meeting (**Resolution No 1607/024**). At the same time, the Visitor Information services, after having a 4 month holiday closed for the refurbishment break, resumed in newly fitted out space.

This was stimulus for a review of the Memorandum of Understanding between Council and the Blayney Shire Arts and Crafts Council Incorporated (BSACI). This document signed by Council in October 2013 established the responsibilities of each party in providing a Level 3 Accredited Visitor Information Centre service from the Cottage.

The draft new MOU is attached following this report for Council information. Council approval is sought to approve this MOU in addition to a request for the financial assistance necessary for conducting of meetings in the Community Centre.

Report:

A front room, the enclosed side verandah and the small secure storage space has remained for the exclusive use by the BSACI to support them providing customer services for the VIC. Council staff have worked closely with the BSACI in selecting shelving, counter, brochure displays and signage.

As per the prior MOU, the BSACI are provided with a laptop, printer, phone/internet, desk furniture and access to toilet facilities.

There has been some changes to the supervision of the VIC display in regards to meeting Destination NSW accreditation and to facilitate this a more hands on support approach and involvement by Council staff for the branding of marketing/promotional material will provide uniform delivery of visitor information. In addition, new workplace health and safety manuals were developed and all volunteers are inducted to the Cottage operations, to meet Council's Volunteer insurance requirements.

When the BSACI volunteers are not on duty, visitors will be able to collect local information from the café, and view continual media promotional footage on a large screen TV. Local artists will be invited to display work with exhibitions coordinated by a Textures of One committee member in the café and VIC.

Issues:

The meeting space previously utilised by BSACI and other community groups is no longer appropriate for holding in the café operations. Council has worked with the Blayney Meals on Wheels office, which is now providing meeting rooms for Red Cross, Weight Loss and the Sewing group. Blayney Can Assist along with BSACI however have booked the Blayney Shire Community Centre Cadia Meeting Room for their meetings and this report seeks Council support for financial assistance in this regard.

Budget Implications:

The cost of delivering VIC services is now offset by the rental of \$300 per week, as agreed by Council in July 2016. This has been reflected in the second quarter QBRS presented to Council in a separate report.

The costs of heating, utilities, rates, and interior cleaning is now shared between the café, BSACI and Council proportionate to space and usage.

The monthly community meeting room hire for BSACI for 2 hours per month for 11 months of the year is \$440, as per the 2016/17 Operational Plan. It is recommended that this charge be incorporated into Council's annual financial assistance list of recurrent donations under s355 of the LG Act.

Enclosures (following report)

- 1 DRAFT 2017 Blayney Shire Arts and Craft Council
MOU

2 Pages

Attachments (separate document)

Nil

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

1. PURPOSE

The purpose of this Memorandum of Understanding (MOU) is to outline the general principles for a collaborative approach to the operation of the Blayney Visitor Information Centre at 97 Adelaide Street, Blayney.

2. DEFINITIONS

In this document the following definitions will apply:

Council: means Blayney Shire Council

BSACI: means Blayney Shire Arts & Craft Council Incorporated

Cottage: means Blayney Visitor Information Centre, 97 Adelaide Street, Blayney

Community Centre: means the Blayney Shire Community Centre, 41 Church Street, Blayney

3. COMMENCEMENT & PERIOD OF OPERATION

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

4. ACKNOWLEDGEMENTS

- 4.1. The aim of The Cottage Visitor Information Centre is to be a Level 3 accredited Visitor Information Centre service to the community and visitors as required
- 4.2. This is a shared space with the commercial Café operation, under separate lease agreement with Council and locally supported Art Gallery

5. GENERAL

- 5.1. Level 3 Accreditation with Destination NSW will be maintained subject to conditions being satisfied, and is the responsibility of Council in part with BSACI undertaking their role as Visitor Information Centre Volunteers
- 5.2. Any marketing, promotional material or branding of tourist information will be approved by Council
- 5.3. Cleaning of the VIC space used exclusively by BSACI is the responsibility of BSACI
- 5.4. BSACI Volunteers will be inducted and comply with all Blayney Shire Workplace Health and Safety requirements, policies and procedures as directed and supported
- 5.5. Any sale of local arts and crafts, relevant policies and coordination of traders remains the responsibility of BSACI and its members

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

6. FUNDING CONTRIBUTION

- 6.1. Council will provide funding support for the operation of the Cottage including charges associated with rates, sewer, water, building maintenance, utilities, internet, public Wifi, laptop maintenance, smoke alarms and fire equipment.
- 6.2. Council will provide support to facilitate stocks of promotional material, of a general nature e.g. maps, brochures, new resident kits and information on localities within Blayney Shire, being maintained subject to budgetary constraints.
- 6.3. Council will provide a laptop, printer, internet access, public Wifi and telephone and bear all costs of services associated with this equipment.
- 6.4. Council will provide 100% funding for Public Liability insurance of BSACI which is included as a recurrent annual donation via Council's Financial Assistance Program
- 6.5. BSACI will ensure Public Liability Insurance is maintained and provide evidence upon renewal of annual premium
- 6.6. Meeting space will be made available in the Community Centre Cadia Room and booked from February to December, the first Tuesday of the month from 1pm – 3pm
- 6.7. The cost of meeting room hire at a charge as per Council's adopted Operational Plan Fees and Charges will be included as a recurrent annual donation via Council's Financial Assistance Program

7. REVIEW OF MEMORANDUM OF UNDERSTANDING

Through the Memorandum of Understanding, Council and the BSACI agree that the MOU is open to constant review and may be amended when all parties agree that it is required.

Signatures to this memorandum:

Witness:

Signature:

**Rebecca Ryan
General Manager
Blayney Shire Council**

Date: _____

Signature:

Witness:

**Barbara Anderson
Chairperson
Blayney Shire Arts & Craft Council Incorporated**

Date: _____

04) INALA UNITS MILLTHORPE**Department:** Executive Services**Author:** General Manager**CSP Link:** 5.1 A diverse and sustainable population in our communities and villages.**File No:** PM.RP.6**Recommendation:**

That Council endorse the recommendations of the Inala Units Working Group and proceed with the Expression of Interest for a suitably qualified community housing provider to take over responsibility for the ownership, maintenance and operation of the Inala complex as affordable housing facility on a long term basis.

Reason for Report:

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

A recommended strategy is now provided for Council consideration whereby both Council's and the community interests are addressed.

Report:

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

Further input was sought from Council's Director Corporate Services; who has a thorough knowledge of the history of Inala Units and Councillor Somerville who has previous experience in establishing private/public partnerships.

The results of a community survey have been collated, which demonstrated the support for Council in maintaining Inala Units as affordable housing. In total 108 surveys were received, either in hard copy and online.

- 77% of survey respondents were from Millthorpe
- 23% of those surveyed knew that Council owned Inala Units
- 87% felt Council should remain involved in the provision of housing
- 94% opposed the proposed sale

A petition with 443 signatures was presented to Council with the following statement ‘We are opposed to the sale of the Inala self-care apartments in Park Street Millthorpe as proposed by the Blayney Shire Council.’

A meeting was held with HousingPlus, a not for profit social housing provider which operates throughout the central west with offices in Mudgee, Bathurst and Orange. This provided an opportunity for the working group to appreciate the diversity of the social, transitional and affordable housing sector.

Affordable housing providers are funded by the NSW and Australian governments with funding streams via rental income, grants, return on investments and capital growth. Their clients are many and varied, for both short and longer periods of need with the demand on the increase. Affordable housing is an important issue and given a high priority by the new Premier NSW of late.

The working group have developed the concept of an Expression of Interest (EOI) process and it is estimated that this will be undertaken over the next 3 months as follows;

Stage	Whom	Time Frame
Progress report to Council endorsement of process	Working Group	20 February 2017 Council Meeting
Call for Expressions of Interest (EOIs) by targeted invitations, advertisement in local press and on website	Council staff	Open for 3 weeks minimum
Confidentiality agreements signed and due diligence	Council staff and shortlisted tenderers	1 week
Site inspections for interested parties	Council staff	2 weeks
Assembly of due diligence materials and draft contract	Council staff	2 weeks
Shortlisting of EOIs (if necessary)	Tender Evaluation Panel	1 – 2 weeks
Request for tenders, further meetings if required, evaluation and recommendation preferred Tender	Working Group	2 – 3 weeks
Final Report to Council Preferred Tender recommended	Working Group	15 May 2017 Council Meeting
Signing of contracts	Council and successful Tenderer	1 month

Issues:

It is proposed that an EOI process be undertaken with the view to establishing a suitably qualified community housing provider to assume responsibility for the ownership, maintenance and operation of the Inala complex as affordable housing facility on a long term basis. A copy of the proposed EOI advertisement and proposal document which details the process is attached following this report for Council comment.

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

Prior to Council resolving to divest in its responsibilities for this asset it is also in Council's best interests to ensure that the Inala Units continue to provide and retain affordable housing facility for aged low-income and pensioner shire residents in perpetuity. The principles of equity, access, security and inclusion be applied to all decisions relating to Inala units and its residents and be addressed in detail by future owners or licensees.

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

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

Any sale process will be conducted in accordance with the NSW Local Government Act (1993), Local Government Regulations NSW (2005), Council's Code of Conduct; and accepted standards of probity, integrity and good conduct in public administration.

Budget Implications:

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

Enclosures (following report)

1	Inala Units EOI Advert	1 Page
2	Inala Units EOI Information Pack	4 Pages

Attachments (separate document)

Nil

ADVERTISEMENT**WEB PAGE NOTE****TAILORED EMAIL TO COMMUNITY HOUSING PROVIDERS**

Inala Units is a complex comprising 10 single bedroom single story units located in the thriving village of Millthorpe in the Central Tablelands of NSW. Inala currently provides affordable housing mostly for aged pensioners.

The current owner, Blayney Shire Council, is looking for a suitably qualified community housing provider to take over responsibility for the ownership, maintenance and operation of the Inala complex as affordable housing facility on a long term basis.

A brief information package is available [here](#).

If your organisation is interested in this opportunity, you are invited to register your interest via the EOI process. Details of the requirements of the EOI are set out in the information package.

Council will be contacting all parties who express interest in the opportunity, after the close of the EOI period, with details of the next steps on the process. In the meantime, if you require any further information please contact Council's Director of Corporate Services, Anton Franze, on Ph 6368 2104.

Expression of Interest



EOI X/2017

Sale of 10 Residential Units at 33 Park Street, Millthorpe for Affordable Housing

February 2017

BACKGROUND

Blayney Shire Council (**Council**) owns the Inala Units located at 33 Park Street, Millthorpe being lot 221/DP593369.



Council purchased the land and constructed units in 1980 with a grant from the Department of Social Security. The original funding purpose was to provide affordable housing for those people able to live alone in a self-care environment. NSW Health, now responsible for this program and the Funding Agreement, has formally advised Council that there are no remaining obligations arising from the Agreement.

Council and the Millthorpe Village Committee are now working together to secure the future of Inala units as an affordable housing option in the village of Millthorpe, while at the same time allowing Council to realise its capital investment in the units.

DESCRIPTION OF INALA UNITS

The Inala Units complex comprises 10 single bedroom standalone units with shared car parking in open space and 4 carports.



Rental is not subsidised and attracts a market rate ranging from \$155 - \$165 per week with an extra \$10 per week for a lockable garage of which there are 4 in number.

Gross annual rental for the 2015/16 year was \$65,625 which included two subsidised tenants (rentals set at 75% on aged pension) and occupancy deviated between 70% - 90% occupancy.

The title is unrestricted freehold. The property is classified as operational land, which means that the land is not subject to any restrictions for public or community purposes and may be sold by Council.

PROJECT OBJECTIVES

The objectives for this Project are:

- a) to retain the units as an affordable housing complex, serving the needs of older and aged low-income and pensioner Shire residents;
- b) to ensure that the units are managed to maximize and improve the amenity of the site for current and future occupiers;

- c) to preserve the existing security of tenure of the residents of the units;
- d) for Council to divest the units in a timely and efficient manner;
- e) for Council to terminate its continuing responsibilities as owner and manager and to minimise any post Project residual risks and liabilities to Council;
- f) to ensure a fair and equitable balance between:
 - i. maximising the financial benefits to the Council accruing as a result of the Project; and
 - ii. the achievement of the other Project objectives; and
- g) to ensure the process is conducted in accordance with the Local Government Act 1993 (NSW), Local Government Regulations NSW (2005), Council's Code of Conduct; and accepted standards of probity, integrity and good conduct in public administration.

EOI INFORMATION REQUIRED

Interested parties are requested to provide the following information:

1. A brief description of the organisation, any licensing or accreditation registrations and its role and vision in providing affordable, social or community housing options to low income earners.
2. Examples of the organisation's record [in carrying out housing needs assessments], achieving social outcomes and working closely and effectively with communities, government and tenants.
3. A brief comment on your organisation's ability to assist in delivering the Project objectives.

Proposals from partnerships, joint venture or consortium parties will be considered.

Interested parties who would like a site inspection prior to close of this EOI are requested to contact Council's Director of Corporate Services, Anton Franze, on Ph 6368 2104.

Expressions of interest should be sent to the General Manager, Blayney Shire Council by 5pm Friday 17 March 2017. Council reserves the right to extend this date at its discretion.

SELECTION PROCESS

Council has established a working group comprising Councillors, community representatives and Council staff to oversee the process and make final recommendations to Council.

It is envisaged that a limited number of respondents to the EOI will be shortlisted and be invited to submit detailed proposals. At that stage detailed due diligence information will be provided (subject to signing of a confidentiality agreement), meetings with the working group will be held and ample opportunity will be given for questions and answers.

FURTHER INFORMATION

Further information is available from Council's Director of Corporate Services, Anton Franze, on Ph 6368 2104 or email council@blayney.nsw.gov.au

20 February 2017

05) **PALLIATIVE CARE SUITE BLAYNEY HEALTH SERVICE - REQUEST FOR
FINANCIAL ASSISTANCE**

Department: Executive Services

Author: General Manager

CSP Link: 4.4 Integrated medical and aged care facilities across the Shire.

File No: CR.SD.1

Recommendation:

1. That Council support the request for financial assistance from the Blayney Rotary Club and provide a donation of up to \$20,000 for the Blayney Palliative Care Suite at the Blayney Health Service.
2. That the second quarter QBRs include an increase to the Financial Assistance Program allocation of \$20,000 to reflect this contribution.

Reason for Report:

The Blayney Rotary Club is seeking Council support for the shortfall in funding required towards the Blayney Multi-Purpose Health Service (MPS) Palliative Care suite project.

A request up to a maximum of \$20,000 is sought to ensure that this project proceeds. A copy of this request is provided to Councillors under separate cover.

Report:

In 2014, the Blayney Rotary Club commenced fund raising for a palliative care suite at the Blayney Hospital (MPS). Whilst there was support from both the NSW Minister for Health and the Western Area Health Service for such a facility, the constraints on the NSW Health budget was a limiting factor towards any successful outcome in the short term.

The Blayney Rotary Club accepted the challenge to raise \$150,000, being the original budget estimate, and have conducted events and received donations from the community and other benefactors over the past 18 months to raise a total of \$77,223 towards the project. This included a Community Building Partnership Grant of \$10,000, proceeds from the Masquerade Ball and auction \$11,549, trust funds held remaining from the Community Bus project \$24,397 and Regis \$5,000. The community support has been significant with donations totalling \$18,937 given to Rotary from raffles, BBQ's and event proceeds.

Blayney Rotary have paid for the architectural drawings (Havenhand Mather) and structural engineering reports (Cooke and Roe) from accredited NSW Health providers. Financial support has been committed from the NSW Government via a number of community grants or contributions.

A public tender process completed by the Western Area Health Service infrastructure services received two tenders, one of which was \$100,000 over the original estimate. The preferred tender that WAHS wish to award the contract is for \$173,810, which is still over the target of funds raised.

The funding statement (ex GST) as at 1 February 2017 is as follows;

Income	
Blayney Rotary	\$77,223
<u>NSW Health Minister/CVO Grant</u>	<u>\$85,000</u>
Total	\$162,223
Expenses	
Havenhand Mather/Cook and Roe	\$8,044
<u>Construction Tender</u>	<u>\$173,810</u>
Total	\$181,854
<u>Shortfall</u>	<u>\$19,631</u>

Issues:

Normally a grant such as this would be included in the draft Operational Plan and therefore placed on public exhibition for comment.

This project meets the current guidelines for One-off Financial Assistance as per Council's Community Financial Assistance Program;

- *provided for projects involving the construction, maintenance or repair of community facilities*
- *demonstrated broad community benefit and support*
- *in accordance with the Community Strategic Plan and Delivery Plan.*
- *one off Financial Assistance, special projects enhancing a community facility may receive up to \$10,000*
- *subject to funding availability, a higher level of financial assistance may be available for special projects. These usually entail capital works such as ground works, building construction, and/or major equipment purchase.*
- *Funding for special projects is non-recurrent and is subject to the applicant entering into a management agreement for the facility with Blayney Shire Council or the Crown with Council's support.*

The next meeting of the Financial Assistance Committee however is not until the end of March. A contribution of this amount however would require determination by Council.

The recipient is not acting for private gain and as per s356 of the Local Government Act, Council may contribute money or otherwise grant financial assistance by resolution.

This is a new facility that will benefit residents from the whole shire and supports the objectives of the Community Strategic Plan (2012-2025):

- developing and maintaining shire social infrastructure
- integrated medical and aged care facilities across the shire

It is arguable this is a NSW government responsibility. The support however, demonstrated by local government, and the community, is sometimes the initial or final step required to ensure a service is provided to the community by NSW Health. All future costs associated with the new palliative care suite and asset management remain the responsibility for the Blayney MPS.

Council has supported this project financially via the Financial Assistance Program for the Community Centre Hire charges for the Masquerade Ball (2016) and proceeds from the Winter Wonderland event (\$650). Council has in the past provided a number of small donations for Community Centre Hire (2014 and 2015); and the volunteer assistance provided for Australia Day (2017, 2016) and folding of newsletters (2014).

Council received a grant from the local member of the time for a local transport project and donated to the Blayney Rotary Community Bus project in 2014.

Budget Implications:

The request is for a maximum of \$20,000 and should there be any savings or additional funds raised by Blayney Rotary Club in the interim, the final ask will be for less.

Council would want ensure this project is now fully funded and any overspend the responsibility of NSW Health. Formal advice to this effect will be obtained from the Western Area Health Service infrastructure services prior to any agreement being reached should Council agree to this request. Payments would be made subject to the successful completion of project milestones.

This \$20,000 increase to the Financial Assistance 2016/17 allocation of \$100,000 from cash reserves has been included in the second Quarterly Budget Review Statement (QBRS) under the separate report for Council consideration. Should Council not agree to the request, this amount will be deducted from the QBRS 'transfers to and from' recommendation.

Enclosures (following report)

1 Letter of Request - Palliative Care Suite Project 3 Pages

Attachments (separate document)

Nil

Kareela
61 Walkom Road
Kings Plains via Blayney NSW 2799

(M) 0418 212 930

mhedge@bigpond.net.au

1 February 2017

Mrs Rebecca Ryan
General Manager
Blayney Shire Council
91 Adelaide Street
BLAYNEY NSW 2799

Dear Rebecca

BLAYNEY MPS-PALLIATIVE CARE SUITE PROJECT

Thank you for your call this morning regarding the above project, the fundraising for which has been organised through the Rotary Club of Blayney.

The project was developed in 2014 by then then Rotary president, Leeanne Wright as a suitable project for Blayney Rotary to undertake. It was clear at the start that having a palliative care suite at Blayney MPS had the support from the then Minister for Health and the Western Area Health Service, but that it was most probably not going to be built if total funding was required from the Dept. of Health's budget, given the many demands on that budget. Blayney Rotary resolved at the start of Mrs Wright's presidency (July 2015) that Blayney Rotary should support this project.

The purpose was to provide a caring environment within the local community where people could die with dignity and family members would have the opportunity to maintain a caring relationship close to their home. Without this facility, the closest palliative care suite facility would be Orange.

In July 2015 Blayney Rotary appointed Havenhand & Mather as architects. This followed extensive site reviews with Kathy Hillier (Manager Blayney MPS) & Peter Rudge (WLAHS engineer). Kathy and her staff were actively involved in determining the needs & layout of the proposed facility. I was appointed the Blayney Rotary team leader for this project.

Despite various changes as time passed, a design which met all the technical requirements of the Dept. of Health was finally agreed on. Tenders were let at end November 2016 and closed prior to 31 December 2016. I am informed by Mr Rudge that whilst four builders looked at the project only two submitted tenders.

Mr Rudge has informed me that of the two tenderers, he can really only accept one, that being the cheapest tenderer (the other tenderer's quote was over \$100,000 more). This tenderer has put in quote of \$173,810 (this excludes GST as Dept. of Health contracts are GST free). If accepted, this leaves a shortfall of \$19,631.30, the details of which calculation are shown below.

At this point I should mention that due to a personal contact, I had informed Mr Mark Lamond of NSW Health Infrastructure of this development back in early 2015. Mr Lamond informed me that he controls all Health building works in NSW and that he would, if invited by NSW Health, overview this project on a pro bono basis on behalf of Blayney Rotary. I believe that Mr Rudge has now made contact with Mr Lamond. I am seeing Mr Lamond in Sydney on Friday 3 February and will be able to report back to you following that meeting. Suffice to say, when informed by me of the \$20,000 shortfall Mr Lamond told me not to proceed with further fundraising as he would have it sorted. Whether or not this turns out to be fact or fiction we all eagerly await to find out!

Fundraising position as at 1 February 2017:

Funds held by Blayney Rotary (Special Purpose Account)	77,222.70
Less:	
Paid to Havenhand & Mather for architectural fees, Includes amount payable to Cook & Roe (structural engineers-no further fees payable)	<u>8,044.00</u>
Funds held as at 1 February 2017	69,178.70
Funds held by WLAHS:	
Minister Skinner's grant	25,000.00
Dept. of Health grant	30,000.00
CVO grant	<u>30,000.00</u>
	<u>85,000.00</u>
Total net funds available	154,178.30
Tender that WLAH want to accept	<u>173,810.00</u>
Shortfall at 1 February 2017	<u><u>\$19,631.30</u></u>

Of the \$77,222.70 raised by Blayney Rotary (excluding the CVO grant which Blayney Rotary also applied for) these funds are accounted for as follows:

Special Purpose account opening balance (ie left over from Community Bus project 2014)	24,396.67
Masquerade Ball net proceeds	11,549.08
Donations (Blayney community, Regis \$5,000)	23,936.55
Community Building P'ship grant	10,000.00
Other fundraising	6,555.00
Interest	<u>785.40</u>
	77,222.70

Whether or not further funds are required in the event of a shortfall depends on what Mr Lamond has to say on Friday 3 February. Mr Rudge was of the view that he would have to proceed one way or another with the successful tenderer (name not disclosed to me) by Monday 6 February. Obviously, no one wants this project to fall over at the last hurdle so any assistance that Council can make to cover the shortfall will be very highly valued by everyone associated with this project.

I should also note that Havenhand & Mather estimated that this project should cost no more than \$150,000. This was the figure stipulated by Mr Rudge as required before he would go to tender. It is disappointing that the tenders have come in above that estimate. You should also note that the contract, when let, will be in the name of WLAHS. All Blayney Rotary have to do is transfer the balance of funds into a WLAHS trust account that has already being set up (it already holds the \$85,000 mentioned above). As Mr Rudge approves all payments, he informs me that contract alterations once signed will be zero.

I hope this provides the outline you require but if you require any further information or explanation please do not hesitate to contact me.

Yours sincerely

Miles Hedge
Chair of the Fundraising Committee
Rotary Club of Blayney
Blayney MPS Palliative Care Suite Project.

06) RISK WORK HEALTH AND SAFETY QUARTERLY REPORT

Department: Executive Services

Author: Risk Officer

CSP Link: 6.3 A well-run Council organisation.

File No: GO.ME.1

Recommendation:

That the Risk, Work Health and Safety Report for the quarter October to December 2016 be noted and received by Council.

Reason for Report:

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

Report:**StateCover** – Workers Compensation Insurer

The NSW StateCover WHS Financial Incentive of \$17,962 (ex GST) was received by Council in December. The incentive is provided to fund improvements in Council's WHS performance particularly in areas identified by the StateCover Self-Audit completed in July. This incentive is dependent on 2016/17 premium renewal with StateCover and completion of three key performance indicators (KPIs)

1. Completion of the WHS Self- Audit and action plan
2. Independent verification of answers (if selected for verification)
3. Receipt of completed wages declaration

StateWide Mutual – Insurance other than Workers Compensation

The 2016/17 Risk Management Action Plan (RMAP) was submitted in November and accepted by our insurer. As Council was given an extension to the submission deadline the discretionary bonus was not distributed in December.

Consultation

Health and Safety Committee met in December and WHS is discussed at weekly departmental and MANEX meetings.

All staff are encouraged to participate in health and safety and report any concerns to their representatives, supervisor or Risk Officer.

Centroc

Attended Work Health and Safety (WHS)/Risk Management Group meeting at Bathurst Regional Council in December.

Training

Nominated staff have completed training and achieved competency in use of chainsaw, forklift, loader and traffic control

Workers Compensation

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

	2015-16	July-Sept 2016	Oct-Dec 2016
Claims	6	1	0
Lost Time Incident	3	1	0
Days lost	6	6	0

Notifications of Injuries/Incidents/Hazards

	2015-16	July-Sept 2016	Oct-Dec 2016
Injury	15	4	5
Incident	30	6	8
Hazard	14	0	2

Contractors

Contractors working with Council are inducted to site and participate in the site specific risk assessment. Twenty contractors have completed the CENTROC WHS induction during this period.

Volunteers

Project and site specific inductions occur on a regular basis.

Events

Blayney Farmers Markets and Tourism Events have been held without any identified WHS issues.

Issues:

Nil

Budget Implications:

- Payment of premium adjustment to insurer of \$1,659 (1/07/2015 – 31/06/2016)
- Council's Workers Compensation second quarter payment (1/10/2016 – 31/12/2016) was \$31,051
- Payment of distribution received from StateCover of \$7,766 in December to general revenue
- The WHS financial incentive from StateCover rebated to Council in December was \$17,962

Enclosures (following report)

Nil

Attachments (separate document)

Nil

07) COUNCIL RESOLUTION REPORT

Department: Executive Services

Author: General Manager

CSP Link: 6.3 A well-run Council organisation.

File No: GO.ME.1

Recommendation:

That Council notes the Outstanding Resolution Report to December 2016.

Reason for Report:

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

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

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

Report:

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

Council currently has 13 resolutions 'in progress'.

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

Date of Council Meeting	Res. No	Resolution	Owner	Comments
15-Feb-16	1602/027	Strategic Planning Projects RESOLVED 3. That Council proceed to prepare a Planning Proposal to rezone the area described "Blayney West" from RU2 Rural Landscape to appropriate residential zoned land	DPES	Not commenced as yet.
		4. That Council proceed to develop a comprehensive Development Control Plan for the Blayney Shire LGA prior to January 2017	DPES	Not commenced as yet.
18-Jul-16	1607/024	EOI Lease Cafe Visitor Information Centre Blayney RESOLVED That Council authorise the General Manager to execute a 2x2 year Lease Agreement for the Café operations at the Visitor Information Centre (The Cottage) at 97 Adelaide Street Blayney with Ironbark Espresso Bar as per the terms and conditions detailed in the Expression of Interest for a rental of \$300 per week excluding GST.	DCS	In progress: Lease Agreement prepared as per Council Resolution, execution requires Council Seal as per report to Council February 2017
19-Sep-16	1609/019	CentrePoint Sport & Leisure Centre - Swimming Pools and Plant Infrastructure Upgrade RESOLVED That Council proceed to undertake community consultation on the proposed upgrading works of the swimming pools and plant infrastructure at CentrePoint Sport and Leisure Centre Blayney.	DPES	In progress: Community consultation undertaken during January & February 2017. Feedback has formed part of a Federal Building Better Regions grant application which closes on 28.02.17
24-Oct-16	1610/006	Development Coordinator Program RESOLVED 1. That Council notes the recruitment process and appointment of each individual Development Coordinator, for the Blayney Town Association, the Carmanhurst Villages Association and the Four Villages Association will commence, once the Program Funding Agreements for these clusters have been signed.	GM	In progress: Funding agreements executed. Recruitment process underway for Development Coordinator roles.

24-Oct-16	1610/013	<p>Reduction Of Rating Income Following Expiry Of 2008/09 Special Rate Variation RESOLVED 2. That Council makes further representations to the Office of Local Government referring to the fact that, under the instrument approving the Community Centre SRV signed by Minister for Local Government, any adjustment to Council's general income should occur in the 2018/19 rating year.</p>	DCS	In progress: Correspondence in preparation for forwarding to Office of Local Government
21-Nov-16	1611/001	<p>General Manager Annual Performance Review RESOLVED That the annual General Manager Performance Review Panel include the Mayor, a Councillor nominated by Council and a Councillor nominated by the General Manager.</p>	GM	In progress: Performance Review conducted December 2016. Panel report provided to February Council Meeting
21-Nov-16	1611/004	<p>Inala Units Millthorpe RESOLVED 1. That Council place on notice inviting public comment for 28 days, the intention in principle; that Council will be proceeding to sell Inala Units being lot 221/DP593369 at 33 Park Street, Millthorpe. 2. That a communications strategy be implemented to ensure the Blayney Shire residents are fully informed and extensive opinion sought.</p>	GM	In progress: Public comment received and report to February Council Meeting as per Resolution 1612/001
21-Nov-16	1611/006	<p>Minutes of the Blayney Shire Cultural Centre Working Group Meeting held Monday 7 November 2016 RESOLVED 3. That the issue of Caravan/Long Vehicle Parking in Adelaide Street be referred to the Traffic Committee to investigate, including an assessment of signage to direct people to correct areas.</p>	GM	In progress: Referred to Traffic Committee, noted in minutes (Resolution No. 1612/018)

21-Nov-16	1611/018	<p>Sale of Lot 1/DP 813003 Maria Street Blayney RESOLVED 3. That Council authorise the Mayor and General Manager to affixing of the Council Seal and executing the Contract of Sale to enable settlement.</p>	GM	In progress: Contract of Sale being prepared by Purchaser Solicitor
19-Dec-16	1612/001	<p>Inala Units RESOLVED 1. That Council forms a working group comprising the Mayor, the Deputy Mayor, the General Manager and the President and Vice President of the Millthorpe Village Committee to undertake an investigation into Inala Units. 2. That Council's consideration of the proposed sale of Inala Units be deferred until a report is provided to Council at the completion of this investigation.</p>	GM	In progress: Working group investigation completed and report provided to February Council Meeting
19-Dec-16	1612/004	<p>Minutes of the Blayney Shire Cultural Centre Working Group Meeting held Monday 5 December 2016 RESOLVED 2. That feedback be provided to the Disability Inclusion Action Plan to include a review of the Disabled Parking Options in Adelaide Street.</p>	GM	In progress: Feedback provided to DIAP and Traffic Advisory Committee
		<p>3. That the Canobolas RFS Zone Committee consider the locations and type of bush fire danger rating signs and their effectiveness in the Blayney Shire and to provide a solution as to a potential location and cost of an electronic sign in Blayney.</p>	GM	In progress: 2 new RFS bush fire danger signs delivered to Council. Negotiations underway as to most appropriate locations that will suit RFS volunteers of local brigade.

<p>19-Dec-16</p>	<p>1612/020</p>	<p>Development Application 55/2016 - Animal breeding, keeping and training facility at Lot 144 DP 750408, 73 Somers Lane Mandurama RESOLVED That Council refuse Development Application 55/2016 for an animal breeding, keeping and training facility at Lot 144 DP 750408, 73 Somers Lane, Mandurama, for the following reasons: 1. Additional information, being an adequate noise assessment prepared by a suitably qualified person and geotechnical report have not been supplied as requested in accordance with clause 54 of the Environmental Planning and Assessment Regulation 2000. 2. An adequate noise assessment and geotechnical report has not been provided to; a. Support the development. b. Enable proper consideration of the compatibility of the development with the existing rural residential landuse pattern, c. Confirm landuse conflict will not be created from the development, d. Confirm the site is suitable for the development, e. Enable proper consideration of the development and its impact upon the natural and built environment, f. Address issues detailed in submissions made against the development.</p>	<p>DPES</p>	<p>In progress: Notice of Determination issued. Notice of Order to be Issued Feb 2017</p>
<p>19-Dec-16</p>	<p>1612/022</p>	<p>Contaminated Land Policy RESOLVED That Council place the draft Contaminated Land Policy on public exhibition for a period of 28 days.</p>	<p>DPES</p>	<p>In progress: Currently on Exhibition</p>

Enclosures (following report)

Nil

Attachments (separate document)

Nil

08) MINUTES OF THE BLAYNEY SHIRE TOWN AND VILLAGES COMMITTEE MEETING HELD THURSDAY 15 DECEMBER 2016

Department: Executive Services

Author: General Manager

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

File No: GO.ME.1

Recommendation:

That the minutes of the Town and Villages Committee Meeting, held Thursday 15 December 2016, be received.

MINUTES OF THE TOWN AND VILLAGES COMMITTEE MEETING HELD ON THURSDAY 15 DECEMBER 2016 AT THE BLAYNEY SHIRE COMMUNITY CENTRE

Meeting commenced at 6.00 pm.

PRESENT

Cr Shane Oates (Chair), Rebecca Ryan (General Manager), Alvaro Marques, Bruce Gordon, Elizabeth Russ, Evan Lee, Judy Belecky, Kerry Strom-Cook, Lesley Morris, Loretta Kervin, Richard Bloomfield, Tamara Miller and Wayne Moore

APOLOGIES

Cr Allan Ewin, Cr Kevin Radburn, Vicki Pulling, Kerry Adams

Recommended that the apologies be accepted.

(Elizabeth Russ / Loretta Kervin)

DISCLOSURES OF INTEREST

Nil

MINUTES FROM PREVIOUS MEETING – 15 SEPTEMBER 2016

Recommended that the minutes from the previous Town and Villages Committee meeting held on 15 September 2016 be adopted

(Alvaro Marques / Wayne Moore)

BUSINESS ARISING

- Development Co-ordinator positions were readvertised in the Blayney Chronicle
- Signage – Welcome to Kings Plains and Neville Showground signs

- IGA Community Chest Fund – distributed to all recipients as per minutes and much appreciated by community hall associations/committees

COMMUNITY BANNER DESIGNS

- Community Banner Pole Helpful Information and Fact Sheet for local event organisers who are designing promotional banners has been prepared by Community Development and Tourism Projects Officer
- What may look good on a paper invitation, poster or facebook is very different in open space on a banner
- Considerations of message, objective and marketing
- Offer of support and assistance by Council

B2B AND HAY BALE ART CHALLENGE

- B2B to be held on 2 April
- Cycling Festival 30 March – 2 April
- 14th year, event management Bathurst Regional Council
- Grand Fondo tour will attract an additional 1,000 entrants
- Blayney Hay Bale Art Challenge
- New start position – Heritage Park

DELEGATES REPORTS

Barry

- Christmas Party held last week
- Planning for B2B and potential Art Sculpture
- Council clean-up of Selwyn Street appreciated by residents

Blayney

- Central West Lifestyle Magazine
- Sports Awards in October
- Skate Park – BTA Working Group is working with Council
- 18-19 March 2017 – Textures of One, Blayney Show and Farmers Market
- Hay Bale Art Challenge
- B2B Pasta Nights

Millthorpe

- Traffic Speed Monitoring – MTV will be formulating plan for Road Safety Office, Iris Dorset
- Sesquicentennial Celebrations will commence April 2017 with the Millthorpe Markets. Other events will include a school reunion, GMMC open days with book launch, Garden Ramble, Millfest and stone wall entry unveiling
- Garden Ramble – a great success with visitors from Sydney, Bathurst, Blue Mountains and Gunnedah

- Millthorpe Markets (December 2016) – Also a great success despite only being able to accommodate 120 stalls due to Redmond Oval works. The April 2017 markets will coincide with Food Week and the reopening of Redmond Oval
- Golden Memories Museum – remains a great tourist attraction with close to 4000 visitors through in last year. The Hon Paul Toole was appointed as Patron
- Inala Units – Working with Council for suitable resolution

Neville

- Presbyterian Church 150 years old celebrations last week
- 17 Jan 2017- Community Day at showground and cricket
- Crown Lands Department – Grant for Memorial Hall kitchen refurbishment and a new kitchen at Showground Barn – both projects underway.
- Bush Poets Night postponed in October due to new kitchen works
- Carcoar Cup start of half marathon in Neville and will have 5 drink stations
- Neville show had to be cancelled due to rain - new date Saturday 11 March

Hobbys Yards

- Church was burnt and is being repaired
- Restoration and replacing chairs and equipment from community donations
- Working bee has been held at the hall
- Christmas BBQ held for 70 people
- Water tank and timer started. Roof completed
- Yoga in the hall

Newbridge

- Couple of pages Central West Lifestyle magazine ??
- Extension of Bullet going to Orange – could have positive implications for access bridge in Newbridge
- AGM and new executive elected
- Framework for village sign installed

Kings Plains

- Annual community RFS Brigade 50-60 people
- Regis drilling operating 24/7. Night time lights endeavouring to keep contact with residents regarding noise
- Regis donated funds towards Christmas Function

Rural

- Very wet winter
- Great spring for hay / silage
- Markets holding up well
- Potential fire hazards pose natural disaster coming into summer

Lyndhurst

- Hall – façade painting commenced
- New exit lights replaced
- Dancing classes / exercises
- Campground is being used
- Markets washed out
- Vintage and classic cars invited anyway
- Held a Reef and Beef night at the hall – was a great fundraiser with 94 people attending
- Noticeboard has been installed

Carcoar

- Pub reopened last week
- Corner building – medical centre, café & residence
- Australia day Festival 2017 planning underway – international foods
- Courthouse hosted Central West Lifestyle Magazine launch
- Carcoar Cup very successful

GENERAL BUSINESS

- Cleaning up and slashing around villages. Chilean Needle Grass discovered overrunning in parks and open spaces. Spread by cultural techniques such as mowing and slashing. Need to make sure machinery operators identify weed. Camping areas – relocated by slashers – need decontamination biosecurity awareness.

Action: General Manager to raise with Operations staff

- Request for mowing up to 50km zone at Newbridge Bathurst Road

Action: General Manager to raise with Operations staff

- Updated provided for Millthorpe Entrance rock wall
- Process for Heritage Grants discussed

NEXT MEETING

Next meeting will be held Thursday 9 March 2017.

MEETING CLOSE

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

Enclosures (following report)

Nil

Attachments (separate document)

Nil

09) MINUTES OF THE BLAYNEY SHIRE CULTURAL CENTRE WORKING GROUP MEETING HELD MONDAY 6 FEBRUARY 2017

Department: Executive Services

Author: General Manager

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

File No: ED.LI.2

Recommendation:

That the minutes of the Cultural Centre Working Group Meeting, held Monday 6 February 2017, be received.

MINUTES OF THE CULTURAL CENTRE WORKING GROUP MEETING HELD ON MONDAY 6 FEBRUARY 2017 AT THE BLAYNEY SHIRE COMMUNITY CENTRE

Meeting commenced at 6.00pm.

PRESENT

Cr Scott Ferguson (Chair), Rebecca Ryan, Elizabeth Russ, Gwenda Stanbridge, Ian Tooke, Loretta Kervin, Margaret Paton, Penny May, Tom Williams

GUESTS

Betty Williams

APOLOGIES

Cr Allan Ewin, Jan Richards,

Recommended that the apologies submitted on behalf of Cr Allan Ewin and Jan Richards be accepted.

(Elizabeth Russ / Penny May)

DISCLOSURES OF INTEREST

Nil

MINUTES FROM PREVIOUS MEETING – 5 DECEMBER 2016

Recommended that the minutes from the previous Cultural Centre Working Group Meeting held on 5 December 2016 be adopted.

(Ian Tooke / Gwenda Stanbridge)

BUSINESS ARISING

- Disabled parking – referred to Disability Inclusion Action Plan and Traffic Advisory Committee for advice
- RFS Danger Rating Sign – 2 new signs (manual) have been delivered to Council and will be installed when sites agreed.
- Most effective would be on town entrances and requires coordination with Blayney RFS for monitoring.

COUNCIL MERGER UPDATE

- Irrespective of merger proposal outcome the first priority remains to concentrate on finalising Cultural Centre plans
- For any funding submission, the DA is critical along with the business case and community consultation
- Funding options to be resolved and sought when plans completed
- \$100K will be included in the 2017/18 Operational Plan for completion of the DA stage – Architectural drawings and DA
- As concept plans are finished, the working group will engage with other stakeholders and the community about the project

REVISED PLANS

- Some additional suggestions regarding concept plans to be made

GENERAL BUSINESS

- The Business Plan/Design Brief now finalised accepted

NEXT MEETING

Next meeting will be held Monday 3 April 2017 at 6.00pm

Future Meetings

Monday 1 May 2017, 6.00pm

Monday 5 June 2017, 6.00pm

MEETING CLOSE

There being no further business the meeting closed at 7.00pm.

Enclosures (following report)

Nil

Attachments (separate document)

Nil

10) QUARTERLY BUDGET REVIEW STATEMENT - DECEMBER 2016

Department: Corporate Services

Author: Chief Financial Officer

CSP Link: 6.3 A well-run Council organisation.

File No: FM.BU.1

Recommendation:

1. That the Quarterly Budget Review Statement for the quarter ending 31 December 2016 be received.
2. That the supplementary votes of \$64k proposed in the Quarterly Budget Review Statement be adopted resulting in an increase to expenditure of \$1,042k and a net decrease in income of \$114k for Net Continuing Operations and a decrease in Capital Expenditure of \$1,092k.
3. That the budgeted restricted cash transfers of (\$36k) be adopted.

Reason for Report:

For Council to endorse the Quarterly Budget Review Statement for the quarter ending 31 December 2016.

Report:

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

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

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

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

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

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

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

Issues:

Nil

Budget Implications:

Overall, the net variations in Continuing Operations for the quarter of (\$766k) will decrease the projected Net Operating Result before Capital Items (surplus) to \$285k. This is largely due to a reclassification of capital funds to be used on the maintenance of flood and storm damaged roads.

Income from continuing operations is projected to decrease by \$114k. Grant funding of \$400k was budgeted to match \$400k proposed capital works for remediation of Underground Petroleum Storage System (UPSS) underground tanks. Only \$85k grant funding has been obtained which has resulted in a decrease of \$315k in capital grants and contributions funding. A further 160k repair grant funding for works on Belubula Way was also unsuccessful. Introduction of the Emergency Services Property Levy (ESPL) will see additional operational funding of \$220k which will be offset against the implementation, software development & testing.

Expenses from Continuing Operations have been forecast to increase by \$1,042k largely attributed to a reclassification of \$750k for drainage works as a result of recent storm/flood damage from capital to operational. Whilst no additional funds are required to fund the reallocation, it will impact on Council's net operating result by \$750k. Additional \$211k of expenditure to fund the implementation and software development of the ESPL with is fully offset by additional grant funding received.

\$20k has been budgeted to help facilitate the completion of the palliative care unit at Blayney Health Service.

A further \$13k has been budgeted to increase the Community Development/Tourism Projects Officer role to full time. The position is currently 3 days per week but has been temporarily increased to 4 days per week for the past 6 months. The role has initiated a number of significant projects and the delivery of timely and appropriate media stories has facilitated positive channels of communication with community members. The workload involved to achieve this is that of a full time position.

The Capital Expenditure Budget has a net decrease of \$1,092k. \$400k was budgeted for the remediation of UPSS underground tanks, however only 85k was awarded resulting in a reduction in works of \$300k. A further \$160k of repair grant funding was also unsuccessful resulting in a decrease in works to Belubula Way. \$750k was allocated to the maintenance budget for drainage works as a result of the recent storm/flood damage. The transfer of \$750k from the Asset Replacement Reserve was approved at the October 2016 meeting and was accounted for in the September QBRS as a capital adjustment.

A budget adjustment in the amount of \$1,100k was approved at the November 2016 meeting to vote expenditure to be brought forward from 2017/18 for the early delivery of 3 bridges as part of the bridge replacement program. This variation been effected as an adjustment between quarters.

Budgeted transfers from restricted cash of \$36k is represented by \$30k for completion of the sideline seating project at King George Oval. A further \$6k is budgeted to be transferred from the Inala Units reserve to fund increased maintenance costs and capital improvements.

Enclosures (following report)

Nil

Attachments (separate document)

1 December 2016-17 QBRS

22 Pages

11) REPORT OF COUNCIL INVESTMENTS AS AT 31 DECEMBER 2016

Department: Corporate Services

Author: Accountant

CSP Link: 6.3 A well-run Council organisation.

File No: FM.IN.1

Recommendation:

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

Reason for Report:

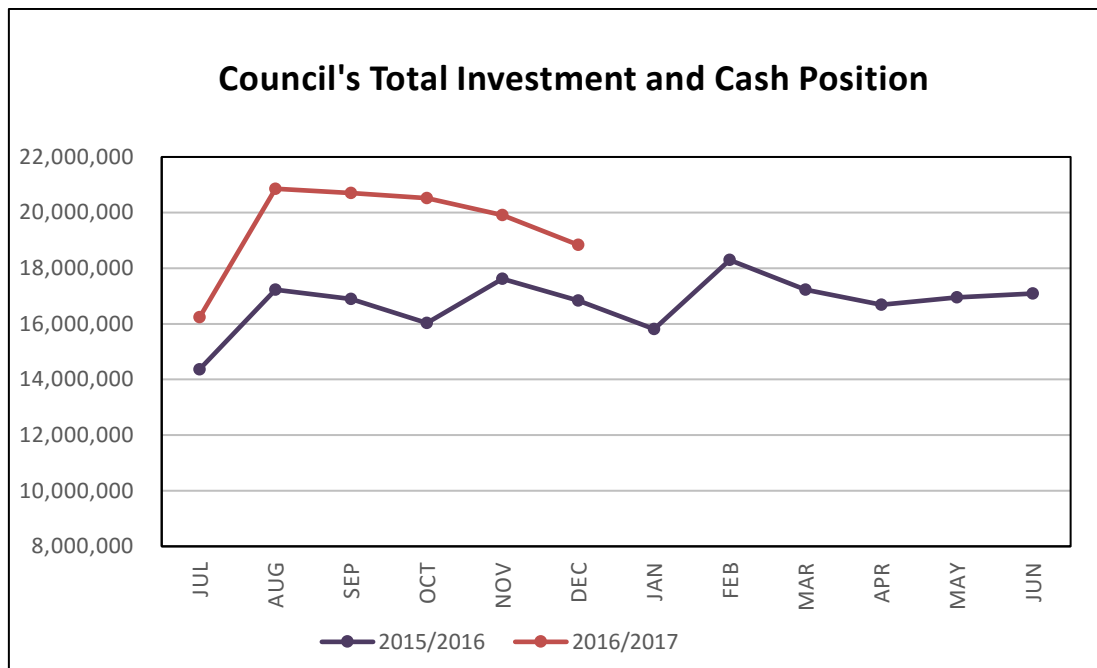
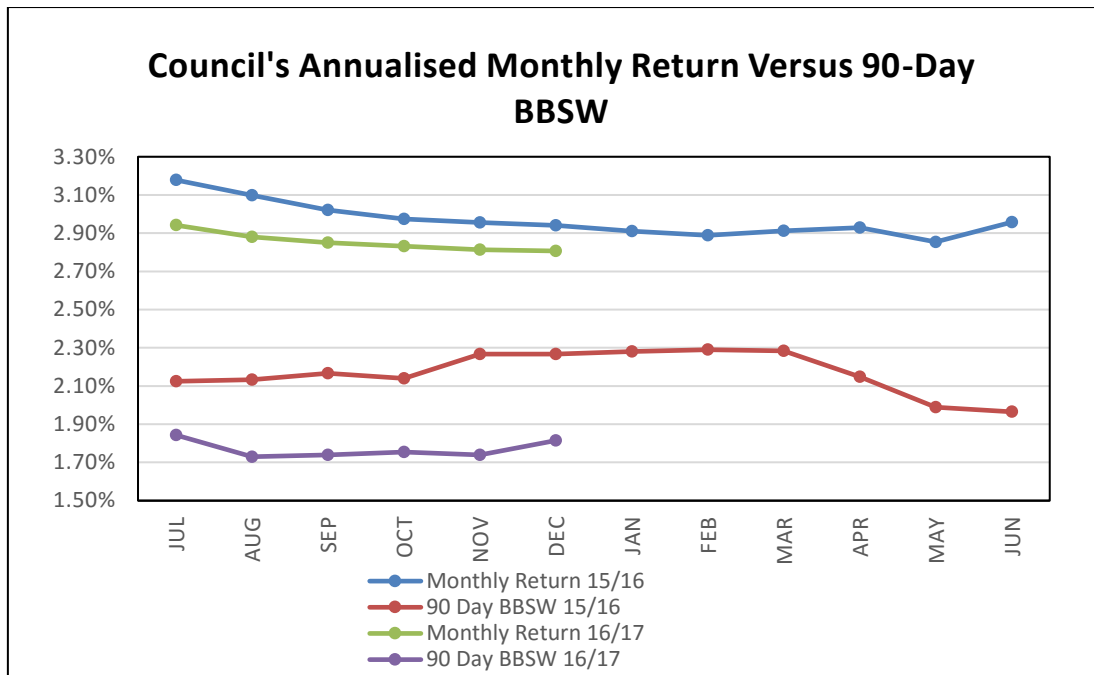
For Council to endorse the Report of Council Investments as at 31 December 2016.

Report:

This report provides details of Council's Investment Portfolio as at 31 December 2016.

Council's total investment and cash position as at 31 December 2016 is \$18,838,437. Investments earned interest of \$45,145 for the month of December 2016.

Council's monthly net return on Term Deposits annualised for December of 2.8% outperformed the 90 day Bank Bill Swap Rate of 1.82%.



REGISTER OF INVESTMENTS AND CASH AS AT 31 DECEMBER 2016				
Institution	Rating	Maturity	Amount \$	Interest Rate
AMP Bank	A1/A+	6/01/2017	500,000	2.850%
AMP Bank	A1/A+	16/08/2017	500,000	2.800%
AMP Bank	A1/A+	9/05/2017	500,000	3.000%
AMP Bank	A1/A+	31/05/2017	500,000	3.000%
AMP Bank	A1/A+	15/06/2017	500,000	2.900%
AMP Bank	A1/A+	17/01/2017	500,000	2.850%
Auswide Bank Ltd	A2/BBB	7/03/2017	500,000	3.000%
Bank of Queensland	A2/A-	3/01/2017	500,000	2.950%
Bank of Queensland	A2/A-	31/01/2017	500,000	2.750%
Bank of Queensland	A2/A-	16/05/2017	500,000	2.700%
Bankwest	A1+/AA-	4/04/2017	506,244	2.550%
Bankwest	A1+/AA-	14/02/2017	500,000	2.850%
Bankwest	A1+/AA-	30/11/2017	500,000	2.550%
Bankwest	A1+/AA-	14/02/2017	500,000	2.500%
Bendigo & Adelaide Bank	A2/A-	23/11/2017	500,000	2.700%
Bendigo & Adelaide Bank	A2/A-	13/06/2017	500,000	2.900%
Bendigo & Adelaide Bank	A2/A-	22/08/2017	1,000,000	2.700%
Bendigo & Adelaide Bank	A2/A-	29/08/2017	1,000,000	2.700%
IMB	A2/BBB	10/01/2017	500,000	2.600%
ING Bank	A2/A-	28/02/2017	500,000	3.100%
Macquarie Bank	A1/A	8/05/2017	500,000	2.800%
ME Bank	A2/BBB+	6/03/2017	500,000	3.070%
ME Bank	A2/BBB+	19/09/2017	500,000	2.750%
ME Bank	A2/BBB+	28/11/2017	500,000	2.700%
ME Bank	A2/BBB+	7/03/2017	500,000	3.070%
MyState Bank Limited	A2/A-	21/02/2017	500,000	2.670%
MyState Bank Limited	A2/A-	23/05/2017	500,000	2.670%
MyState Bank Limited	A2/A-	30/05/2017	500,000	2.670%
MyState Bank Limited	A2/A-	5/09/2017	500,000	2.850%
NAB	A1+/AA-	6/09/2017	500,000	2.680%
NAB	A1+/AA-	29/11/2017	500,000	2.790%
NAB	A1+/AA-	23/05/2017	500,000	2.890%
NAB	A1+/AA-	21/02/2017	500,000	3.130%
NAB	A1+/AA-	14/11/2017	500,000	2.740%
Total Investments **			18,006,244	2.807%
Benchmarks:	BBSW 90 Day Index			1.815%
	RBA Cash Rate			1.500%
Commonwealth Bank - At Call Account			151,555	1.380%
Commonwealth Bank Balance - General **			680,638	0.950%
TOTAL INVESTMENTS & CASH			18,838,437	

* % Interest rates as at 31/12/2016

** Councils current cash position significantly increased during the September quarter as a result of Councils largest rate payer paying their 2016/17 rates in full at the first instalment date. These funds have been invested with a maturity date that coincides with the remaining instalments due dates in order to manage ongoing cash flow requirements and represents \$2,157,970 of the unrestricted cash balance as at 31 December 2016.

Summary of Investment Movements - December 2016			
Financial Institution	Invst/(Recall) Amount \$	Commentary	
Westpac Bank	(510,421.37)	Term Deposit Matured 6/12/2016	
MyState Bank Limited	500,000.00	Term Deposit Reinvested 7/12/2016	
Bankwest	(502,165.75)	Term Deposit Matured 12/12/2016	
National Australia Bank	(507,289.59)	Term Deposit Matured 13/12/2016	
National Australia Bank	500,000.00	Term Deposit Reinvested 13/12/2016	
ME Bank	(514,958.90)	Term Deposit Matured 20/12/2016	
ME Bank	500,000.00	Term Deposit Reinvested 20/12/2016	
Short Term Credit Rating*	Policy Maximum	Current Holding %	Current Holding \$
A-1+	100%	25%	4,506,244
A-1	80%	19%	3,500,000
A-2	60%	56%	10,000,000
A-3	40%	0%	-
			18,006,244

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

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

Individual Institution Limit	Rating	Policy Maximum	Actual Maximum
AMP Bank	A1/A+	3,000,000	3,000,000
Auswide Bank Ltd	A2/BBB	3,000,000	500,000
Bank of Queensland	A2/A-	3,000,000	1,500,000
Bankwest	A1+/AA-	3,000,000	2,006,244
Bendigo & Adelaide Bank	A2/A-	3,000,000	3,000,000
IMB	A2/BBB	3,000,000	500,000
ING Bank	A2/BBB+	3,000,000	500,000
Macquarie Bank	A1/A	3,000,000	500,000
ME Bank	A2/BBB+	3,000,000	2,000,000
MyState Bank Limited	A2/A-	3,000,000	2,000,000
NAB	A1+/AA-	3,000,000	2,500,000

<u>RESTRICTED CASH, CASH EQUIVALENTS & INVESTMENTS</u>	
	\$ 000's
External Restrictions - Sewer*	5,157
External Restrictions - Unexpended Grants*	1,282
External Restrictions - Other*	2,267
	8,706
Internal Cash Restrictions*	8,232
Unrestricted**	1,900
	10,132
TOTAL CASH & INVESTMENTS	18,838

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

** Unrestricted cash balance is inclusive of \$2.157m rates paid in advance. This amount exceeds the unrestricted cash balance of \$1.9m and is attributed to the use of internal restrictions in the 2016/17 financial year to fund capital projects.

CERTIFICATION – RESPONSIBLE ACCOUNTING OFFICER

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

Issues:

Nil

Budget Implications:

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

Enclosures (following report)

Nil

Attachments (separate document)

Nil

12) REPORT OF COUNCIL INVESTMENTS AS AT 31 JANUARY 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 31 January 2017 be received.
2. That the certification of the Responsible Accounting Officer be received and the report be adopted.

Reason for Report:

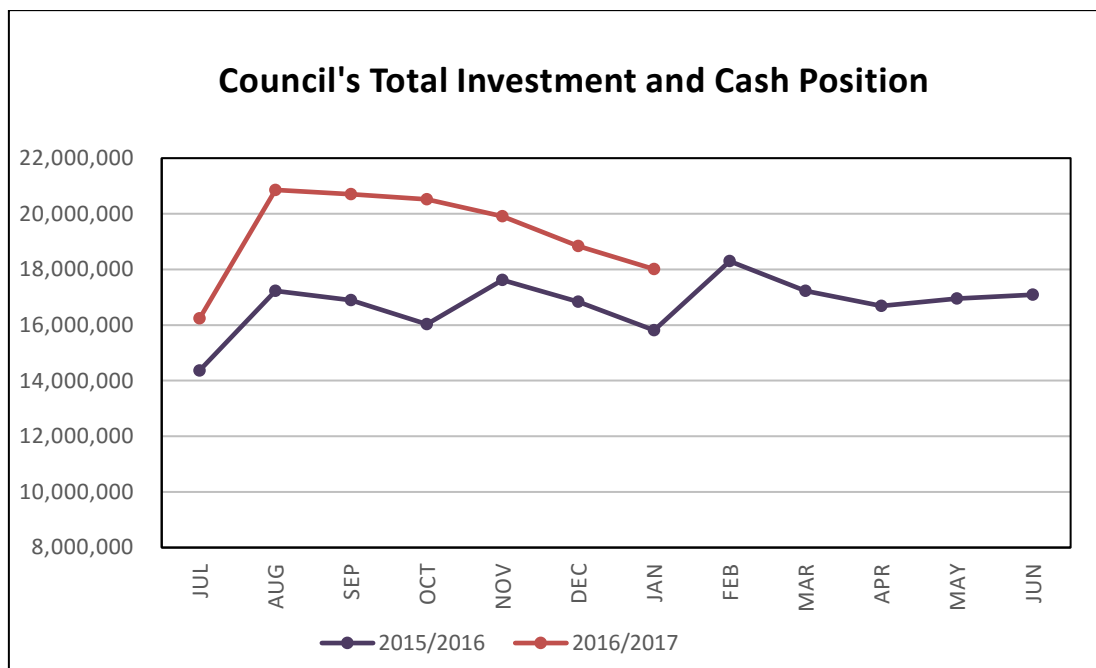
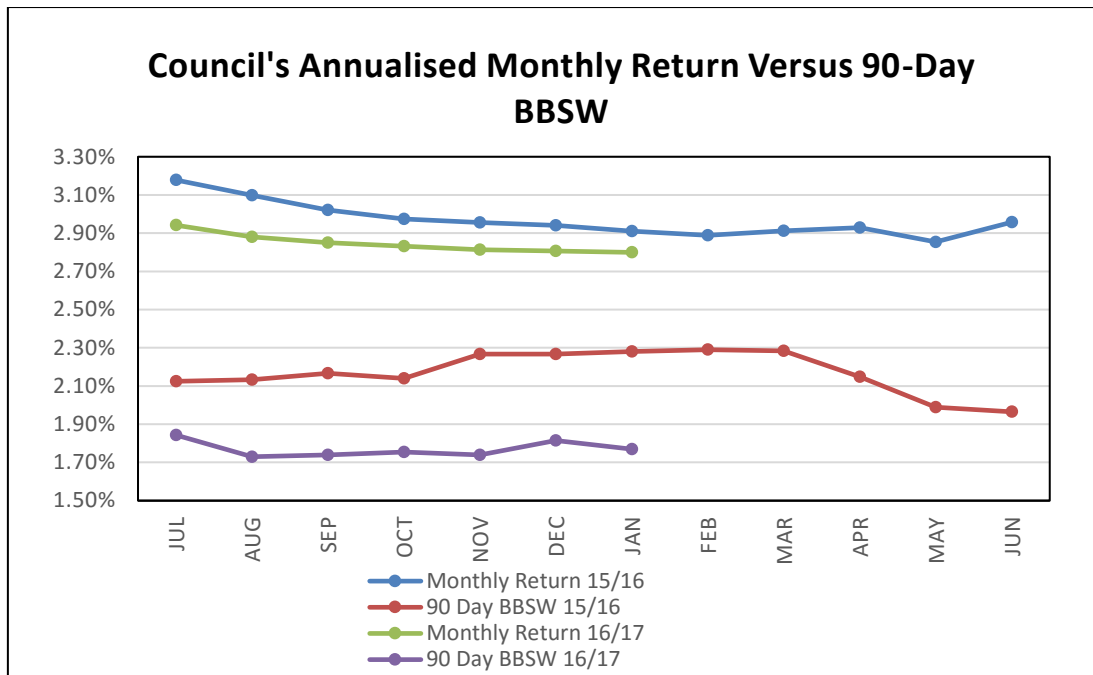
For Council to endorse the Report of Council Investments as at 31 January 2017.

Report:

This report provides details of Council's Investment Portfolio as at 31 January 2017.

Council's total investment and cash position as at 31 January 2017 is \$18,009,578. Investments earned interest of \$43,590 for the month of January 2017.

Council's monthly net return on Term Deposits annualised for January of 2.8% outperformed the 90 day Bank Bill Swap Rate of 1.77%.



REGISTER OF INVESTMENTS AND CASH AS AT 31 JANUARY 2017				
Institution	Rating	Maturity	Amount \$	Interest Rate
AMP Bank	A1/A+	11/07/2017	500,000	2.800%
AMP Bank	A1/A+	16/08/2017	500,000	2.800%
AMP Bank	A1/A+	9/05/2017	500,000	3.000%
AMP Bank	A1/A+	31/05/2017	500,000	3.000%
AMP Bank	A1/A+	15/06/2017	500,000	2.900%
Auswide Bank Ltd	A2/BBB	7/03/2017	500,000	3.000%
Bank of Queensland	A2/A-	3/07/2017	500,000	2.750%
Bank of Queensland	A2/A-	16/05/2017	500,000	2.700%
Bankwest	A1+/AA-	4/04/2017	506,244	2.550%
Bankwest	A1+/AA-	14/02/2017	500,000	2.850%
Bankwest	A1+/AA-	30/11/2017	500,000	2.550%
Bankwest	A1+/AA-	14/02/2017	500,000	2.500%
Bendigo & Adelaide Bank	A2/A-	23/11/2017	500,000	2.700%
Bendigo & Adelaide Bank	A2/A-	13/06/2017	500,000	2.900%
Bendigo & Adelaide Bank	A2/A-	22/08/2017	1,000,000	2.700%
Bendigo & Adelaide Bank	A2/A-	29/08/2017	1,000,000	2.700%
IMB	A2/BBB	11/04/2017	500,000	2.600%
ING Bank	A2/A-	28/02/2017	500,000	3.100%
Macquarie Bank	A1/A	8/05/2017	500,000	2.800%
ME Bank	A2/BBB+	6/03/2017	500,000	3.070%
ME Bank	A2/BBB+	19/09/2017	500,000	2.750%
ME Bank	A2/BBB+	28/11/2017	500,000	2.700%
ME Bank	A2/BBB+	7/03/2017	500,000	3.070%
MyState Bank Limited	A2/A-	21/02/2017	500,000	2.670%
MyState Bank Limited	A2/A-	23/05/2017	500,000	2.670%
MyState Bank Limited	A2/A-	30/05/2017	500,000	2.670%
MyState Bank Limited	A2/A-	5/09/2017	500,000	2.850%
NAB	A1+/AA-	6/09/2017	500,000	2.680%
NAB	A1+/AA-	29/11/2017	500,000	2.790%
NAB	A1+/AA-	23/05/2017	500,000	2.890%
NAB	A1+/AA-	21/02/2017	500,000	3.130%
NAB	A1+/AA-	14/11/2017	500,000	2.740%
Total Investments **			17,006,244	2.799%
Benchmarks:	BBSW 90 Day Index			1.770%
	RBA Cash Rate			1.500%
Commonwealth Bank - At Call Account			151,736	1.380%
Commonwealth Bank Balance - General **			851,598	0.950%
TOTAL INVESTMENTS & CASH			18,009,578	

* % Interest rates as at 31/01/2017

** Councils current cash position significantly increased during the September quarter as a result of Councils largest rate payer paying their 2016/17 rates in full at the first instalment date. These funds have been invested with a maturity date that coincides with the remaining instalments due dates in order to manage ongoing cash flow requirements and represents \$2,157,970 of the unrestricted cash balance as at 31 January 2017.

Summary of Investment Movements - January 2017			
Financial Institution	Invst/(Recall) Amount \$	Commentary	
Bank of Queensland	(506,818.49)	Term Deposit Matured 03/01/2017	
Bank of Queensland	500,000.00	Term Deposit Reinvested 03/01/2017	
AMP bank	(514,289.04)	Term Deposit Matured 06/01/2017	
AMP bank	500,000.00	Term Deposit Reinvested 06/01/2017	
IMB	(503,241.10)	Term Deposit Matured 10/01/2017	
IMB	500,000.00	Term Deposit Reinvested 10/01/2017	
AMP bank	(507,066.44)	Term Deposit Matured 17/01/2017	
Bank of Queensland	(506,856.16)	Term Deposit Matured 31/01/2017	
Short Term Credit Rating*	Policy Maximum	Current Holding %	Current Holding \$
A-1+	100%	26%	4,506,244
A-1	80%	18%	3,000,000
A-2	60%	56%	9,500,000
A-3	40%	0%	-
			17,006,244

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

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

Individual Institution Limit	Rating	Policy Maximum	Actual Maximum
AMP Bank	A1/A+	3,000,000	2,500,000
Auswide Bank Ltd	A2/BBB	3,000,000	500,000
Bank of Queensland	A2/A-	3,000,000	1,000,000
Bankwest	A1+/AA-	3,000,000	2,006,244
Bendigo & Adelaide Bank	A2/A-	3,000,000	3,000,000
IMB	A2/BBB	3,000,000	500,000
ING Bank	A2/BBB+	3,000,000	500,000
Macquarie Bank	A1/A	3,000,000	500,000
ME Bank	A2/BBB+	3,000,000	2,000,000
MyState Bank Limited	A2/A-	3,000,000	2,000,000
NAB	A1+/AA-	3,000,000	2,500,000

<u>RESTRICTED CASH, CASH EQUIVALENTS & INVESTMENTS</u>	
	\$ 000's
External Restrictions - Sewer*	5,157
External Restrictions - Unexpended Grants*	1,282
External Restrictions - Other*	2,267
	8,706
Internal Cash Restrictions*	8,232
Unrestricted**	1,072
	9,304
TOTAL CASH & INVESTMENTS	18,010

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

** Unrestricted cash balance is inclusive of \$2.157m rates paid in advance. This amount exceeds the unrestricted cash balance of \$1.072m and is attributed to the use of internal restrictions in the 2016/17 financial year to fund capital projects.

CERTIFICATION – RESPONSIBLE ACCOUNTING OFFICER

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

Issues:

Nil

Budget Implications:

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

Enclosures (following report)

Nil

Attachments (separate document)

Nil

13) RELATED PARTIES DISCLOSURES POLICY

Department: Corporate Services

Author: Director Corporate Services

CSP Link: 6.3 A well-run Council organisation.

File No: GP.PO.1

Recommendation:

That the draft Related Parties Disclosure policy be placed on public exhibition for a period not less than 28 days.

Reason for Report:

For Council to adopt a Related Parties Disclosure policy.

Report:

From 1 July 2016, Accounting Standard AASB 124 Related Party Disclosures will apply to local government. This means Council must disclose related party relationships, transactions and outstanding balances, including commitments in the Annual Financial Statements. While these disclosures have been long-standing in the private sector, they are a new requirement for the public sector.

The objective of the policy is to define the parameters for Related Party Relationships and the level of disclosure and reporting required for Council to achieve compliance with the Australian Accounting Standard AASB 124 - Related Party Disclosures.

The draft policy has been developed after consideration of information presented by the Office of Local Government, information from Queensland councils that are further progressed than NSW councils in their implementation and information from NSW councils that have developed policies.

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

As part of Council's commitment to transparency and openness, public notice is recommended to be given prior to the policy adoption process.

Issues:

Non-compliance with AASB 124 will potentially lead to a qualified audit in the 2016/17 reporting period.

Budget Implications:

Nil effect.

Enclosures (following report)

Nil

Attachments (separate document)

1 Draft Related Parties Disclosures Policy

12 Pages

14) REQUESTS FOR INTEREST FREE LOANS**Department:** Corporate Services**Author:** Director Corporate Services**CSP Link:** 5.2 Fit and healthy community members.**File No:** CR.SD.1

Recommendation:

That Council place on public exhibition, for a period of at least 28 days, the proposed resolution 'That Council provide interest free loans of \$40,000 for repayment over 2 years to Dr. Kalpana Srikantharan and Dr. Sothilingham Vijayakumar pursuant to policy 6C Package for Doctors Incentives for Retention / Attraction'.

Reason for Report:

For Council to consider 2 requests for interest free loans under policy 6C Package for Doctors Incentives for Retention / Attraction.

Report:

Council is in receipt of 2 requests for interest free loans of \$40,000 by Dr. Kalpana Srikantharan to assist with securing of housing within the Blayney Shire and Dr. Sothilingham Vijayakumar to assist with establishment of a medical practice in Carcoar.

Council's policy 6C Package for Doctors Incentives for Retention / Attraction offers incentive to attract and retain doctors in the Blayney Shire through a \$40,000 2 year interest free loan. The intent of the policy is for securing new General Practitioners (GP) to practice in the Blayney Shire.

The offering of an interest free loan to Dr Srikantharan will assist to attract and retain a new General Practitioner in the Shire through the provision of an incentive to remain in the Blayney Shire to practice medicine and fits within the scope of the policy.

Dr Vijayakumar has previously been in receipt of a \$20,000 interest free loan in 2007 to assist with costs associated with the Blayney Family Medical Centre. This loan was repaid in accord with conditions of the loan agreement.

The offering of an interest free loan to Dr Vijayakumar will assist with the establishment of a medical practice in Carcoar and make it more enticing to new residents and livable. While Dr. Vijayakumar is not a new GP, the establishment of a medical practice incorporating GP, pathology and imaging services in Carcoar is considered worthy for consideration of Council. Policy 6C is silent on repeat requests.

Other small rural Councils offer incentives such as facilities, housing, cars and interest free loans as incentives to attract new doctors to their local government areas.

Issues:

Whilst Council Policy 6C provides a framework that supports the recruitment and retention of GP's in Blayney Shire these requests for financial support are not a funded program in the current Operational Plan 2016-2017. Should Council agree to provide this financial assistance, as per s356 of the Local Government Act (1993): *'A proposed recipient who acts for private gain is not ineligible to be granted financial assistance but must not receive any benefit under this section until at least 28 days' public notice of the council's proposal to pass the necessary resolution has been given'*.

Council is required to advertise the proposed Resolution for 28 days and seek public feedback in the event of granting approval.

A copy of the applications are attached for information of Councillors.

Budget Implications:

As this will become an interest free loan, the cash outflow will not affect Council's operational budget result. However, it will reduce unrestricted cash levels over the next 2 years.

At current rate of return of 2.80% per annum, these loans would result in a loss of investment interest revenue of approximately \$3,360 over the two year period.

Enclosures (following report)

- | | | |
|---|--------------------------------------|---------|
| 1 | Correspondence From Dr Sriskantharan | 1 Page |
| 2 | Correspondence From Dr Vijayakumar | 2 Pages |

Attachments (separate document)

Nil

Blayney Family Medical Practice

1-3 Osman Street

PO Box 55, BLAYNEY NSW 2799

Phone: 02 6368 9333 Fax: 02 6368 9370

Dr Kalpana Sriskantharan
28 Charles Street
Blayney
NSW 2799

07/02/2017

General Manager
Blayney Shire Council
91 Adelaide Street /
PO Box 62
Blayney
N.S.W. 2799

RE: Package for Doctors Incentives for Retention / Attraction
Policy: 6C

To the Manager, Rebecca Ryan,

My name is Marjorie Davis, Practice Manager at Blayney Family Medical Practice & I am writing this on behalf of Dr Kalpana Sriskantharan.

Dr Kalpana Sriskantharan has joined our practice recently relocating from Sri Lanka & is employed by Dr SP Vijayakumar on a permanent basis & settling in Blayney community permanently.

Dr Sriskantharan is also currently undertaking further studies under the guidance of Dr Vijayakumar.

These studies will provide many new learnings that will benefit the large patient base at the practice.

We consistently have requests from female patients wanting the services of a female Doctor as different issues are more comfortable when discussing with another lady.

Dr Sriskantharan is currently renting short term.

I would like to apply on behalf of Dr Sriskantharan for the interest free two-year loan of \$40,000.

This will assist Dr Sriskantharan and enable she and her family to secure a home which gives her a sense of security and ensure that the Blayney Township and surrounding towns have the services of a female Doctor on a regular basis.

Since Dr Sriskantharan began work at the practice she now has a regular clientele base of her own within the practice whilst also having Visiting Medical Officer privileges (VMO) at the Blayney Multipurpose Facility.

Respectfully



Practice Manager
Blayney Family Medical Practice
1-3 Osman St
BLAYNEY NSW 2799
PH: 63689333
FAX: 63689370

Blayney Family Medical Practice

1-3 Osman Street

PO Box 55, BLAYNEY NSW 2799

Phone: 02 6368 9333 Fax: 02 6368 9370

Dr SP Vijayakumar
1-3 Osman Street
Blayney
NSW 2799

07/02/2017

General Manager
Blayney Shire Council
91 Adelaide Street /
PO Box 62
Blayney
N.S.W. 2799

RE: Package for Doctors Incentives for Retention / Attraction
Policy: 6C

To the Manager, Rebecca Ryan,

My name is Marjorie Davis, Practice Manager at Blayney Family Medical Practice & I am writing this on behalf of Dr SP Vijayakumar.

Dr Vijayakumar as you know currently owns the Blayney Family Medical Practice located in Osman Street Blayney. Currently this practice services the Blayney & surrounding districts.

In 2016 the Medical Practice in Carcoar closed and patients that previously were seen there transferred to the Osman Street practice owned by Dr Vijayakumar.

Due to the number of patients that transferred Dr Vijayakumar has bought premises in the township of Carcoar. We are also in the process of employing another Doctor which will enable more patients to be seen without waiting extended periods of time.

These premises are located at 2 Belabula Street. Currently these premises are undergoing modifications to enable a Doctor to again see patients wishing to attend appointments closer to home.

We consistently have comments from patients that they prefer to see a Doctor closer to home if they could due to costs of travel.

The Blayney Family Medical Practice also have a number of patients who reside at the Uralba Nursing Home. The medical practitioners see these persons on a regular basis, though travel into Blayney is often difficult. Dr Vijayakumar is to begin driving out to Uralba on a weekly / fortnightly basis.

I would like to apply on behalf of Dr Vijayakumar for the interest free two-year loan of \$40,000.

This will assist Dr Vijayakumar in modifying the Belabula Street Building this will include a room for the many services that are provided currently at the Blayney facility. These include podiatrists, dieticians & psychologists if required.

This practice will be called "Carcoar Family Medical Practice" also to provide the services of a female Doctor on a regular basis.

We would still be utilizing the services of Imaging & also pathology services provided by Barratt & Smith both located at the Blayney Multipurpose Hospital.

Dr Vijayakumar will still also retain his, Visiting Medical Officer privileges (VMO) at the Blayney Multipurpose Hospital.

Respectfully



Practice Manager
Blayney Family Medical Practice
1-3 Osman St
BLAYNEY NSW 2799
PH: 63689333
FAX: 63689370

15) LEASE OF VISITOR INFORMATION CENTRE CAFE**Department:** Corporate Services**Author:** Director Corporate Services**CSP Link:** 2.3 Blayney Shire - a centre for arts, performance and entertainment.**File No:** PM.TN.10

Recommendation:

1. That the report on the lease of Visitor Information Café be received.
2. That the extension of the lease to offer 2 further options of 2 years be endorsed.
3. That Council endorse execution of the Visitor Information Centre lease and associated documentation by the Mayor and General Manager under Council seal.

Reason for Report:

To update Council on the lease of the Visitor Information Centre Café and seek Council endorsement for execution of lease and associated documentation.

Report:

Council at its meeting held 18 July 2016 authorised the General Manager to execute a 2 x 2 year Lease Agreement for the Café operations at the Visitor Information Centre (The Cottage) at 97 Adelaide Street Blayney with Ironbark Espresso Bar.

The lease has been finalised with a commencement date of 30 January 2017 and has been signed by the lessee however it requires execution under Council seal to enable registration against the property title. The lease term has been extended to incorporate two further options of 2 years to minimise associated lease and registration costs for all parties in the future.

An invitation for expression of interest for the ongoing oversight of this lease arrangement and property management has been extended to real estate agents in Blayney with a view to an appointment. This approach is considered prudent to ensure a property management / inspection regime is in place and to keep Council at arm's length in its roles as a regulator and property owner.

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

Issues:

There are no issues foreseen by the consideration of this report.

Budget Implications:

Legal fees associated with the lease contract and registration have been shared equally between parties. Lease income and associated expenditure have been factored into the December 2017 Quarterly Budget Review.

Enclosures (following report)

- 1 Lease Contract And Annexures 37 Pages

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

Attachments (separate document)

Nil

16) SIX MONTHLY DELIVERY PLAN REVIEW - DECEMBER 2016**Department:** Corporate Services**Author:** Director Corporate Services**CSP Link:** 6.3 A well-run Council organisation.**File No:** GS.LI.1

Recommendation:

That the 6 monthly review, as at 31 December 2016, of Council's 2015/16 – 2019/20 Delivery Plan be received.

Reason for Report:

To review progress of Council's 2015/16 – 2019/20 Delivery Plan.

Report:

As part of the Integrated Planning and Reporting Framework the Office of Local Government (OLG) requires Council to adopt a suite of strategic planning documents. These documents include a long term Community Strategic Plan, a four year Delivery Plan and an annual Operational Plan and Budget. These documents are supported by the Resourcing Strategy comprising the Long Term Financial Plan, Asset Management Policy and Plans and the Workforce Plan.

The current Delivery Plan was originally adopted in 2013 following consultation surrounding the Blayney Shire Council Community Strategic Plan 2025 involving the community, Councillors and Council staff. The Delivery Plan is a document which outlines what will be delivered to the community during the 4 year term of Council using the Blayney Shire Council Community Strategic Plan 2025 as an overarching guide.

It is a further requirement of the OLG that progress reports are provided to Council and the community every 6 months. At the conclusion of the Council term a full and comprehensive report, known as the End of Term Report, is prepared for the benefit of the outgoing Council reporting on achievements.

This 6 monthly progress report is presented in a format which summarises the activities across the organisation using qualitative and quantitative information sourced from Managers and Directors.

Issues:

There are no issues foreseen by the consideration of this report.

Budget Implications:

Nil

Enclosures (following report)

Nil

Attachments (separate document)

- 1 Delivery Plan Status Report as at 31 December 2016 12 Pages

17) 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 February 2017 be received and noted.

Reason for Report:

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

Report:

Topical Issues

Blayney Shire Men's Shed

Council has met with the proponent, who has set out the proposed building footprint.

Council staff have undertaken a site survey to design a complying carpark layout, to provide to Crown Lands to progress the land matter.

Energy Efficiency Program

Centroc has engaged a consultant for member Councils to position themselves to realise monetary savings from the transfer of Energy Saving Certificates (ESCs) that may result from the future replacement of existing street lighting with Light Emitting Diode (LED) technology.

Essential Energy (EE) is programmed to undertake a bulk lamp replacement (to replace a selection of existing luminaires) within the Blayney Shire in coming months, however propose to replace with existing/less-efficient technologies, unless Councils seek to negotiate for the replacement with LED. EE has provided Council with options for LED replacement, however these come at a capital cost in the order of \$260,000 - \$330,000.

Centroc is presently working toward a funding application for the bulk replacement across the region of all luminaires with LED, which is anticipated to be complete by the end of the financial year. This would deliver LED technology across the shire at a reduced capital cost to member Councils.

Council has therefore sought to defer the Essential Energy program, in order to achieve financial savings and a broader more beneficial outcome for the community.

Council has entered an agreement with the Centroc recommended supplier to manage ESC's on Council's behalf in readiness for the future replacement with LED's.

Investigations have commenced to undertake a refit of the Council Depot facility with LED's, including the establishment and management of ESC's to achieve further monetary savings.

Major Works

Stage 1 of the Browns Creek Road upgrade was completed on time following an extended effort from Council's staff. Line marking was completed last week, with guardrail scheduled for installation in conjunction with other guardrail works within the Shire.

Council's primary road construction focus has now shifted to Stage 2 of the NSW Government Fixing Country Roads program on Errowanbang Road, with bulk earthworks progressing well.

Draining Program

Following the increased funding made available from the NSW Government and Council as a result of the wet weather in 2016, Council has undertaken extensive draining works to reinstate table drains and clear culverts along Barry and Mandurama Roads. Works are currently underway along Forest Reefs and Burnt Yards Roads utilising both Council and contractor resources.

Heavy Patching program

Council has completed a 1.2km heavy patch on Errowanbang Road, with works currently underway to heavy patch a 2km section of Forest Reefs Road, north of the Forest Reefs Tavern.

Following the completion of Forest Reefs Road, Council will move to Moorilda Road for a short heavy patch prior to resealing.

Resealing program

Council's sealing contractor has completed the resealing works on Errowanbang, Long Swamp, Carcoar, Carbine and Barry Roads. In accordance with the report provided to the October Council meeting, further reseals are programmed for Naylor Street, Forest Reefs, and Moorilda Roads. These works are to be undertaken in February/March; when the contractor returns to seal the completed heavy patches.

Hill Street Drainage

Installation of drainage pipes and pits has been completed on Glasson and Hill Streets. These works were carried over from the previous financial year for completion in 2016/17. Council is currently undertaking reinstatement of the affected land owners concrete driveway.

Carcoar Road Bridge

Council has had a positive discussion with Crown Lands regarding the access licence for the proposed wet crossing at Cowriga Creek. Crown Lands will undertake the required investigation to enable Council access for the wet crossing, at no cost to Council. It is anticipated this could take up to 2 months.

Major Contracts

Replacement of 6 Timber Bridges

Council and the contractor have now signed the contract. Site visits were undertaken in January with Council officers to make a detailed assessment of constructability issues and design refinements required.

The contractor has issued preliminary design drawings for Felltimber Road & Gallymont Road bridges.

The Contractor has provided updates and project reports to keep Council informed on their progress, and is making arrangements with local suppliers for materials and services.

Council officers have liaised with Central Tablelands Water and Active Energy in regard to relocating services, where required.

Council officers have entered into negotiations with local landholders for the acquisition of land for the Newbridge Road bridge. With a report to be provided to Council at a future date.

It is anticipated that the Contractor will establish on site in May, with completion of the first bridge (Felltimber Road) prior to the end of the financial year.

A revised program has been issued with completion of the program currently set for October 2017 with completion of the Dowsetts Lane bridge (subject to wet weather and variations).

The contractual relationship between Council and the contractor continues to remain positive and cooperative.

Ongoing Bridge Replacement Program

As part of the broader bridge replacement program Council has let a Request for Quotation (RFQ) for the Design of 4 Culverts and Bridge like Structures. While the RFQ is conducted under the same rules as a tender, it is not expected to exceed the tender threshold at this stage.

In late January, Council conducted a site visit with interested organisations. The site visit gave the prospective design organisation ample opportunity to familiarise themselves with the sites. This was particularly important due to some of the unique aspects of this RFQ.

The RFQ and contract have a strict program for once a design consultant is selected. The purpose of this is to progress the replacement of these 4 bridges concurrently with the 6 timber bridges currently under replacement.

Redmond Oval Canteen Fitout

Council has now completed this project, and a detailed clean has been undertaken to ensure the facility is available for use, subject to reactivation of the main oval precinct.

Redmond Oval Upgrade

Progress on the oval is going well. Road construction and sealing is complete with line marking and bollards to be installed over the next month. The line marking and bollards will help to delineate traffic flow directions, parking and no go zones.

The Picket fence is near completion and is helping to provide a great visual aspect of the oval.

There are some minor field remediation works to be completed by the contractor and these are expected to be completed in the next week.

The official opening of the oval is scheduled for 14 March with planning and preparation of this now underway. Local Member The Hon Paul Toole MP will attend to cut the ribbon and officially open the new oval, canteen and highlight the newly renovated rotunda.

Blayney Showground Equestrian Centre

Delays have been incurred due to the unsuitable nature of the second hand power poles proposed to be used to retain the sand surface (arena edging). Council staff have identified and sourced a mutually agreeable alternate solution.

Wastewater

The Plumb Street odour bed is to be removed over the next few weeks and replaced with a new, smaller profile odour control canister. These works are a result of some odour complaints believed to be an effect of the Millthorpe rising main odours. The canister uses activated carbon to neutralise odours released at this point. A canister will also be placed on the corner of Carcoar Street and Oldham Place adjacent to Pit Stop Automotive to replace the odour bed removed when the footpath was constructed at this point.

Parks and Recreation

King George Oval – Sideline Seating

Council has now completed the major components of this project with shelters for the team “dugouts” yet to be installed.

Mandurama Recreation Ground

Following engagement with the Mandurama community, construction of a new toilet block is currently underway. The proposed building is a colourbond shed on slab, with wide verandah, and provides both a unisex disabled and unisex ambulant toilet, setout in accordance with Australian Standards.

Blayney Showground Kitchen

Council has commenced works on the upgrade of the kitchen space. The room has been stripped of old fittings and the entire room relined, and a new non-slip floor is currently being installed. Fittings and fixtures are ready to install upon placement of the floor. Upon completion, the kitchen will be food safety compliant and provide a bright space with modern equipment. Works are scheduled for completion by the end of February, in time for the 2017 Blayney Show. Funding for this project is from the NSW Government Community Building Partnership program and Council.

Assets

Council staff have completed the migration of roads data from the old BizeAsset Asset Management System to the new AssetFinda system. There were a number of issues in the way in which the consultants had undertaken this project, which have now been resolved.

Work is progressing on the preparation of the Buildings Asset Register for the revaluation of this asset class in the 2017/18 financial year. Asset staff have also begun updating the Stormwater Asset Register, by inspecting the network and capturing new assets and confirming existing data.

Sewer Revaluation

Council staff continue to undertake the condition assessment of the gravity network to identify the structural and serviceability of the pipe is currently continuing.

Council has received and is reviewing the first draft inspection report for the treatment plant and pump stations as part of the Centroc contract for sewer revaluation to be completed this financial year.

Heavy Plant and Fleet

- Requests for Tender were issued for replacement of general trucks and 2 rollers in late 2016. A separate report is provided for Council consideration for the supply of rollers, and a report will be provided to Council to consider the supply of general trucks to the March meeting.
- Request for Tender has also been issued for the purchase of 2 site vans in accordance with the Plant Replacement Program.

Issues:

Nil

Budget Implications:

Nil

Enclosures (following report)

Nil

Attachments (separate document)

Nil

18) FUTURE DEVELOPMENT OF UNUSED LAND FRONTING FRAPE STREET, BLAYNEY

Department: Infrastructure Services

Author: Director Infrastructure Services

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

File No: DB.AB.710

Recommendation:

That Council:-

1. Prepare a development application for a 3 lot subdivision of Lot 19 DP 244853 and develop 2 residential lots of approximately 930m² fronting Frape Street and rehabilitate the residue for conversion into open space.
2. Vote funding of \$70,000 from the internally restricted Property Account for development and rehabilitation costs associated with the 3 lot subdivision of Lot 19 DP 244853.

Reason for Report:

To investigate options for the development of Lot 19 DP244853 fronting Frape Street, Blayney.

Report:

Council at its May 2016 Councillor workshop determined to investigate the option of selling off lots that front Frape Street which formed a part of the original Beaufort / Cook Street Development.

As Councillors would be aware, the original subdivision proposal had issues associated with land contamination and unsuitable material for building foundations across a large proportion of the proposed development. However, investigations have found that the proposed lots that front Frape Street are not affected. **(Proposed layout plan attached)**.

Development Options

The following two options are presented for Councillors consideration to determine a way forward.

- **Option 1** - Council subdivide off three equal lots of 620m² in area.
- **Option 2** - Council subdivide off two equal lots of 930m² in area.

Servicing Costs

The following costs will be incurred in undertaking the development.

On ground works	Cost (\$ per lot)	Option 1 Total (\$)	Option 2 Total (\$)
Sewer Connection	1,000	3,000	2,000
Water Connection	3,348	10,044	6,696
Electrical Connection	5,000	15,000	10,000
Developer Contribution Charges	Cost (\$ per additional lot)		
Local Infrastructure (S94 BSC)	5,976	17,928	11,952
Sewer (S94 BSC)	2,683	8,049	5,366
Water (S64 CTW)	8,850	26,550	17,700
Total		80,571	53,714

Therefore based upon a development cost of \$26,857 per lot, the expenditure and income return for each option is:-

- **Option 1** - with an estimated development cost of \$80,571 and an expected market price of \$70,000 per lot, this would result in a return of approximately \$129,000 excluding survey and legal costs.
- **Option 2** - with an estimated development cost of \$53,714 and an expected market price of \$95,000 per lot, this would result in a return of approximately \$136,000 excluding survey and legal costs.

Along the eastern boundary of the proposed development are located power lines that may require establishment of an easement over the eastern most lot, further reducing the developable area of the lot, should Council choose to pursue Option 1.

Consultation with a local real estate agent indicates the most suitable choice would be Option 2, as it would generate higher levels of interest and provides greater flexibility for interested parties to leverage further value by seeking approval and developing a duplex or units on one or both individual parcels.

Should a motivated developer pursue duplex type development, Option 2 would deliver a total of 4 dwellings into the local market, or 1 more than Option 1. Any increase in dwelling number by developing units on one or both lots would be subject to a suitable proposal that complies with existing development codes.

With either option, the residual land should remain as open space.

Issues:**Contamination Issues**

As advised in the May 2016 briefing note, the sampling undertaken as part of the preliminary contamination report detected a slightly elevated arsenic sample at a single surface location, and asbestos fragments in a single location at depths between 0 and 1.8m. These locations are within the proposed residual land (open space) area, and not the proposed residential lots.

Sampling did not detect any other elevated levels of analysed heavy metals, hydrocarbons, organochlorine pesticides, Polychlorinated biphenyls, Polycyclic aromatic hydrocarbons. Those detected were below the adopted threshold for residential land use.

The land identified as unsuitable for building works has been excluded from the proposed development, and identified for open space, due to the cost to rehabilitate the unsuitable subsurface material for future dwelling construction.

Further Geotechnical sampling of the proposed residential lots will be undertaken once the proposed boundaries have been clearly defined, to provide Soil Classifications for future purchasers. Until this is completed Council cannot be certain that the proposed lots do not contain uncontrolled fill. Should the Soil Classification be unfavourable, further works on site will be put on hold whilst Council considers its position.

The arsenic and asbestos contamination will need to be remediated in order for the residual land to be safely reactivated as open space. It is estimated that development of a Remediation Plan, associated on ground works and final clearance from a hygienist will cost \$10,000 - \$15,000.

It is therefore recommended that Council approve the proposal to prepare a 3 lot subdivision of Lot 19 DP244853, being 2 residential lots (approx. 930m²) and residual lot, and provide \$70,000 funding from the Property Account Reserve to prepare fully serviced lots for sale and undertake remediation works.

Budget Implications:

No provision is currently provided within Council's budget to fund development costs for the proposed subdivision.

Funding can be made available from the internally restricted Property Account.

These costs would be recouped from the future sale of the land, and returned to the Property Account.

Enclosures (following report)

1 Cook Street Subdivision Layout

1 Page

Attachments (separate document)

Nil

19) RESOURCES FOR REGIONS FUNDING

Department: Infrastructure Services

Author: Manager Operations

CSP Link: 1.2 A thriving mining industry that supports and works well with the community.

File No: GS.RP.3

Recommendation:

1. That Council approve the addition of 8 Operations Staff on temporary contracts for the duration of the Resources for Regions project.
2. That Council approve the procurement of 2 water carts, 2 rollers, 4 utes, and 1 x 8 tonne tipping truck

Reason for Report:

Council has been successful in its application for \$5.174 million from the NSW Government Resources for Regions program. This funding forms part of a \$10.542 million project for the sealing of Errowanbang and Cadia Roads, with joint funding from NSW Government, Cadia Valley Operations, and Blayney Shire Council.

This is a large scale project that requires additional, temporary, resources for Council to complete over the next 2 years. It is considered that Council will require the following resources to allow for the completion of this project:

- 1 Project Manager part time (estimated 3 days/week)
- 1 Site Foreman
- 8 Operations staff to backfill positions
- 1 Trainee
- 1 x 8t tipping truck
- 2 Water Carts
- 2 Rollers
- 4 utes

In addition to these resources, it is proposed to retain a grader that is due for sale as a backup for the duration of this project.

Report:

In May 2016, Council officers submitted a grant application under the NSW Governments Resources for Regions program for \$5.174 million. This funding matches Cadia Valley Operations funding of \$3.15 million, and Council funding of \$2.21 million for the sealing of Errowanbang Road, Cadia Road, and reconstruction of existing sealed sections of Errowanbang Road and Panuara Road.

With the recent success of Council in receiving grant funding, the 2017/18 works program will be challenging. To enable Council to deliver this program, it is required to expand the work force for the duration of the Resources for Regions project. This expansion will facilitate increased productivity on Council's expansive projects, ensuring that Blayney Shire Council remains an effective partner for the NSW Government.

Council officers identified this project for completion by December 2019 during the application process. This was based on utilising Council's current resources with the works taking place in stages, with distinct breaks between stages.

However by implementing the recommendations within this report, it is considered that the project can be delivered by September 2018, resulting in a lower final cost, and subsequently lower risk to Council.

Council's Risks

Whilst Council is only a 21% funding partner on this project, it has sole liability for any over expenditure, WH&S, or quality issues on this project. Thus, it is important for Council to effectively manage this project, and achieve high productivity.

In assessing Council's risk, Council Officers have developed a number of mitigation strategies. The best way for Council to mitigate its risk is by adequately resourcing this project to deliver it in a shorter time frame.

The recommended resources are detailed further below.

Staff & Plant Resources Required

A detailed project estimate was undertaken to determine the required resources to deliver this project. When assessed in conjunction with Council's 2017/18 works program, it is clear that additional resources are required to deliver this program.

Given the truncated time frame for commencement, it is not possible for Council to let these works to tender. Therefore the only feasible option is to resource the works internally, whilst leveraging existing hire agreements that Council has in place.

Council's current Operations Staff are highly skilled, experienced, and work effectively to deliver Council's current projects. Council's Operations Staff also have superb depth of skills to enable back filling of key construction positions with current staff.

This means that Council would not be required to bring on an entirely new team, but can instead focus on expanding its Operations Team to provide enough resources for this project.

Council would also realise the additional long term benefit of further building the skill set of its current employees. This will provide improved flexibility, productivity, and resilience within its workforce.

Based on this assessment, and the benefits that Council can realise by having a dedicated crew on this project, it is recommended that Council expand its resources with:

- 1 Project Manager
- 1 Site Foreman
- 8 Operations Staff to backfill positions
- 1 Trainee
- 1 x 8t tipping truck
- 2 water carts
- 2 rollers
- 4 utes

It is not expected that all 8 Operations staff will work on this project. They would be spread throughout the organisation to back fill positions and compliment Council's current staff. However, the project does fund an additional 8 staff, so it is not expected that this would result in an increased Operational Expense for Council.

The items of plant are proposed to be procured utilising either loans, or through a fully maintained lease arrangement. They would be charged out to the project through Council's plant system, with hire rates to be calculated once pricing is received. The hire rates will cover any loan or lease costs associated with the plant.

The extra items would then be sold at the end of the project, unless they were able to be funded with future grant funded works.

Further to the proposed additional plant, it is recommended to hold onto 1 of Council's current graders that is identified for sale following its replacement this year. With the challenging works program, Council would have no backup for break downs. Given the high cost of downtime, it is considered prudent to delay the sale of this grader.

It is worth noting that in the last 3 years, Council has consistently hired additional tipping trucks, rollers, and water carts on a needs basis.

Quarry Materials

Initial material estimates indicate that this project will require in excess of 120,000 tonnes of gravel. Council does not operate any quarry that has approval for this high level of extraction.

Works have already commenced on a tender for the supply and delivery of material for this project. This tender will achieve 3 things for this project, it will:

1. Enable a supply of a conforming material
2. Provide the trucks required for the delivery, and it
3. Not exhaust any Council quarry of material

Given the project duration is intrinsically linked to the productivity of the gravel supply, Council will utilise a performance based contract for these works.

Through the application of incentives for exceeding productivity targets for the contractor, Council can reduce the final cost of this project. Even with the additional cost in the supply and delivery of gravel. The incentives will be based on the expected project savings, ensuring that the benefit is shared between the contractor and Council.

Through the application of disincentives, Council can mitigate its risk due to low productivity from supply shortages. Whilst it is unreasonable for Council to seek to recoup all costs due to low productivity, it does result in Council sharing the risk with the contractor.

The productivity targets for material supply will provide stretch targets for Council's staff, driving further efficiencies in work practices.

Ongoing Costs

The upgrade and sealing of Errowanbang and Cadia Roads will result in an increase in Council's ongoing maintenance and renewal costs.

Currently, the annual maintenance cost of these roads is \$65,000 with an average annual renewal cost of \$75,000.

It is expected that the annual maintenance of the newly upgraded road will be \$100,000 maintenance and \$95,000 renewal, with an associated reduction in expected maintenance of \$12,000 on alternate routes.

This represents an additional Operational Expenditure of \$23,000 per year, and an additional Capital Expenditure of \$20,000 per year.

Given the lower than expected growth in construction costs over the last few years, it is expected that Council can accommodate this within its existing allocations in the long term.

Issues:

Council is the underwriter for all over expenditure for this project, and will be responsible for all ongoing maintenance, including repairs of any failures throughout the works.

Under the NSW Local Government State Award (2014), it is permissible to employ staff on a temporary contract for the life of a specific project. It is considered that this project meets that test.

Budget Implications:

All costs related to the construction of this project will be covered within the project budget.

The ongoing maintenance costs are estimated at an additional \$23,000 per year, with renewal costs an additional \$20,000 per year.

This can be accommodated within Council's existing allocations due to reductions in construction costs.

Enclosures (following report)

Nil

Attachments (separate document)

Nil

20) PURCHASE OF 2 SMOOTH DRUM ROLLERS

Department: Infrastructure Services

Author: Manager Operations

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

File No: PS.TE.26

Recommendation:

1. That Council accept the quotation provided by GCM Agencies Pty Ltd for the supply of 2 Multipac 112H single drum vibrating rollers for a cost of \$212,000.00 (exc. GST).
2. That Council dispose of the existing 2 Dynapac CA250D rollers via trade in offered for \$62,000 (exc. GST).

Reason for Report:

The replacement of Plant Numbers 63 and 69 – Dynapac CA250D Smooth Drum Rollers in Council's fleet. The replacement of these items of plant is in accordance with Council's Plant Replacement Strategy.

Report:Executive Summary

Blayney Shire Council undertook a Request for Quotation through Local Government Procurement (Vendor Panel) for the purchase of 2 new smooth drum rollers. These new rollers will replace 2 smooth drum rollers currently in Council's Fleet.

Local Government Procurement is prescribed under Clause 163 of the *Local Government (General) Regulation 2005*, thus enabling Council to purchase this item through a quotation process.

At close of the Request for Quotation, Council had received 7 submissions from 5 suppliers.

Based on a detailed assessment of the submitted quotations, the Multipac 112H from GCM Agencies Pty. Ltd. is recommended for purchase. The roller performs to a high level, and their offer provides reduced maintenance costs by having all maintenance labour included for 6 years.

Submissions Summary

Suppliers were requested to submit prices for the supply of 2 Smooth Drum Rollers to Council's specification.

In total 7 submissions were received from the following suppliers:

- Tutt Bryant (Bomag)
- ConPlant (Ammann, 2 submissions)
- GCM Agencies Pty Ltd (Multipac)
- Atlas Copco (Dynapac, 2 submissions)
- Westrac Pty Ltd (Caterpillar)

Analysis of Quotes

After an initial analysis of the submissions, 2 of the 7 quotations submitted were deemed non-compliant, one (Ammann ASC110D) being heavier than specified in operating weight and the other (Dynapac CA2500D) too light in drum weight.

Following this, a shortlist was developed for full assessment. The second Ammann option was not considered suitable for a full assessment once compared with the remaining submissions.

Operators and Workshop staff then undertook hands on assessments of the remaining 4 rollers submitted (Dynapac, Bomag, Multipac, and Caterpillar). This full assessment considered operator ergonomics, serviceability, warranty support, and whole of life costs.

The 4 rollers were assessed on site at Council's Errowanbang Rd upgrade worksite, and in Oberon at Oberon Shire Council's facilities. From these "hands on" assessments the usability and safety features of each machine was assessed to develop a detailed comparison of all machines.

The top 2 performing rollers were the Multipac 112H and the Dynapac CA2800D.

Comparing both rollers, they both offer a swivel seat which turns 90°, and sizeable cabins. In contrast, the Dynapac offers controls that move with the seat, lower noise vibration and harshness, offering better ergonomics when operating the machine.

Both offered similar serviceability, however the Multipac submission provides for 6 years of labour on scheduled servicing, resulting in a lower whole of life cost. The Multipac also offered the longest warranty of all submissions, thus further reducing the expected whole of life cost.

Given the detailed assessment, the Multipac 112H is therefore recommended as best value for money to Council in this instance.

The results of the assessments on the best performing 4 quotations are detailed below:

Assessment Criteria	Caterpillar CS64B	Bomag BW213D-5	Multipac 112H	Dynapac CA2800D
1. Whole of life cost 30% Net tendered price plus maintenance costs	20.85	20.61	30.00	23.99
2. Operator assessment 25% Input on ergonomics and features and capacity to work	14.81	12.50	15.77	18.08
3. Mechanical / Workshop Assessment 20% Passive safety, serviceability, environmental	13.45	14.18	13.82	15.64
3. Environmental impact 10% Engine emissions and oil capacities etc.	9.18	9.33	7.84	8.51
5. Warranty, service & Parts availability 15% Standard warranty, after sales service and parts	9.83	8.50	12.00	8.50
TOTAL	68.12	65.13	79.43	74.71

Sale of Existing Plant Item

It is proposed to dispose of the existing rollers (P63 and P69) via trade-in as they are in need of maintenance before they could realise their maximum sale value at auction.

Issues:

Nil

Budget Implications:

The replacement of the rollers (Plant No. 63 and 69) is adequately budgeted in the 2016/17 Operational Plan for the purchase of the Multipac Rollers

Enclosures (following report)

Nil

Attachments (separate document)

Nil

21) **REQUEST FOR WAIVER OF DEVELOPER CONTRIBUTIONS - DA97/2014 - TWO LOT SUBDIVISION - LOT 1 DP 573283, 17 PYM STREET MILLTHORPE**

Department: Planning and Environmental Services

Author: Director Planning and Environmental Services

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

File No: DB.AB.1002

Recommendation:

That Council declines the request to waive the developer contributions required in Development Consent DA 97/2014 as requested by the applicant.

Reason for Report:

An applicant who undertook a 2 lot subdivision is requesting Council waive the requirement for payment of developer contributions on the subdivision.

Report:

In accordance with the *Blayney Local Infrastructure Contributions Plan 2013* conditions must be placed upon any development that generates a potential impact in accordance with the plan.

The development has the potential to impact on the standard and condition of local infrastructure and Council is entitled to apply conditions of development consent requiring monetary contributions.

The *Blayney Local Infrastructure Contributions Plan 2013* does allow for modification to conditions of consent to defer payment until the point of sale. A concession was applied for and granted. The applicant is now seeking a full waiver.

On 24 July 2014, Council received a planning inquiry from the applicant, seeking information regarding 2 potential options (subdivision or boundary adjustment) for the development of their land at Millthorpe.

The applicant was seeking an indication as to the potential costs and requirements for each option. Council provided a response in this regard. An advice provided prior to lodgement of a development application is general in nature and notes other matters may need to be addressed by the developer upon lodgement of the development application.

On 5 September 2014, Council received a further planning inquiry from the applicant, advising they had decided to proceed with the subdivision option. Council responded on 9 September 2014, and the previous DA fee schedule was included, however again no reference was included regarding developer contributions.

On 17 September 2014, the applicant contacted Council in regard to developer contributions. The applicant was advised developer contributions are not included as a development application fee, but are included as a condition within the development consent, the exact amount payable is dependent upon the time of payment.

On 23 September 2014, Development Application No. 97/2014 was lodged with Council, for a 2 lot subdivision, to divide an existing allotment into 2 lots; 1,627sqm and 607sqm respectfully.

The larger allotment would contain an existing dwelling/shop and associated outbuildings; the proposed smaller allotment would accommodate a future dwelling.

Development consent was issued on 22 October 2014, subject to 21 conditions, including 3 standard conditions regarding developer contributions. Any Development Consent includes conditions that are worded in such a manner to ensure that any developer, irrelevant of their experience are aware of the requirements associated with the development.

A Construction Certificate for new entrance works was issued on 16 March 2015.

On 11 May 2015, the applicant attended Council's offices requesting to defer the payment of the developer contributions as they were having financial difficulties.

In accordance with Clause 2.20 of the *Blayney Local Contributions Plan 2013*, Council was able to defer the payments, subject to a s96 modification to the original consent being lodged to vary the conditions.

The modification was lodged on 12 May 2015, seeking to defer payment of the developer contributions until the point of sale of the vacant residential allotment in accordance with Clause 2.20 of the *Blayney Local Infrastructure Contributions Plan 2013*. The modification was approved on 15 May 2015.

The required access works were undertaken, inspected by Council, and the Subdivision Certificate issued on 26 May 2015. The subdivision plan was then registered as DP 1206217, on 20 October 2015.

A dwelling has since been constructed under DA 52/2015 on the allotment created in the subdivision and occupied since 9 February 2016.

In February 2016, at the request of Councils Internal Audit Committee, Councils' Planning processes were audited using the Independent Commission Against Corruption (ICAC), Development Assessment Internal Audit Tool.

The audit identified that it would be best practice for Council to have a register listing development applications which developer contributions were required to be paid. In October 2016, Council staff correlated a register from development applications approved within the previous 5 years, which developer contributions may have been applicable and that if required all monies had been paid.

DA52/2015 is the single application, which was found not to have paid its contributions as required by the Development Consent and even though sale had occurred the monies had not been paid.

On 1 November 2016, Council wrote to the applicant advising that 3 conditions of development consent DA52/2015 were outstanding and asked the applicant to please contact council to discuss the matter. No response was received.

On 25 November 2016 Council contacted the applicant by phone. Initially the applicant advised that they would be in a position to pay the monies within 6 weeks and would proceed to pay the contributions. The applicant then proceeded to state they should not have to pay the contributions because they had received in favourable advice initially from Blayney Shire Council. The applicant was advised to detail all concerns in writing.

On 11 January 2017, correspondence was received from the applicant (see attachment 1). The applicant states they sought pre DA advice from Council for the costs and procedures for their potential subdivision and the advice given by Council led then to make a wrong decision, which if required to pay the developer contributions will cost them financially. The applicant is seeking Council to waive all developer contribution charges applicable to this development.

Whilst understanding the applicant's point that they were not advised formally in pre-development advice of the applicable developer charges, they were informed verbally during a phone conversation soon after issue of their pre-development advice.

Requirement to pay developer contributions is also included within the development consent. Three specific conditions of consent clearly require and list the contributions payable.

At no time since the issue of the development consent on 22 October 2014 until now has the developer sought a waiver of the developer contributions.

Even when the applicant sought a modification to the development consent to defer payment of the developer contributions until the point of sale of the allotment, did they seek a full waiver of the requirement to pay developer contributions.

Council has clarified with Central Tablelands Water (CTW) who have confirmed the developer paid \$9,647 of section 64 developer charges to them upon sale of the allotment in December 2015.

Issues:

If the waiver is granted it would set a precedent for other developers to request a waiver of developer contributions.

Budget Implications:

If the request to waive the developer contributions were, approved Council would be forgoing the following income (2016/17 figures);

\$5,976 – Section 94 contributions
\$7,163 – Section 64 sewer charges
\$ 200 – Streetscape contribution
\$13,339 – TOTAL

Enclosures (following report)

1 Letter from Applicant Dated 11 January 2017 27 Pages

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

Attachments (separate document)

Nil

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.

22) GENERAL MANAGERS ANNUAL PERFORMANCE REVIEW

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

23) GENERAL MANAGERS REMUNERATION REPORT

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