



10 September 2019

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, 16 September 2019 at 6.00pm for consideration of the following business -

- (1) Acknowledgement of Country
- (2) Recording of Meeting Statement
- (3) Apologies for non-attendance
- (4) Disclosures of Interest
- (5) Public Forum
- (6) Mayoral Minute
- (7) Confirmation of Minutes - Ordinary Council Meeting held on 19.08.19
- (8) Matters arising from Minutes
- (9) Reports of Staff
 - (a) Executive Services
 - (b) Corporate Services
 - (c) Infrastructure Services
 - (d) Planning and Environmental Services

Yours faithfully

Rebecca Ryan
General Manager

Meeting Calendar 2019

September

<u>Time</u>	<u>Date</u>	<u>Meeting</u>	<u>Location</u>
6.00pm	16 September 2019	Council Meeting	Community Centre
2.30pm	27 September 2019	Upper Macquarie County Council Workshop	Kelso

October

<u>Time</u>	<u>Date</u>	<u>Meeting</u>	<u>Location</u>
10.30am	9 October 2019	Central Tablelands Water Meeting	Blayney
10.00am	11 October 2019	Traffic Committee Meeting	Community Centre
6.00pm	21 October 2019	Council Meeting	Community Centre

November

<u>Time</u>	<u>Date</u>	<u>Meeting</u>	<u>Location</u>
9.00am	1 November 2019	Country Mayors Meeting	Sydney
2.30pm	1 November 2019	Upper Macquarie County Council Meeting	Kelso
6.00pm	4 November 2019	Cultural Centre Working Group Meeting	Community Centre
9.00am	8 November 2019	Mining and Energy Related Councils Meeting	Gloucester
6.00pm	18 November 2019	Council Meeting	Community Centre
9.00am	21 November 2019	Audit, Risk and Improvement Committee Meeting	Community Centre
6.00pm	21 November 2019	Sports Council Meeting	Community Centre
6.00pm	26 November 2019	Tourism, Towns and Villages Committee Meeting	Community Centre
10.00am	28 November 2019	Central NSW JO Board Meeting	Canberra

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HELD ON MONDAY 16 SEPTEMBER 2019

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**01) MINUTES OF THE PREVIOUS COUNCIL MEETING HELD MONDAY
19 AUGUST 2019**

Department: Executive Services

Author: General Manager

CSP Link: 2. Local Governance and Finance

File No: GO.ME.3

Recommendation:

That the Minutes of the Ordinary Council Meeting held on 19 August 2019, being minute numbers 1908/001 to 1908/024 be confirmed.

**MINUTES OF THE BLAYNEY SHIRE COUNCIL ORDINARY MEETING
HELD IN THE CHAMBERS, BLAYNEY SHIRE COUNCIL COMMUNITY
CENTRE, ON 19 AUGUST 2019, COMMENCING AT 6.00PM**

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

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

ACKNOWLEDGEMENT OF COUNTRY

**MINUTE SILENCE ACKNOWLEDGING MILLTHORPE
VILLAGE COMMITTEE PRESIDENT SAM YEATES**

RECORDING OF MEETING STATEMENT

The Mayor advised a video recording of the Council Meeting will be made to trial equipment.

APOLOGIES

1908/001

RESOLVED:

That the apology, tendered on behalf of Cr Scott Denton, be accepted.

(Reynolds/Ewin)
CARRIED

DISCLOSURES OF INTEREST

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

Councillor/ Staff	Interest	Item	Pg	Report	Reason
Cr David	Non-	12	59	Minutes of the Financial	Board Member of the

Somervaille	Pecuniary (Significant)			Assistance Committee Meeting held 6 August 2019	Rotary Club of Blayney
Cr Scott Ferguson	Pecuniary	12	59	Minutes of the Financial Assistance Committee Meeting held 6 August 2019	Working on one of the recommended projects for approval by the Financial Assistance Committee
Cr Allan Ewin	Non-Pecuniary (less than significant)	3	13	Electric Vehicle Charger Stations	Location of Electrical Vehicle Stations – Employee of Newcrest
Cr Bruce Reynolds	Non-Pecuniary (less than significant)	12	59	Minutes of the Financial Assistance Committee Meeting held 6 August 2019	Has applied to be a member of the Junction Reefs Trust – awaiting appointment.

MAYORAL MINUTE

Lyndhurst RSL Sub Branch

The Mayor attended the annual Lyndhurst RSL Sub Branch Christmas in July at Carcoar with Deputy Mayor Cr Kingham and Crs Denton and Reynolds. A Certificate of Appreciation was presented to Blayney Shire Council for their valued support and assistance.

CONFIRMATION OF MINUTES

MINUTES OF THE PREVIOUS COUNCIL MEETING HELD MONDAY 15 JULY 2019

1908/002

RESOLVED:

That the Minutes of the Ordinary Council Meeting held on 15 July 2019, being minute numbers 1907/001 to 1907/017 be confirmed.

(Reynolds/Newstead)

CARRIED

MATTERS ARISING FROM THE MINUTES

Nil

EXECUTIVE SERVICES REPORTS

SCCF ROUND 3

1908/003

RESOLVED:

That Council;

1. Shortlist and develop a scope of works for consideration by Council at the September meeting for the following community infrastructure projects;
 - a) Neville Multipurpose Court
 - b) Junior Skate Park and pathway Redmond Oval Millthorpe
 - c) Blayney Library Accessible Toilets Project
 - d) Dakers Oval Cricket Fence
 - e) Dakers Oval Amenities Block
 - f) CentrePoint Dry Courts Roof and Renewable Energy

- Project
- g) Blayney Netball Courts Resurfacing Project
2. Work with the Lyndhurst Village community to develop a Recreation Ground Improvement Plan.
- (Ewin/Kingham)
CARRIED

Cr Ewin having declared an interest left the Chambers.

ELECTRIC VEHICLE CHARGER STATIONS

1908/004

RESOLVED:

That Council;

1. Accept the contribution from Newcrest Mining's Cadia Valley Operations for the establishment of 2 Electric Vehicle charging stations to be installed in Millthorpe and Carcoar, at locations to be determined as the most appropriate and cost effective solution
2. When the preferred charging station solution is determined a report be provided to Council with location and recommended fees based on a full cost recovery User Pays Policy.

(Somerville/Reynolds)

CARRIED

Cr Ewin returned to the Chambers.

**MINUTES OF THE BLAYNEY SHIRE CULTURAL CENTRE
WORKING GROUP MEETING HELD MONDAY 5 AUGUST
2019**

1908/005

RESOLVED:

1. That the minutes of the Blayney Shire Cultural Centre Working Group, held on Monday 5 August 2019, be received and noted.
2. That Council consider the Blayney Library Accessible Toilets Project as part of SCCF Round 3 submissions for Blayney Shire Council, being Stage 1 of the Library Development (Family History Museum) at \$125k.

(Reynolds/Ewin)

CARRIED

CORPORATE SERVICES REPORTS

REPORT OF COUNCIL INVESTMENTS AS AT 31 JULY 2019

1908/006

RESOLVED:

1. That the report indicating Council's investment position as at 31 July 2019 be received.
2. That the certification of the Responsible Accounting Officer be received and the report be adopted.

(Kingham/Ewin)

CARRIED

**DRAFT STATEMENT OF FINANCIAL REPORTS BY COUNCIL
2018/19****1908/007****RESOLVED:**

1. That the statement in accordance with Section 413(2)(c) of the Local Government Act 1993, and Clause 215 of the Local Government (General) Regulation (2005) for the General Purpose Financial Statements for the year ending 30 June 2019 be made.
2. That the certification of the Responsible Accounting Officer be received.
3. That the statement in accordance with the requirements of the Code of Accounting Practice in relation to the Special Purpose Financial Statements for the year ending 30 June 2019 be made.
4. That the statements be signed by the Mayor, Deputy Mayor, the General Manager and the Responsible Accounting Officer.
5. That the General Purpose Financial Statements and Special Purpose Financial Statements be referred to audit and Intentus Chartered Accountants, as the contracted agent for the NSW Audit Office, be invited to complete the audit as per the requirements of Section 413(1) of the Local Government Act (1993) and Local Government (General) Regulation (2005).
6. That the net transfers to Council's external cash restrictions of \$373k be approved.
7. That the net transfers from Council's internal cash restrictions of \$1.01m be approved for the purposes as detailed in Schedule 1.
8. That the 2019/20 supplementary expenditure votes for carryover works from 2018/19 to 2019/20 totalling \$2.89m funded from Internal Cash Restrictions of \$1.22m and External Cash Restrictions of \$1.67m as per the attached schedule be approved.

(Reynolds/Somerville)

CARRIED**SIX MONTHLY DELIVERY PLAN REVIEW - JUNE 2019****1908/008****RESOLVED:**

That the six-monthly review, as at 30 June 2019, of Council's 2018/19 – 2021/22 Delivery Plan be received.

(Newstead/Reynolds)

CARRIED**LICENCE AGREEMENT - LORAWAN PROJECT****1908/009****RESOLVED:**

That Council note the Licence Agreement between Blayney Shire Council and Department of Planning, Industry & Environment for the installation and maintenance of a LoRaWan Gateway at Church Hill, Blayney.

(Somerville/Ewin)
CARRIED

1908/010 LEGISLATIVE COMPLIANCE POLICY

RESOLVED:

That the Legislative Compliance policy be adopted and included in Council's policy register.

(Kingham/Newstead)
CARRIED

1908/011 ADOPTION OF GIFTS AND BENEFITS POLICY

RESOLVED:

That the Gifts and Benefits policy be adopted and included in Council's policy register.

(Somerville/Reynolds)
CARRIED

1908/012 AMENDMENT TO INVESTMENTS POLICY

RESOLVED:

That the Investments policy, as amended, be placed on public exhibition for a period of at least 28 days.

(Kingham/Somerville)
CARRIED

Cr Ferguson having declared an interest departed the Chair and left the Chambers. Cr Somerville having declared an interest left the Chambers.

The Deputy Mayor, Cr Kingham, assumed the Chair.

**MINUTES OF THE FINANCIAL ASSISTANCE COMMITTEE
MEETING HELD 6 AUGUST 2019**

1908/013 RESOLVED:

1. That the minutes of the meeting held 6 August 2019 be received and noted.
2. That the approvals of fee waivers and sporting related Financial Assistance by General Manager in the amount of \$2,372 be noted.
3. That the recommendations for 2019/20 - Round 1 of the Community Financial Assistance Program by the Financial Assistance Committee, in the amount of \$24,289 be approved.

No.	Applicant	FAP Request
2	Blayney Men's Shed	\$3,000
6	Junction Reefs Reserve Trust	\$3,029
7	Neville Equine Performance	\$3,000
9	Lyndhurst Memorial Hall and Village Committee	\$760
10	Blayney Rotary Club	\$500

11	Blayney District Netball Association	\$3,000
12	Mandurama Public Hall Reserve	\$3,000
14	Sailability NSW Central West	\$3,000
15	Carcoar School of Arts	\$5,000
Total		\$24,289

4. That, of that amount, an amount of \$5,789 being the amount in excess of that available for Round 1, be allocated from funds unexpended from prior periods.

(Newstead/Reynolds)

CARRIED

Crs Ferguson and Somerville returned to the Chambers. Cr Ferguson assumed the Chair.

MINUTES OF THE BLAYNEY SHIRE AUDIT, RISK AND IMPROVEMENT COMMITTEE MEETING HELD 1 AUGUST 2019

1908/014 RESOLVED:

1. That the minutes of the Blayney Shire Audit, Risk and Improvement Committee meeting held 1 August 2019 be received; and
2. That 2019/20 review of the Corporate Risk Register be scheduled.

(Newstead/Somerville)

CARRIED

INFRASTRUCTURE SERVICES REPORTS

DIRECTOR INFRASTRUCTURE SERVICES MONTHLY REPORT

1908/015 RESOLVED:

That the Director Infrastructure Services Monthly Report for July 2019 be received and noted.

(Kingham/Ewin)

CARRIED

SUPPLY, DELIVERY AND PLACEMENT OF SPRAYED BITUMINOUS SURFACING

1908/016 RESOLVED:

That Council accept the tender from Downer EDI Limited for the quality assured, schedule of rates contract for the Supply, Delivery and Placement of Sprayed Bituminous Surfacing.

(Ewin/Somerville)

CARRIED

MINUTES OF THE TRAFFIC COMMITTEE MEETING HELD 9 AUGUST 2019

1908/017 RESOLVED:

1. That the minutes of the Blayney Traffic Committee Meeting,

- held on Friday 9 August 2019, be received and noted.
2. That Council endorse the Traffic Management Plan for the Carcoar Cup Running Festival, to be held on 2-3 November 2019 on roads in the Villages of Carcoar and Neville, and roads in-between as a Class 2 event, subject to the conditions detailed in the Director Infrastructure Services' Report, and subject to the following amendments:
 - Directional signage to public parking on Pound Flat to be provided.
 - A vehicle protection barrier to be provided at the intersection of Icely/Coombing and Belubula/Collins Street's.
 - All references to Roads and Traffic Authority (RTA) to be amended to Roads and Maritime Services (RMS).
 3. That Council install a No Stopping sign on Mid-Western Highway 8m north of the Gold Street intersection outside the Mandurama General Store in accordance with rule 170 of the NSW Road Rules 2014.

(Reynolds/Ewin)

CARRIED

Cr David Kingham recorded his name against the resolution.

PLANNING AND ENVIRONMENTAL SERVICES REPORTS

DA54/2019 - ERECTION OF A SHED - 56 RICHARDS LANE, MILLTHORPE

1908/018

RESOLVED:

That Council consents to Development Application DA54/2019 for the erection of a shed at Lot 4 DP750384 – 56 Richards Lane, Millthorpe subject to the recommended conditions of consent.

(Reynolds/Ewin)

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

FOR	AGAINST
Councillor Ewin	
Councillor Ferguson	
Councillor Kingham	
Councillor Somerville	
Councillor Reynolds	
Councillor Newstead	
Total (6)	Total (0)

CARRIED

MINUTES OF THE BLAYNEY SHIRE ACCESS ADVISORY COMMITTEE MEETING HELD ON 17 JULY 2019

1908/019

RESOLVED:

1. That Council as a matter of urgency investigate inclusion of an adult change table and hoist within an accessible

- bathroom as part of Stage 1 of the CentrePoint Major Upgrade.
2. That Council investigate and consider as a priority installation of a concrete path and lighting from the accessible car parking located in Ogilvy Street to the Osman Street entrance in the 2019/20 financial year.
 3. That Council investigate and cost options for all access doors at CentrePoint to be upgraded to enable independent access above the minimum standard for future grant funding opportunities and/or Operational Plan inclusion.
 4. That Council proceed to cost the upgrade of the identified non-compliant car parking in the 2018 audit of accessible car parking across Blayney Shire for future grant funding opportunities and/or Operational Plan inclusion.
 5. That Council note the Access Committee's preference of Binstead Street footpath works being undertaken before Carcoar Street in the 2019/20 financial year.
 6. That Council investigate and consider as a priority renewing the layback in front of the Anglican Church Blayney (corner of Adelaide Street and Church Street) in the 2019/20 financial year.
 7. That Council notes the Blayney Shire Access Committee endorsement of the 6 monthly review to 30 June 2019 of the Blayney Shire Disability Inclusion Action Plan.
 8. That Council write to the NSW Department of Education to ensure accessible car parking and access is considered in the design of the upcoming major upgrade to the Millthorpe Public School.

(Reynolds/Kingham)
CARRIED

**MINUTES OF THE BLAYNEY SHIRE CEMETERY FORUM
MEETING HELD WEDNESDAY 17 JULY 2019**

1908/020

RESOLVED:

That the minutes of the Blayney Shire Cemetery Forum, held Wednesday 17 July 2019, be received and noted.

(Kingham/Ewin)
CARRIED

CLOSED MEETING

1908/021

RESOLVED:

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

**WASTE COLLECTION SERVICES POLICY EXEMPTION
REQUESTS**

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.

LEGAL MATTER

This matter is considered to be confidential under Section 10A(2) (g) of the Local Government Act, as it deals with advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.

(Reynolds/Ewin)
CARRIED

CONFIDENTIAL MEETING REPORTS

WASTE COLLECTION SERVICES POLICY EXEMPTION REQUESTS

1908/022

RESOLVED:

That Council apply Policy 18C and accordingly decline the requests for exemptions.

(Reynolds/Ewin)
CARRIED

1908/023

LEGAL MATTER

RESOLVED:

That Council receive and note the report.

(Kingham/Somervaille)
CARRIED

1908/024

RESOLVED:

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

(Reynolds/Somervaille)
CARRIED

AT THE RE-OPENING OF THE MEETING TO THE PUBLIC, THE MAYOR ANNOUNCED THE OUTCOMES OF RESOLUTION NUMBERS 1908/022 TO 1908/023

There being no further business, the meeting concluded at 8.02pm.

The Minute Numbers 1908/001 to 1908/024 were confirmed on 16 September 2019 and are a full and accurate record of proceedings of the Ordinary Meeting held on 19 August 2019.

Cr S Ferguson
MAYOR

Mrs R Ryan
GENERAL MANAGER

02) ELECTION OF MAYOR**Department:** Executive Services**Author:** General Manager**CSP Link:** 2. Local Governance and Finance**File No:** GO.ME.2

Recommendation:

1. That Council accept the nominations(s) for position of Mayor; and
2. That if more than one nomination is received for the position of Mayor the method of voting is by open means (such as on voices or show of hands).

Reason for Report:

For Council to receive the nomination(s) and elect from its members a Mayor, who will undertake the roles and responsibilities of this position for the next 12 months. The role of the Mayor as the leader of the elected representatives is an important position, being spokesperson and principal member of the Council.

The Mayor presides over Council and Committee meetings and is the primary liaison/advocate with both State and Federal Members of Parliament. The Mayor supervises the General Manager's day-to-day activities, approving leave and facilitates the General Manager's contract and annual performance reviews.

The Mayor represents Council on regional organisations, intergovernmental bodies and other organisations. Blayney Shire Council Mayor is delegate to Central NSW JO, NSW Mining and Energy Related Councils, NSW Country Mayors Association and LGNSW (Local Government NSW).

Report:

As per Schedule 7 of the Local Government Regulations (2005) parts 1-13 the General Manager is the returning officer.

Councillors may be nominated without notice for election as Mayor. Nominations are to be made in writing by 2 or more Councillors (1 of whom may be the nominee) and is not valid unless the nominee has indicated consent to the nomination in writing.

The nomination is to be delivered to or sent to the General Manager and the names of the nominees will be announced at the Council meeting at which the election is to be held.

Risk/Policy/Legislation Considerations:

Division 2 (s225-230) details the role and election of the Mayor by the elected body. In Blayney Shire Council, the person elected to the office of Mayor is by the Councillors from among their number.

The Mayor elected by Councillors holds the office of Mayor for 2 years, except in this instance for the next 12 months, a consequence of the proposed mergers and postponed local government elections that resulted in a 3 year Council term for Blayney Shire Council.

Council's Code of Meeting Practice Clause 11.9 states

'Voting at a meeting, including voting in an election at a meeting, is to be by open means (such as on the voices, by show of hands or by a visible electronic voting system). However, the council may resolve that the voting in any election by councillors for mayor or deputy mayor is to be by secret ballot.'

NSW Local Government (General) Regulation (2005) Clause 394 notes that if the Mayor and Deputy Mayor is to be elected by the councillors of an area, the election is to be in accordance with Schedule 7. Schedule 7 prescribes the procedure for conducting an election of the Mayor by Councillors. A copy of which has been provided to Councillors along with a blank nomination form for completion.

Budget Implications:

Nil

Enclosures (following report)

Nil

Attachments (separate document)

Nil

03) ELECTION OF DEPUTY MAYOR

Department: Executive Services

Author: General Manager

CSP Link: 2. Local Governance and Finance

File No: GO.ME.2

Recommendation:

1. That Council accept the nomination(s) for position of Deputy Mayor, and;
2. That if more than one nomination is received for the position of Deputy Mayor, the method of voting is be open means (such as on voices or show of hands).

Reason for Report:

For Council to receive the nomination(s) and elect from its members a Deputy Mayor, who will undertake the roles and responsibilities of this position for 12 months.

The Deputy Mayor may exercise any function of the Mayor at the request of the Mayor or if the Mayor is prevented by illness, absence or otherwise or if there is a casual vacancy in the office of Mayor.

Report:

As per Schedule 7 of the Local Government Regulations (2005) parts 1-13 the General Manager is the returning officer.

Councillors may be nominated without notice for election as Deputy Mayor. Nominations are to be made in writing by 2 or more Councillors (1 of whom may be the nominee) and is not valid unless the nominee has indicated consent to the nomination in writing.

Councillors may be nominated without notice for election as Deputy Mayor.

Nominations are to be made in writing by 2 or more Councillors (1 of whom may be the nominee) and is not valid unless the nominee has indicated consent to the nomination in writing.

The nomination is to be delivered to or sent to the General Manager and the names of the nominees will be announced at the Council meeting at which the election is to be held.

Risk/Policy/Legislation Considerations:

In accordance with the Local Government Act (1993) s231, Council may elect a Deputy Mayor for the same or a shorter term as the Mayor. Blayney Shire Council resolved that the Deputy Mayor would hold this office for the Mayoral term (**Resolution No 1709/001**).

Council's Code of Meeting Practice Clause 11.9 states

'Voting at a meeting, including voting in an election at a meeting, is to be by open means (such as on the voices, by show of hands or by a visible electronic voting system). However, the council may resolve that the voting in any election by councillors for mayor or deputy mayor is to be by secret ballot.'

NSW Local Government (General) Regulation (2005) Clause 394 notes that if the Mayor and Deputy Mayor is to be elected by the councillors of an area, the election is to be in accordance with Schedule 7. Schedule 7 prescribes the procedure for conducting an election of the Mayor by Councillors. A copy of which has been provided to Councillors along with a blank nomination form for completion.

Budget Implications:

Nil

Enclosures (following report)

Nil

Attachments (separate document)

Nil

04) COUNCIL MEETING DATES**Department:** Executive Services**Author:** General Manager**CSP Link:** 2. Local Governance and Finance**File No:** GO.ME.2**Recommendation:**

That Council adopts the meeting dates and times for Ordinary Meetings of Council for the next 12 months as follows:

- Monday 21 October 2019
- Monday 18 November 2019
- Monday 16 December 2019
- Monday 17 February 2020
- Monday 16 March 2020
- Monday 20 April 2020
- Monday 18 May 2020
- Monday 22 June 2020
- Monday 20 July 2020
- Monday 10 August 2020
- Monday 28 September 2020

Reason for Report:

For Council to review and adopt a meeting schedule for the Ordinary Meetings of Council for the next 12 months as per s3.1 of Blayney Shire Council Code of Meeting Practice (2019).

Report:

Council convenes 11 Ordinary Meetings each year. Meetings are held in the Council Chambers, Blayney Shire Community Centre commencing at 6.00pm on the third Monday of each month, except for the June meeting which is held on the fourth Monday to adopt the Operational Plan and January when no meeting is held. This does not preclude the calling of an Extraordinary Meeting when the necessity arises for a particular issue, at the request of Councillors or staff by the authorisation of the Mayor.

The following dates and times are recommended for the Ordinary Meetings of Council over the following 12 months:

- Monday 21 October 2019
- Monday 18 November 2019
- Monday 16 December 2019
- Monday 17 February 2020
- Monday 16 March 2020
- Monday 20 April 2020
- Monday 18 May 2020

- Monday 22 June 2020
- Monday 20 July 2020
- Monday 10 August 2020
- Monday 28 September 2020

Risk/Policy/Legislation Considerations:

The Local Government Act (1993) section 365 stipulates the requirement for Council to meet at least 10 times per annum, each time in a different month.

The Blayney Shire Council Code of Meeting Practice (2019) and Model Code of Meeting Practice for Local Councils in NSW (2018) s3.1 refers to Frequency of Meetings and notes that Council will adopt an annual schedule of dates at the September meeting.

This schedule does not include various Committee meetings, extraordinary Council meetings, workshops or training, civic functions and other commitments of Councillors. Council Committees will continue for the remaining term of Council, along their adopted meeting schedule.

Local Governments in NSW will hold elections on Saturday 12 September 2020. Clause 393B of the Local Government (General) Regulation (2005) limits Councils' ability to exercise some of its functions in the 4 weeks preceding the date of a local government election, during the caretaker period. This means that the final date for Council to convene a meeting will be Friday 14 August 2020. It is proposed that the August meeting be moved a week earlier to ensure Council decisions are made prior to the caretaker period.

The September 2020 meeting is very dependent on the NSW Electoral Commission announcing results in time enough to give notice to Councillors and advertise to the public the first meeting of the new Council. The September meeting is proposed to be deferred a week to allow for the declaration of the poll; and remains subject to change.

Budget Implications:

Council meetings are a normal part of the operations of the organisation, and budgeted for in the 2019/20 Operational Plan. This includes travel reimbursement costs of Councillors and catering for meals.

Enclosures (following report)

Nil

Attachments (separate document)

Nil

05) SCCF ROUND 3**Department:** Executive Services**Author:** General Manager**CSP Link:** 2. Local Governance and Finance**File No:** GS.LI.1**Recommendation:**

That Council submit the following community infrastructure projects totalling \$781,996 to the Stronger Country Communities Round 3 Program;

- a. Neville Multipurpose Court
- b. Junior Skate Park Redmond Oval Millthorpe
- c. CentrePoint Dry Courts Roof and Renewable Energy Project
- d. Blayney Netball Courts Resurfacing Project

Reason for Report:

For Council to determine the nominated community projects identified after consultation with local Village Associations, Sporting and Cultural Groups, for the NSW Government's Stronger Country Communities Fund (SCCF 3) Round 3 program.

Report:

The funding available for projects in Blayney Shire Local Government Area is \$781,996. 50% of the SCCF program has to be allocated for Youth Infrastructure or Programs and applications close 27 September 2019.

At the August meeting, Council resolved to develop a scope of works for the following shortlisted community infrastructure projects;

- a) Neville Multipurpose Court
- b) Junior Skate Park and pathway Redmond Oval Millthorpe
- c) Blayney Library Accessible Toilets Project
- d) Dakers Oval Cricket Fence
- e) Dakers Oval Amenities Block
- f) CentrePoint Dry Courts Roof and Renewable Energy Project
- g) Blayney Netball Courts Resurfacing Project

Staff have reviewed the budget estimates, tightened up the scope of works, undertaken further consultation with stakeholders and engaged with specialist contractors where necessary.

Projects were grouped into those that were deemed 'shovel ready', those that need more planning, design and those subject to another step in the delivery and implementation phase such as funding, development consent.

This provided an opportunity to assess the deliverability of the shortlisted projects. Those that require some more time for development include the following;

- Blayney Library Accessible Toilets – Requires revised plans and modification to approved DA. Toilets may be located on southern side, as opposed to where originally proposed. Potential for this to be Stage 1 of a Library Redevelopment Project.
- Dakers Oval Cricket Fence - Grant funding submitted (including quotations) for fence under Crown Reserves Improvement Fund. Announcements expected late August.
- Dakers Oval Amenities Block - Council have been working with Junior Cricket and Architectural drawing and engineering plans being prepared to enable DA lodgement.

The following projects are proposed to be included in Council’s SCCF Round 3 submission.

Project	Details	Estimate
Neville Multipurpose Court	<p>Confirmed as Neville preferred project and is priority of Village Plan, identified priority project in Sport and Recreation Plan 2017. DA Approved, Subdivision Plan completed and Council have previously provided support and endorsed project, QS Pricing 2019 revised.</p> <p>Depreciation cost (surface, netting and fencing) estimate of \$4,100 plus insurance premium \$500 would be an additional ongoing cost to Council’s Operational Plan. Additional cleaning and general maintenance in conjunction with Neville Memorial Park considered reasonable and within existing budget allocations.</p>	\$250,000
Junior Skate Park Redmond Oval Millthorpe	<p>Community Plan project, DA Approved, Based on plans and location, QS for SkatePark has been revised. This does not include a shared pathway as scope is not available to date. It is proposed that any shared pathway from the Tennis Courts to the SkatePark area, be considered in future planning. Depreciation of \$1,800 per annum, with additional cleaning and general maintenance in conjunction with existing skate park and Redmond Oval considered reasonable and within existing budget allocations.</p>	\$180,000

Project	Details	Estimate
CentrePoint Energy Efficiency Project	<p>Work to Dry courts roof area including;</p> <ul style="list-style-type: none"> - New alsynite sheeting, remove existing turbine roof vents, installation of 6 new hurricane turbines with electronic dampeners - 70 Kw solar system on Dry Courts roof <p>Given the % of the roof component, the minimal write down value would be accounted for in revaluation process in 2022/23.</p> <p>Annual Depreciation on Solar System panels is \$3,640 per annum. Electricity saving generated is estimated to be worth \$22,000 per annum.</p>	\$151,000
Netball Courts Blayney	<p>The resurfacing of the 6 Netball Courts in Blayney have been given high priority. This project has been included in the 2017 Sport and Recreation Masterplan for the King George Oval facility Refurbishment.</p> <p>The netball courts are at the end of their useful life and the surface has deteriorated with significant trip hazards, making 3 not usable in current state.</p> <p>Discussions with Netball NSW and Blayney Netball demonstrate there is no value proposition in having 9 courts.</p> <p>Council has allocated \$70k in the 2019/20 Operational Plan and provides leverage for additional funding. A quotation is being sought to see how many courts could be resurfaced for \$270,996.</p> <p>New rubber mat gel system with acrylic surface, has a useful life of 30 years, giving depreciation value \$9k per annum. There will be no write down value, as the current courts have expired useful life.</p>	\$200,996
Total		\$781,996

Risk/Policy/Legislation Considerations:

The community infrastructure projects listed meet the SCCF 3 guidelines and importantly; those specifically youth related, being development of new or

upgrades to existing infrastructure for young people account for 81% of the funding request.

Eligible community groups are also able to submit an application and if successful, these organisations will be responsible for delivering projects, not Council. Projects on Council land will become a Council asset and the whole of life cost will need consideration, prior to support granted by Council.

To date there has been no advice or request from a community organisation seeking Council support or information, regarding a community initiated project. It is assumed that Council will be the only applicant from Blayney LGA.

Bringing forward projects as a result of an opportunistic grant has resource demands in addition to financial, strategic and reputational risks. The 3-year timeframe for SCCF 3 to be delivered means that the implementation may be planned appropriately, hence reducing this conflict for resources.

Budget Implications:

It is anticipated that these projects will be delivered in the 2020/21 Operational Plan. Any overrun of the approved funding will be required to be met by Council.

The offset to the additional time frame to deliver these projects is that price movements could add in some cases 10-20% additional expense for any project.

Whole of Life costs for those shortlisted projects are noted in the summary above and will be included, if funding is successful in the 2020/21 Operational Plan and ensuing LTFP. This includes the renewal of the infrastructure and annual operations and maintenance cost.

Renewal expense includes the annualised cost (depreciation) to replace individual components of the asset, which included the building structure, roof, heating, cooling, fixtures, fittings and concrete surfaces.

Operations and maintenance expense items are predicated by the level of service associated with the facility/public amenity and includes the cost of cleaning, minor maintenance, energy and water.

Enclosures (following report)

Nil

Attachments (separate document)

Nil

06) LOW COST LOANS INITIATIVE FUNDING AGREEMENT

Department: Executive Services

Author: General Manager

CSP Link: 2. Local Governance and Finance

File No: PM.AD.9

Recommendation:

1. That Council accepts the Funding Agreement to receive 50% reimbursement of loan interest paid for the Plumb Street project, funded by \$1.32m 10 Year Loan from the Office of Local Government (OLG) on behalf of the NSW Government.
2. That Council approve the Mayor and General Manager to sign and affix the Council Seal to the Low Cost Loans Initiative Funding Agreement.

Reason for Report:

For Council to approve the affixing of the Council seal to the funding offer from the Office of Local Government (OLG) for the Low Cost Loans Initiative (LCLI) being for the Plumb Street project.

Report:

Over the past 18 months, Council undertook a Feasibility Study then purchased and commenced the 14 lot Residential Development at 32 Plumb Street, Blayney. This development, now referred to as Streatfeild Close is funded by loan borrowings.

In October 2018, Council received formal notice that the application under the LCLI program was successful for the Plumb Street residential land development, providing a 50% Interest Subsidy for borrowings totalling a maximum of \$118,322.

Council has finalised the loan borrowings of \$1.32m with TCorp, and the loan was drawn in June 2019.

Council received the formal LCLI Funding Agreement from the OLG last week, and it requires affixing of the Council Seal. The OLG is the LCLI Administrator acting for an on behalf of the NSW Government.

Risk/Policy/Legislation Considerations:

The affixing of Council Seal requires a Council resolution as per Clause 400 of the Local Government Regulations (2005) which must specifically refer to the document that the seal is to be affixed.

Budget Implications:

The LCLI grant will provide an interest subsidy totalling \$118,322 for the \$1.32m 10 year loan, as per the LCLI guidelines. The interest subsidies are paid by 6 monthly instalments on a claim and refund basis.

Enclosures (following report)

Nil

Attachments (separate document)

Nil

07) MINUTES OF THE BLAYNEY SHIRE TOURISM, TOWNS AND VILLAGES COMMITTEE MEETING HELD 28 MAY 2019

Department: Executive Services

Author: General Manager

CSP Link: 2. Local Governance and Finance

File No: GO.ME.1

Recommendation:

That the minutes of the Blayney Shire Tourism, Towns and Villages Committee Meeting, held on Tuesday 27 August 2019, be received and noted.

**MINUTES OF THE TOURISM, TOWNS AND VILLAGES COMMITTEE
MEETING
HELD ON TUESDAY 27 AUGUST 2019
AT THE BLAYNEY SHIRE COMMUNITY CENTRE**

Meeting commenced at 6.02pm.

PRESENT

Cr Bruce Reynolds (Chair), Rebecca Ryan (General Manager), Allan Griffiths, Elizabeth Russ, Judy Belecky, Kerry Strom-Cook, Richard Bloomfield, Wayne Moore, Nick Anagnostaras and Kate McMartin.

APOLOGIES

That the apology received from Jo Richardson and Jane Whitten be accepted.
(Kerry Strom-Cook / Wayne Moore)

DISCLOSURES OF INTEREST

Nil

ADOPTION OF MINUTES FROM PREVIOUS MEETING – 28 MAY 2019

Recommended that the minutes from the previous Tourism, Town and Villages Committee meeting held on 28 May 2019 be adopted.
(Wayne Moore / Judy Belecky)

BUSINESS ARISING**Blayney Railway Station Workshop**

- To be held on Saturday 7 September, invitation and pre-reading distributed

DRAFT DESTINATION MANAGEMENT PLAN

- Draft Destination Management Plan reviewed
- SWOT, Vision and Action Items/Priorities discussed
- Feedback due by end of September, to enable report to October Council meeting

BLAYNEY SHIRE TOURISM VILLAGES BROCHURE RENEWAL UPDATE

- 10,000 printed, 1,000 left and eBook still available online
- Cost \$495 / quarter page
- Combined Towns and Villages 3,000 print run in 16/17
- New Orange360 Historic Towns and Villages 40,000 print run, supported by \$5,000 contribution from both Blayney and Cabonne Councils
- Advertiser options of \$220, \$330 and \$1,550 plus membership to Orange360

BLAYNEY SHIRE COUNCIL SETTLEMENT STRATEGY UPDATE

- Draft will be presented to Council Oct/Nov
- Feedback and consultation with Village Committees Nov/Dec

ORANGE360 AND BLAYNEY SHIRE COUNCIL / SHIRE VILLAGES UPDATE AND PLAN FOR FY19/20

- Last 6 months Manager has had meetings with tourism operators in Millthorpe, Blayney, Carcoar, Neville and Newbridge - resulting in 9 new members of Orange360
- Launch of 'Extend the Weekend Campaign' with Destination NSW
- Launch of Orange360 Visitor Guide
- Currently updating Orange360 Towns and Villages Guide
- Winter Fire Festival included a very successful Millthorpe Winter Night Markets, event at Blayney & Villages Tourist Park and Tonic/Botanica Flora Event
- Media famils were hosted during Winter Fire Festival 1. Eat Drink Play – Millthorpe Night Markets and stay in Millthorpe; 2. Urban List – stay in Millthorpe
- Review of website menu navigation giving greater profile to Villages (top line menu navigation)
- Redesign and reprint of Food and Wine Trail maps and move to digital content through Alpaca map platform
- Continuing Membership Drive and working on Orange360 Destination Management Plan and Marketing Plan
- Orange Wine Festival including an Angullong and Slow Wine Co Event
- Caravanning and Camping Expo – Canberra; part of Central NSW Tourism
- Western Region Institute Data Analysis Council contribution \$3000
- Top 50/Discovery Passport finished, was very successful for Visiting Friends and Relatives Market, Passport collection not so
- Central NSW Tourism - 50 Shades of Spring
- Business HQ will be contacted to undertake Digital training as they provide 4 hours free

STRONGER COUNTRY COMMUNITIES FUND GRANT OPPORTUNITIES UPDATE

- \$781k allocated for Blayney Shire Council
- A shortlist has been selected and Council will determine final projects at September meeting

BRANDING

- Theme of Shire of Villages discussed, future will be to focus on individual villages branding and collaborate with Destination NSW Country and Outback themes and Orange 360

TOURISM DRIVE SIGNAGE

- TASAC rules and guidelines apply for any Tourist Drives
- Carcoar Sign prior to Brady Road to have noted 'Next 2 right turns'

DELEGATES REPORTS**Lyndhurst**

- The new disabled toilet block in the recreation ground is completed.
- CWA improvements include stage curtain, air conditioning installed in the hall and works well
- Playground equipment in the recreation ground is complete
- Concreting under the stage area and the foyer has been completed
- Defibrillator has been purchased and is installed in a cabinet in the hall foyer
- Pathway has been completed and bore has been refurbished
- Recreation ground drainage and fencing has been completed
- 50km/hr signs have been erected on the village streets on the western side of the village
- Campground is going well - many good comments on wiki camps
- Anzac Day saw a good turn up for the March and refreshments at the hall
- Classic car visit for lunch at the hall went well, with over 100 vintage cars parked in the streets of Lyndhurst
- Lyndhurst P&C had a good outcome on voting day, with a sausage sizzle, cakes, drinks and a wood raffle and made around \$600 for the school
- Received Volunteer Grant for safety ladder and chair trolley for the hall has been delivered
- Exercise classes are very well attended at the Recreation Ground
- Craft group and dancing classes still going well at the hall
- Shade erected over play equipment at Capital Park
- Market Day at the recreation ground will be held on Saturday 19 October 2019.

Newbridge

- The bridge replacing the old wooden bridge over the railway line has been completed in mid-July and is in use
- Roadworks on the approach to the bridge over the Evans Plains Creek have been completed and everybody has praised Blayney Council for the way in which new section of road has been constructed
- People have also commented favourably on the sealing of the section of Blayney St / Village Road within the village.
- The AGM for the Newbridge Progress Association was held on 11 August 2019

- The 'Newbridge Notes' is still being distributed throughout the village as a community paper providing information on what is happening in the area.
- Events:
 - At the meeting following the AGM it was decided to hold the Winter Solstice Festival again next year. This will be on the 20 June 2020 from 10am until 6pm at Newbridge.
 - The Horseless Carriage Club of America (HCCA) are holding a tour in the Bathurst/Orange region and will be stopping at Newbridge at about 10.30am to 11.00am on Thursday 5 September. The NPA will be providing morning tea as they did for the Vintage Automobile Club recently. It is expected that there will be about 60 cars or pre 1916 vintage present.
 - Dr Jim Frazer will be speaking at 4.30pm at the Newbridge Hall on Sat 7 September followed by dinner at the Gladstone Hotel. He was cameraman for David Attenborough as well as getting an Oscar, Emmy Award and an Order of Australia Medal (OAM).

Kings Plains

- Little to report since the last meeting.
- Residents are waiting to be notified of the public exhibition of the EIS submitted by Regis Mines to the Department of Planning and Environment. It is then that the public will be able to view plans and documents and then prepare their own submissions to go to the DPE.
- Changes to the Kings Plains Neighbourhood are continuing to happen with one family moving into Blayney and another with a 'For Sale' on their front fence. There is a great sense of uncertainty in the locality as to what the proposed development will mean.

Visitor Information Centre

- Visitor numbers to the centre have been steady though reduced during the winter months (figures for last 3 months not yet available)
- We are experiencing a shortage of volunteers. There has been at least 3 days this week when the VIC has not opened due to the unavailability of volunteers
- Volunteers invited to come forward and help out.

Neville

- The new toilet block and disabled access paths have been completed at the Memorial Park
- The Neville Hall has a new boundary fence and work has commenced on the supper-room ceiling
- The Neville School children participated in the Planet Ark, National Tree Planting Day where they worked with members of Blayney Council to plant 320 trees down at Dakers Oval in Blayney
- A new executive appointed the Land Manager (Trustee's) Neville Hall
- The Neville and District Land Care Group is trying to get momentum going to plant trees at the showground - continuing dry holding up this project

- The village is gearing up for the Carcoar Running Festival on Sunday 3 November with the half marathon starting in Neville and the Neville Show on Saturday 9 November.

Hobbys Yards

- Yoga being held at the hall every Saturday morning
- Hall being used for other social and community events
- Suggestion of a change table in Disabled Toilet would be helpful
- Winter Wonderland event held in the Hall, annual Rockabilly Dance
- Passing of local Hobbys Yards resident; WWII Veteran Fred Wallace
- AGM scheduled for October

Millthorpe

- Passing of Millthorpe Village Committee President Sam Yeates
- AGM is postponed till mid September
- Millthorpe's Banjo Patterson event at Rosebank was successful
- Great Winter Fire Festival Millthorpe Night Markets was a resounding success, Fireworks were a major drawcard with attendance between 2,500 and 4,000
- Millthorpe Public School Principal retiring, a P&C rep will be on the selection panel for the replacement
- Golden Memories Millthorpe Museum drought funding project is now complete, transforming the exhibition and old convent halls, Official opening being held on 30 October
- At the close of financial year the MVC had received funding for Millthorpe either directly or indirectly through multiple grants of in excess \$1M
- Major achievements include the reopening of the railway station, boundary fencing of Redmond Oval, upgrade of the children's playground, outdoor exercise equipment, storage systems and event management equipment, skate park seating, painting and maintenance and rotunda upgrades and landscaping.
- The new committee would like to further improve working relationships with Council, Orange360 and other Shire Villages/Associations.

Carcoar

- Planning for Australia Day
- Community have been notified of intended sale of Anglican Church
- AGM next month
- School has doubled numbers
- Opening of Medical Centre – September
- Italian Restaurant/Café – October
- Carcoar Crows playing 7 September
- Carcoar Showground refurbishment Opening at Carcoar Show 26 October

GENERAL BUSINESS

- Opportunities: Junction Reefs and bridge reopening Carcoar Millthorpe
- Blayney Demondrille line
- Bruce Gordon resignation from Committee pending

FUTURE MEETING DATE

- Tuesday 26 November 2019

MEETING CLOSE

There being no further business the meeting closed at 8.00pm

Enclosures (following report)

Nil

Attachments (separate document)

Nil

08) REPORT OF COUNCIL INVESTMENTS AS AT 31 AUGUST 2019

Department: Corporate Services

Author: Chief Financial Officer

CSP Link: 2. Local Governance and Finance

File No: FM.IN.1

Recommendation:

1. That the report indicating Council's investment position as at 31 August 2019 be received.
2. That the certification of the Responsible Accounting Officer be received and the report be adopted.

Reason for Report:

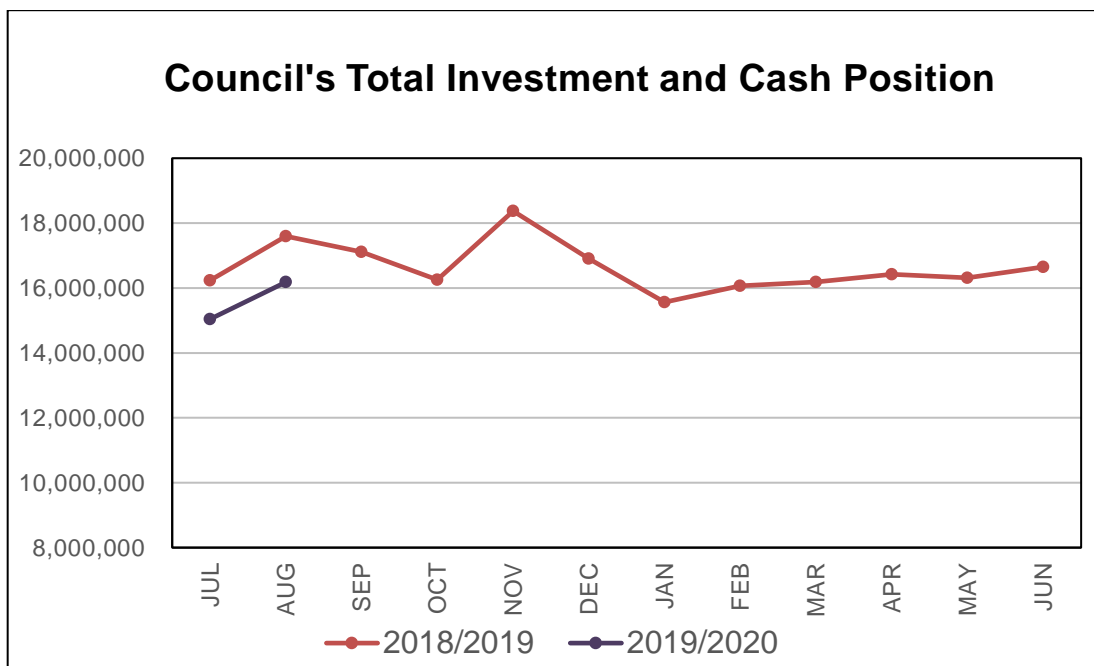
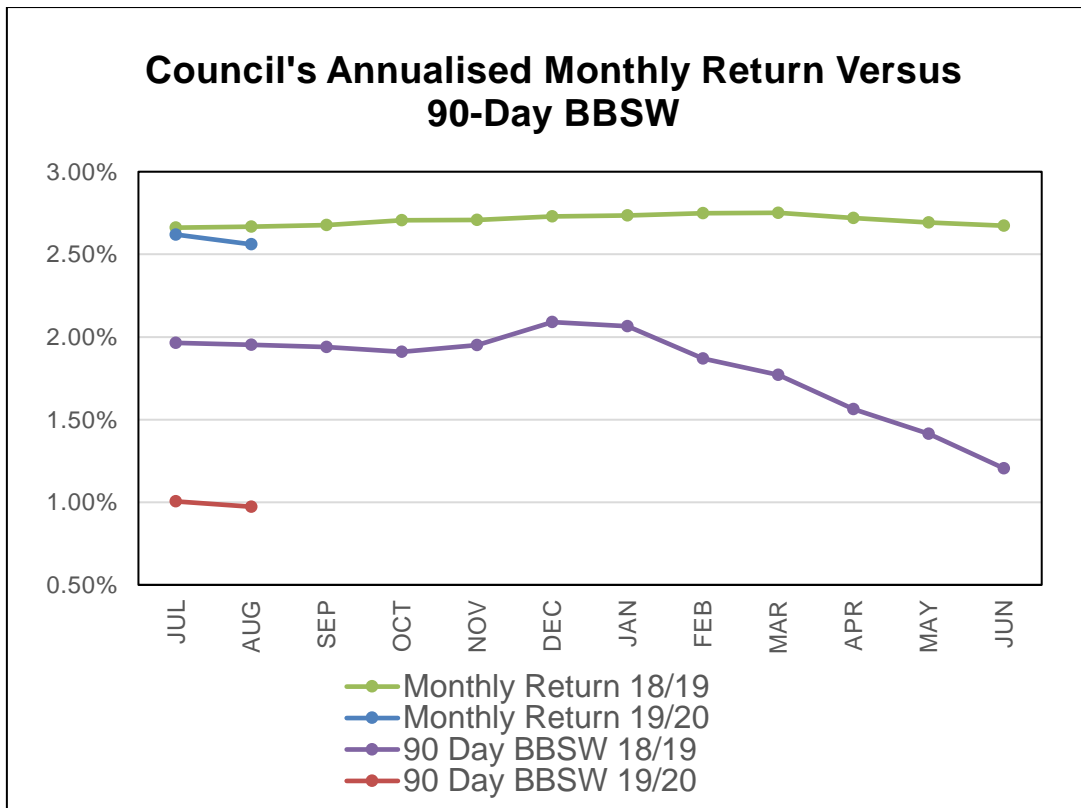
For Council to endorse the Report of Council Investments as at 31 August 2019.

Report:

This report provides details of Council's Investment Portfolio as at 31 August 2019.

Council's total investment and cash position as at 31 August 2019 is \$16,180,887. Investments earned interest of \$27,772 for the month of August 2019.

Council's monthly net return on Term Deposits annualised for August of 2.56% outperformed the 90 day Bank Bill Swap Rate of 0.97%.



REGISTER OF INVESTMENTS AND CASH AS AT 31 AUGUST 2019				
Institution	Rating	Maturity	Amount \$	Interest Rate
Bendigo & Adelaide Bank	A2/BBB+	03/09/2019	500,000	2.650%
ME Bank	A2/BBB	17/09/2019	500,000	2.700%
NAB	A1+/AA-	01/10/2019	500,000	2.720%
NAB	A1+/AA-	15/10/2019	500,000	2.750%
NAB	A1+/AA-	29/10/2019	500,000	2.720%
NAB	A1+/AA-	12/11/2019	500,000	2.730%
AMP Bank	A2/A-	19/11/2019	500,000	2.650%
NAB	A1+/AA-	26/11/2019	500,000	2.750%
ME Bank	A2/BBB	03/12/2019	500,000	2.350%
MyState Bank Ltd	A2/BBB	03/12/2019	500,000	2.800%
Auswide Bank Ltd	A2/BBB	10/12/2019	500,000	2.850%
AMP Bank	A2/A-	07/01/2020	500,000	2.800%
AMP Bank	A2/A-	14/01/2020	500,000	2.500%
Auswide Bank Ltd	A2/BBB	28/01/2020	500,000	2.250%
MyState Bank Ltd	A2/BBB	04/02/2020	500,000	2.850%
MyState Bank Ltd	A2/BBB	18/02/2020	500,000	2.700%
AMP Bank	A2/A-	25/02/2020	500,000	2.000%
MyState Bank Ltd	A2/BBB	03/03/2020	500,000	2.650%
AMP Bank	A2/A-	17/03/2020	500,000	2.400%
NAB	A1+/AA-	31/03/2020	500,000	2.500%
Bendigo & Adelaide Bank	A2/BBB+	07/04/2020	500,000	1.700%
ANZ	A1+/AA-	14/04/2020	500,000	2.350%
AMP Bank	A2/A-	04/08/2020	500,000	2.000%
Total Investments			11,500,000	2.538%
Commonwealth Bank - At Call Account ¹			-	1.100%
Commonwealth Bank Balance - General ¹			2,329,160	0.850%
Tcorp IM Cash Fund ²			2,351,727	0.840%
TOTAL INVESTMENTS & CASH			16,180,887	
Benchmarks:	BBSW 90 Day Index ¹			0.973%
	RBA Cash Rate ¹			1.000%

1. % Interest rate as at 31/08/2019

2. Monthly return annualised. Return over the previous year is 2.18%

Summary of Investment Movements – August 2019		
Financial Institution	Invest/(Recall) Amount \$	Commentary
Bankwest	(509,839)	Term Deposit Redeemed 06/08/2019
AMP Bank	500,000	New Term Deposit 07/08/2019
Bendigo & Adelaide Bank	(512,451)	Term Deposit Matured 13/08/2019
Bendigo & Adelaide Bank	500,000	Term Deposit Reinvested 13/08/2019
AMP Bank	(514,211)	Term Deposit Matured 27/08/2019
AMP Bank	500,000	Term Deposit Reinvested 27/08/2019

Long Term Credit Rating (or Moody's, Fitch, S&P or Equivalent)	Policy Maximum	Current Holding %	Current Holding \$
TCorp IM Funds	100%	17%	2,351,727
AAA – AA Category	100%	25%	3,500,000
A Category	80%	22%	3,000,000
BBB+ to BBB Category	40%	36%	5,000,000
			13,851,727

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

<u>RESTRICTED CASH, CASH EQUIVALENTS & INVESTMENTS</u>			
	Actual 30/06/2018 \$ 000's	Forecast 30/06/2019 \$ 000's	Forecast 30/06/2020 \$ 000's
External Restrictions	9,122	7,984	8,444
Internal Cash Restrictions	8,093	4,467	5,156
TOTAL RESTRICTED ASSETS	17,215	12,451 *	12,832 *

* Forecast figures are unaudited as at report preparation date.

CERTIFICATION – RESPONSIBLE ACCOUNTING OFFICER

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

Risk/Policy/Legislation Considerations:

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

Budget Implications:

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

Enclosures (following report)

Nil

Attachments (separate document)

Nil

09) ADOPTION OF RISK MANAGEMENT POLICY**Department:** Corporate Services**Author:** Director Corporate Services**CSP Link:** 2. Local Governance and Finance**File No:** GO.PO.1**Recommendation:**

That the Risk Management policy be adopted and included in Council's Policy Register.

Reason for Report:

For Council to adopt the Risk Management Policy.

Report:

Council at its meeting held 15 July 2019 resolved to place the Risk Management Policy on public exhibition.

The objectives of the Risk Management Policy are:

- To provide a consistent approach to risk management across Council in accordance with methodology established in AS/NZS ISO 31000:2009 Risk Management Principles and Guidelines, and other applicable guidelines, procedures, standards and codes of practice. Enterprise risk management will be embedded into the policy development, strategic and operational planning and review and change management processes.
- To ensure Risk Management is integrated into Council's operational considerations and decision making at all levels.

The closing date for public exhibition was 15 August 2019 and Council received no submissions. The policy was also tabled at the Audit, Risk and Improvement Committee (ARMC) meeting held 1 August 2019. The ARMC recommended that a diagram reflecting how risk management with the corporate and operational risk registers fits into Council's corporate governance framework be included. To reflect this an amendment to the policy under clause 5 and insertion of a diagram at figure 1 have now been included.

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

Risk/Policy/Legislation Considerations:

Adoption of the policy will clearly articulate the Council's commitment to the implementation of Risk Management throughout the organisation.

Following an independent assessment of Council's Risk Maturity an Enterprise Risk Management Workshop is being held on 23 September 2019 with Council's Insurer Statewide Mutual.

This Policy will be a useful reference for this review of Council's risk appetite.

Budget Implications:

Nil

Enclosures (following report)

Nil

Attachments (separate document)

1 Risk Management policy

17 Pages

10) YOUTH PARTICIPATION FUNDING

Department: Corporate Services

Author: Director Corporate Services

CSP Link: 4. Community, Sport, Heritage and Culture

File No: GS.LI.1

Recommendation:

That Council endorse the inviting of expressions of interest from the community to conduct youth participation activities in the Blayney Shire; and delegate to the General Manager the allocation of funding to successful recipients that meet the NSW Department of Family and Community Services Rural and Regional Youth Participation Grant guidelines.

Reason for Report:

To inform Council on funding received to promote youth participation activities in rural and regional areas.

Report:

Council has accepted an offer of funding for \$1,500 from NSW Department of Family and Community Services to support the delivery of youth participation activities in rural and regional areas. The funding is provided in addition to Council's annual allocation for Youth Week and is required to be expended by 30 December 2019.

Each year, Council engages with the community to seek expressions of interest for holding events during Youth Week. It is proposed that this funding be an extension of the Youth Week Grants Program and applications be invited for funding under similar terms and conditions, in accordance with the Rural and Regional Youth Participation Grant guidelines.

Programs are intended to support young people participating in their local community, giving them things to do. Funding can be used for holding events and activities, including transport to support attending additional activities and events.

Given the time frame, it is proposed that approval of funding be delegated to the General Manager with a report provided to Council of those successful applicants.

Risk/Policy/Legislation Considerations:

Council is obligated to expend this funding by 30 December 2019 and acquit funds by 20 January 2020.

Expressions of Interest have been sent to Village Committees, Schools, Progress Associations and past Youth Week funding recipients, closing 27 September 2019.

Budget Implications:

The Youth Participation Funding program does not require Council to match the funding allocated. An amount of \$1,500 has been provided for in the 2019/20 budget with no net cost to Council.

Enclosures (following report)

Nil

Attachments (separate document)

Nil

11) SALE OF LAND FOR UNPAID RATES**Department:** Corporate Services**Author:** Director Corporate Services**CSP Link:** 2. Local Governance and Finance**File No:** IM.CO.3**Recommendation:**

1. That Council proceed with preparation of sale of land for unpaid rates in accordance with legislation; and
2. That Council invite expressions of interest for land passed in from the 2014 auction.

Reason for Report:

For Council to consider a report on preparation of a sale of land for unpaid rates and endorse an expression of interest for land passed in at previous auctions.

Report:

Pursuant to s.713 of the Local Government Act (1993) Council may sell any land on which a rate or charge has remained unpaid for more than 5 years from the date on which it became payable. The sale is required to be by public auction.

A review of Council records indicate that there are 8 properties with in excess of five (5) years rates owing with an amount outstanding at time of report preparation of \$61,727. Of these, 5 properties were newly identified by the Valuer General through a data matching exercise and are in the names of deceased estates that have been finalised.

It is Council's intention to commence this process on the above properties in coming months. All efforts will be made to contact owners or owner representatives, including the issue of reminder notices, pre-legal demand letters, referral to a Mercantile Agent and notification of intended sale of land for unpaid rates and charges letters in an attempt to recover the outstanding rates and charges. It will be after this process that Council will resort to sale of land for unpaid rates and charges auction.

The last auction held by Council was in 2014. From this auction Council has the following land parcels that were passed in and remain unsold:

Assessment No.	Address	Particulars	Area
A341113	888 Moorilda Road, Moorilda	Lot 10 DP 112647	8,499m ²
A344006	3145 Midwestern Highway, Blayney	Lot 8 DP 525642	474m ²
A323490	24A Trunkey Street, Newbridge	Lot E DP 383876	606m ²
A323115	15 Campbell Street, Newbridge	Lot 6 DP 798289	735m ²

With land that is passed in from previous sales Council has the ability to sell it by private treaty. Council has in the past waited for interested persons to submit offers due to size and use restrictions and nature of land passed in, however this has only seen 2 offers received by Council. For transparency, it is Council's intent to seek expressions of interest for the properties and to also engage adjoining landholders. Council's endorsement of this process is sought.

Risk/Policy/Legislation Considerations:

Council is empowered under s.713 of the Local Government Act (1993) to sell land on which a rate or charge has remained unpaid for more than five years from the date on which it became payable.

Council is also empowered under s.713 to sell land parcels passed in by private treaty. However, land may only be sold to Council, a Councillor, a relative of a Councillor, a member of staff of Council or any relative of a member of staff of Council by public auction and is precluded to be sold by private treaty.

There is a risk that Council will be out of pocket in the event that a land parcel remains unsold or proceeds do not exceed costs incurred.

Budget Implications:

Council has provision in the 2019/20 Operational Plan for conduct of a Sale of Land for Unpaid rates.

Council is obligated to conduct a number of statutory processes including property searches, statutory notification by advertisement in newspapers and gazettal of intended sale. Such costs are not recoverable in the event that the rates and charges outstanding on the property are settled.

All proceeds of sale are paid to the Council and in accordance with s.718 of the Local Government Act, 1993 are to be discharged in the following order:-

- a) Reimbursement of Council expenses associated with the sale, then;
- b) Discharge of any rate or charge in respect of the land due to the Council, or any other rating authority, and any debt in respect of the land (being a debt of which the Council has notice) due to the Crown.

Should insufficient funds be recovered to satisfy all rates, charges and debts, then a pro rata of funds to debts occurs with all debts then deemed as satisfied. Surplus funds are held within Council's Trust Fund pending discharge to persons having interest in the properties. Where no claim is forthcoming the balance of sale proceeds are remitted to the State Government in accordance with the Unclaimed Money Act.

Enclosures (following report)

Nil

Attachments (separate document)

Nil

12) 2019/20 FINANCIAL ASSISTANCE GRANT ALLOCATION**Department:** Corporate Services**Author:** Director Corporate Services**CSP Link:** 2. Local Governance and Finance**File No:** GS.LI.1**Recommendation:**

That Council receive the report on the 2019/20 allocation of Financial Assistance Grants.

Reason for Report:

To inform Council on the 2019/20 allocation of Financial Assistance Grants by the NSW Local Government Grants Commission.

Report:

Council is in receipt of correspondence from the NSW Local Government Grants Commission on the calculation method and allocation of the Federal Government's Financial Assistance Grant funds to Council.

Council's estimated entitlement for 2019/20 is forecast to be 5.2% higher than 2018/19 as follows:

Year	General Purpose	Local Roads	Total	
2018-19 final	\$1,771,617	\$844,923	\$2,616,540	Change
2019-20 est.	\$1,877,962	\$874,361	\$2,752,323	5.2%

The Grants Commission is required to allocate funding based on the National Principles, which require payments to be based on per capita taking into account population growth and decline. It must also have regard for the NSW Government policy for funding being allocated on a greatest relative needs basis.

For the purposes of allocating funds in 2019/20 the Commission considered the change in population between 2006 and 2016 along with disability factors and level of council expenditure on certain categories of expenditure.

The Commission is inviting special submissions for the 2020/21 assessment process to give councils the opportunity to present information on the financial impact of inherent expenditure disabilities beyond councils' control that are not generally recognised in the current methodology.

A copy of correspondence from the Local Government Grants Commission is attached for information of Council.

Risk/Policy/Legislation Considerations:

The grants are paid under the provisions of the Local Government (Financial Assistance) Act 1995 (Cwlth).

Budget Implications:

Council has budgeted an amount of \$2,593,421, comprising of \$1,741,020 general component and \$852,401 local roads component, in the 2019/20 Operational Plan. The difference between the 2019/20 allocation and amount budgeted will be recognised in the next quarterly budget review.

The Government has maintained its practice of advancing the first 2 instalments of the estimated 2019/20 grant in 2018/19. Should this practice cease Council will face a substantial reduction to Council's income for the reporting period.

Enclosures (following report)

Nil

Attachments (separate document)

1	Local Government correspondence	Grants	Commission	16 Pages
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13) DIRECTOR INFRASTRUCTURE SERVICES MONTHLY REPORT**Department:** Infrastructure Services**Author:** Director Infrastructure Services**CSP Link:** 1. Public Infrastructure and Services**File No:** GO.ME.1**Recommendation:**

That the Director Infrastructure Services Monthly Report for September 2019 be received and noted.

Reason for Report:

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

Report:**Topical Matters**International Public Works Conference

During August, Councils Director Infrastructure Services and Manager Operations attended the Institute of Public Works Engineers Australasia (IPWEA) International Public Works Conference in Hobart.

Held on a biennial basis, Council attended this year's event as the Manager Operations, Nathan Skelly as IPWEA NSW Public Leader of the Year for 2018 was automatically nominated for the IPWEA Australasia Public Works Leadership Medal for 2019. Whilst not receiving a National Award, this was an acknowledgement of what Blayney Shire Council staff achieve for the community.

Major Works

Forest Reefs Road is ready for sealing on the 12/13 of September. The realignment section has proved difficult to construct on, necessitating additional pavement and specialised materials to improve the strength of the pavement.

Small bridge replacement program

Works on the Kinds Lane bridge are well progressed with the bridge structure completed, with wing walls and approach works to be constructed.

Road Maintenance Works

Gravel Resheeting works have been undertaken on Millpost Creek Road, and has commenced on Neville Trunkey Road

The heavy patching project on Carcoar Road continues with some patches of unsuitable material identified and requiring modification. Sealing is booked for the 12/13 of September.

Land Development

Council has commenced construction on the Streatfeild Close residential subdivision with significant progress being made in August.

Council crews have completed bulk earthworks and placement of the road sub-base material; stormwater drainage is well progressed with all major pipes installed and construction of large pits underway; sewer pipework is approximately 75% complete, with manhole construction commenced.

Design modifications to stormwater drainage along the entry road have occurred due to the limited fall available, and conflicts with existing conflicts.

Major Contracts

Carcoar Road Bridge

Works have commenced on site, with piling works completed. Completion is anticipated by mid-November.

Central West Equestrian & Livestock Centre (CWELC)

Concept designs of both access platform and perimeter fence are complete.

Construction activities this month included commencement of the erection of the shed structure with the standing of the columns by ICR Engineering. The next phase of these works is to be the assembly of the truss system and lifting into place.

Fire water and electrical service trenches are nearing completion. The new electrical distribution board will be installed and the toilet block reconnected in the next few weeks. The fire service is also nearing completion with hydrants being the final component to be installed

Assets

Asset reconciliations, including the completion of Special Schedule s7 and the Infrastructure ratios have been finalised.

Unsealed road inspections have been completed, and staff are currently inspecting major culverts, to provide updated condition assessments for the revaluation of transportation assets.

Parks and Recreation

The Parks and Recreation team have been undertaking oval surface renovations including top dressing where required for King George and Redmond Ovals.

The dry conditions continue to drive an increased seasonal watering regime of existing and newly planted trees throughout the Shire.

General works continue including whipper snipping of river plantings in Mandurama, Carcoar and Blayney; general irrigation repairs, and turf renovation (aerating etc) of Blayney parks and reserves.

The Stronger Country Communities funded new Barry Public Toilet project remains in progress and continuing design works identified the chosen location would have restricted access for maintenance vehicles. A new location has been identified and advice is being sought from Council's Heritage Advisor on the revised location as well as continual updates to user groups.

Heavy Plant and Fleet - Workshop

An order has been placed for the replacement grader, with delivery expected within a month.

Assessment of a replacement skid steer loader is currently underway, with delivery times quite short for all options.

Wastewater

Council staff have undertaken cut-ins to the sewer gravity main for several of the new lots at Streatfeild Close. It is anticipated the cut-in for the new internal sewer will occur in the next few weeks.

Council staff have been working with contractors in trying to resolve issues on the telemetry, mainly the Radio Transmission Unit (RTU) which has been an ongoing concern for some years. There is currently no detrimental impact to the system other than false alarms coming through which continue to cause frustration for operational staff. At this point even the manufacturers of the RTU's are struggling to resolve the problem.

Risk/Policy/Legislation Considerations:

Information report only

Budget Implications:

Information report only

Enclosures (following report)

Nil

Attachments (separate document)

Nil

14) PROPOSED RENAMING - ARLEY LANE TO MEADOWS LANE, LYNDHURST

Department: Infrastructure Services

Author: Manager Infrastructure

CSP Link: 4. Community, Sport, Heritage and Culture

File No: RD.NA.1

Recommendation:

That Council adopt the name Meadows Lane, to replace the name Arley Lane at Lyndhurst.

Reason for Report:

To seek Council approval to rename Arley Lane to Meadows Lane, Lyndhurst to reduce potential confusion for Emergency Services.

Report:

Council were made aware of a concern raised by Emergency Services in finding Arley Lane in an emergency. Staff wrote to all property owners along Meadows Lane and Arley Lane in July 2019, outlining a proposal to rename Arley Lane to Meadows Lane to address this issue.

Arley Lane is an unformed road heading directly west from the end of Meadows Lane, at 113 Meadows Lane. The proposal would involve extending Meadows Lane along Arley Lane to its end.

There would be address changes for the 2 lots fronting Arley Lane (Lot 4, DP 1089290 and Lot 202, 1123787), with a changed number for Lot 4 and a Meadows Lane address created for Lot 202.

To date Council has received feedback from 2 property owners. Both of these were supportive of the proposal.

It is the intention that a 'repeater' street sign be installed at the start existing end of Meadows Lane to reassure driver and pedestrian access.

It is therefore recommended that Arley Lane be renamed Meadows Lane, Lyndhurst.

Risk/Policy/Legislation Considerations:

The renaming process has been undertaken in accordance with the requirements of the Roads Act (1993) and Roads Regulation (2008).

Budget Implications:

The cost of supply and installation of one (repeater) street blade is approximately \$200 and is within existing budget allocations.

Enclosures (following report)

- 1 Location Map - Arley and Meadow Lanes, Lyndhurst 1 Page

Attachments (separate document)

Nil



15) SMALL BRIDGE PROGRAM SCOPE CONFIRMATION

Department: Infrastructure Services

Author: Manager Operations

CSP Link: 1. Public Infrastructure and Services

File No: RD.MT.233

Recommendation:

1. That Council
 - a. accept the use of box culverts on Winterbottoms Lane for the replacement of the timber bridge and enter into negotiations with the land owner with a view to acquire it as road reserve; and
 - b. not proceed with the replacement of the Lucan Road Bridge.
2. That a further report come to Council confirming the scope of Leabeater Street bridge pending land tenure and road reserve investigations and subsequent design and cost implications are known.

Reason for Report:

To confirm Council's position on the replacement of small bridges currently approved and budgeted in the 2019/20 Operational Plan.

Report:**Project Status**

Construction of Kinds Lane bridge commenced in July. The bulk of the works have been completed for this bridge, the bridge deck has been poured and wing walls constructed. Council is currently waiting on test results from concrete curing prior to the bridge being trafficked. Items that remain, are backfilling, road approaches and demolition of the old bridge.

Hines Lane bridge area has been surveyed and alignment designed to coincide with the existing bridge alignment. A temporary track through private land has been negotiated and constructed to allow the road to be closed at Hines Lane bridge for construction. Traffic control signs have been setup ready to commence construction in the coming months.

Council staff have been reviewing the risks, design, access and condition of Lucan Road, Winterbottoms Lane and Leabeater Street bridges and a Council inspection was undertaken in the week commencing 9 September.

Winterbottoms Lane

Given the function and access of Winterbottoms Lane, and the nature of the watercourse the bridge crosses, there is potential for a culvert solution for this road utilising the large frame box culverts Council have in stock, obtained from City of Canada Bay a few years ago.

As the stream is intermittent, and the depth of the channel is moderate, a twin cell culvert solution would be relatively simple to construct, and cost efficient.

Pending approval from NSW Department Primary Industries, the box culvert solution could be constructed for \$70,000. However it should be noted that in particularly high storm events, there is the potential for this to prevent access to properties beyond the culvert location. Preliminary assessment indicates that a 5% Annual Exceedance Probability (1:20yr ARI) storm would inundate the culverts. It is worth noting that the same storm would inundate the twin cell culvert on Snake Creek Road that accommodates the same stream.

The proposal provides a potential saving to the Operational Plan of \$70,000.

The current road reserve is discontinuous, with acquisitions required to ensure Winterbottoms Lane is located on a road reserve.

Lucan Road

The bridge at the end of Lucan Road is located on the boundary between Cowra Shire and Blayney Shire Councils. This bridge appears to service 2 residences within Cowra, but does not service any residents within Blayney Shire Council's area.

At this stage, Cowra Shire Council has provided no interest in sharing of any costs associated with Lucan Road Bridge.

The concrete deck of the bridge is showing no distress, with no cracking evident within the concrete. Combined with the low clearance between the bottom of the bridge and the creek bed, it is considered that the risk of catastrophic failure is very low, and the consequences of any failure would be minor.

The replacement of this bridge does not provide great value to Blayney Shire Council, and the risk and associated consequences of failure are acceptable to Council. It is therefore proposed to not replace the Lucan Road Bridge, however continue to inspect and monitor it for any structural defects on an annual basis.

The proposal provides a saving to the Operational Plan of \$140,000.

Leabeater Street

It has been revealed that the current Leabeater Street bridge and road approach to Garland Road is on private property. The original design had not considered the reconstruction of the bridge on the existing road reserve which would straighten Leabeater Street. This was not initially envisaged when the budget of \$120,000 was set, so relocating the bridge will have a financial impact on the project.

The bridge design Council has been constructing on Kinds Lane has an 8m span, which is suitable to replace the existing bridge on Leabeater Street. However, an 8m span will not allow Council to straighten the road alignment of Leabeater Street. To cross Grubbenbun Creek along a straight alignment, would require a span of at least 10m.

Council's current design would need to be redone to enable a minimum 10m span using the same concept as the current 8m span. It is estimated the cost of the redesign would be \$20,000, and take up to 8 weeks. It is hard to determine the cost of construction of a redesigned bridge, however expectation would be a \$10-15,000 increase in materials cost only if the same concept can be utilised.

There is a risk that the same concept cannot be utilised due to the increased loading on the footings resulting from the increased span. This would result in requiring a more conventional design that would dramatically increase the cost of the structure.

The realignment of the road requires approximately 100m of new road construction, and the removal of a number of trees from the banks of Grubbenbun Creek. It is estimated that the road construction will cost an additional \$70,000 for this realignment.

A further report will be brought to Council to confirm the scope for this bridge.

Risk/Policy/Legislation Considerations:

Acquisition by negotiation could fail, resulting in Council needing to go down compulsory acquisition.

Lucan Road Bridge is unable to be adequately assessed, so ascertaining accurate loading capacities is difficult. Given the bridge girders appear to be bearing on the stream bed, it is considered that the failure risk is very low, and that Council accept that risk.

Budget Implications:

The savings made on Winterbottoms Lane and Lucan Road Bridge may be reallocated to the Leabeater Street Bridge, subject to further investigation and a report being prepared to Council for consideration.

Enclosures (following report)

Nil

Attachments (separate document)

Nil

16) MINUTES OF THE BLAYNEY SHIRE SPORTS COUNCIL MEETING HELD ON THURSDAY 15 AUGUST 2019

Department: Infrastructure Services

Author: Director Infrastructure Services

CSP Link: 4. Community, Sport, Heritage and Culture

File No: PR.ME.1

Recommendation:

That the minutes of the Blayney Shire Sports Council Meeting, held on Thursday 15 August 2019, be received and noted.

MINUTES OF THE BLAYNEY SHIRE SPORTS COUNCIL MEETING HELD ON THURSDAY 15 AUGUST 2019 AT THE BLAYNEY SHIRE COMMUNITY CENTRE – 6:00PM

PRESENT:

Grant Baker (Blayney Shire Council); Cr David Kingham (Blayney Shire Council); Ian Tooke (Development Coordinator); Cr John Newstead (Blayney Shire Council); Christine Smith (Heritage Country Schools PSSA); Julie Prosper (Blayney Cricket Club & Blayney Netball Association); Amanda Tomlinson (Blayney Junior Soccer); Rosemary Reid (Blayney A&P); Rebecca Scott (Blayney Senior Football Club); Cheryl Rutherford (Blayney Tennis); Paige Dickie (Blayney Little Athletics); Trevor Jones (Blayney Harness Racing Club); Lorraine Dunkley (Lyndhurst Village Committee).

APOLOGIES:

Adam Hornby (Blayney Senior League), Michael Truloff (Millthorpe Cricket Club), Gareth Wilson (Sailability – Carcoar Dam), Bill Burdett (Blayney Town Association).

RECOMMENDED: That the apologies be accepted.

CONFIRMATION OF PREVIOUS MINUTES – 16 MAY 2019

RECOMMENDED: That the minutes of the previous meeting held 16 May 2019, be accepted.

(John Newstead/Chris Smith)

MATTERS ARISING FROM THE MINUTES

Napier Oval

Soccer – Historically redirected to hold games at Showground due to condition of Napier Oval, and its lack of facilities. This occurred at same time the Blayney A&P Association were handing over Showground Trust to Council.

DISCLOSURES OF INTEREST

Nil.

EVENTS CALENDAR UPDATE

Netball Twilight Competition - Fast Five format commencing Term 4, Week 1 beginning 14 October.

GRANT FUNDING UPDATE

Update Noted.

SCCF3 discussed, clubs should be aware of ability to apply.

Dakers Oval Amenities – Blayney Public School will provide letter of support.

Enquiry about defibrillator grants – awaiting next funding round.

PROJECT UPDATES

Report Noted.

ACTION: Report to Sports Council on Tennis Amenities condition.

ACTION: Report to Sports Council on King George Oval projects/progress.

MEMBERSHIP

RECOMMENDED: That Blayney Shire Council accept the nomination of Paige Dickie as the new representative for Blayney Little Athletics on the Blayney Shire Sports Council.

(Rosemary Reid/Chris Smith)

GENERAL BUSINESS

Blayney Little Athletics

Need long jump pits dug out.

ACTION: Council Supervisor Parks and Recreation to contact Blayney Little Athletics.

Little A's are purchasing timing gates.

ACTION: Council identify storage within existing cricket shed.

Heritage Country Schools PSSA

ACTION: Council to advise on School subsidies during closure of CentrePoint.

Blayney A&P Association

ACTION: Rosemary Reid requested update on Blayney A&P Association paying its share to showground upgrade project.

What happened to door widening at Blayney Showground Pavilion for disable access?

ACTION: Director Planning & Environmental Services to follow up.

Blayney Harness Racing

Harness Racing to get second TAB meeting.

Showground gates left open daily.

ACTION: Supervisor Works to ensure gates are closed and locked at the end of each working day.

Harness Club raised concern about removal of track markers around time of gala day.

NEXT MEETING

Thursday 21 November 2019 at 6:00pm.

Meeting Closed 7:00pm.

Enclosures (following report)

Nil

Attachments (separate document)

Nil

17) **PLANNING PROPOSAL TO AMEND BLAYNEY LOCAL ENVIRONMENTAL PLAN 2012 - RU1 PRIMARY PRODUCTION TO E2 ENVIRONMENTAL CONSERVATION - CADIA BIODIVERSITY OFFSET AREAS**

Department: Planning and Environmental Services

Author: Town Planner

CSP Link: 3. The Local and Visitor Economy

File No: LP.PL.2

Recommendation:

1. That Council proceed to endorse the amendment to the Blayney Local Environmental Plan 2012,
2. That Council, in exercising its delegation under Section 3.36 of the Environmental Planning and Assessment Act 1979, as endorsed by NSW Planning, Industry & Environment in the Gateway Determination, forward the relevant documents to Parliamentary Counsel for opinion, to amend the Blayney Local Environmental Plan 2012 by rezoning Lot 201 DP 1037198 and Lot 1422 DP 1168271 from RU1 Primary Production to E2 Environmental Conservation, and the making of the Local Environmental Plan.

Reason for Report:

The purpose of this report is to seek Council resolution to endorse and proceed to make an amendment to Blayney Local Environmental Plan 2012 (BLEP2012) by rezoning Lot 201 DP 1037198 and Lot 1422 DP 1168271 from RU1 Primary Production to E2 Environmental Conservation.

Report:

Background

At the Ordinary Meeting of 16 July 2018, **Resolution Number 1807/013**, Council resolved to forward a Planning Proposal (PP) to the Minister for Planning, Industry & Environment (DPIE) seeking to amend the BLEP2012 by rezoning Lot 201 DP 1037198 and Lot 1422 DP 1168271 from RU1 Primary Production to E2 Environmental Conservation.

Proposal Briefing Overview

The two subject areas (proposed Lot 202 in the subdivision of Lot 201 DP 1037198 and proposed Lot 204 in the subdivision of Lot 1422 DP 1168271) are located generally south of the Cadia Valley Operations between Panuara Road and the Belubula River and are owned by Cadia Holdings Pty Ltd and Contango Agricultural Company Pty Ltd, being wholly owned by subsidiaries of Newcrest Mining Limited.

The proposal will satisfy, in part, the requirements for implementing a conservation offset strategy under Condition 41 Schedule 3 of the Cadia East

Project Approval (CEPA) as specifically modified in modification 7 approved by the Delegate to the Minister for Planning on 4 August 2015.

Gateway Determination

Council received a favourable Gateway Determination on the 30 August 2018, which the DPIE determined that the proposed amendment should proceed subject to certain conditions. The Gateway Determination is provided in Attachment 1.

Council also received written authorisation to exercise its delegation for this PP. Blayney Shire Council is therefore, authorised to exercise the functions of the Minister of Planning under Section 3.36 of the Environmental Planning and Assessment Act 1979 that are delegated to it by instrument of delegation dated 14 October 2012 in relation to this PP.

Note: On 16 August 2019, DPIE issued an amended Gateway Determination specifically extending condition 7 (the timeframe Council was specified to have the BLEP2012 amendment completed by) until the 6 March 2020.

Community and Agency Consultation

Council undertook the required consultation in accordance with Section 3.34 and 3.35 of the Environmental Planning & Assessment Act 1979, exhibiting the draft Planning Proposal for 28 days from 9 May 2019.

During this time, no submissions were received.

The NSW Planning, Industry & Environment provided a response on the 26 August 2019. The division strongly supported the implementation of appropriate environmental zonings to areas identified as having high biodiversity or Aboriginal cultural sensitivity.

Upon the completion of the consultation period, it is considered appropriate for the PP to amend the BLEP2012 and to proceed as lodged by the applicant and initially endorsed by Council at its 16 July 2018 meeting.

The following points support the proposed PP for the following reasons:

- The PP accords with the Cadia East Project Approval as modified in relation to the securing of biodiversity offsets.
- The PP is consistent with the Blayney, Cabonne and Orange Sub – regional Rural and Industrial Land Use Strategy July 2008 and the Central West and Orana Regional Plan 2036.
- The PP is consistent with the measures established in the Cadia Land and Biodiversity Management Plan (version 3 – 15/05/2017) for securing biodiversity areas as approved by the DPIE.

Risk/Policy/Legislation Considerations:

The PP is consistent with the Sub – Regional Rural and Industrial Land Use Strategy July 2008 and the Central West and Orana Regional Plan 2036.

Budget Implications:

The applicant paid the applicable lodgement fee, in accordance with Council's 2017/2018 Operational Plan when the PP was lodged.

Enclosures (following report)

- | | | |
|---|---|---------|
| 1 | BCD Response - Rezone Stratton Vale and Flyers Creek - Blayney SC | 1 Page |
| 2 | Department of Planning Response | 2 Pages |

Attachments (separate document)

Nil



Planning,
Industry &
Environment

Our ref: DOC19/732084
Senders ref: PP_2018_BLAYN_001_01

Ms Claire Johnstone
Casual Senior Town Planner
Blayney Shire Council
PO Box 62
Blayney NSW 2799

Dear Ms Johnstone

Planning Proposal – Rezone Stratton Vale and Flyers Creek from RU1 to E2

Thank you for your email dated 7 May 2019 seeking comment from the former Office of Environment and Heritage (OEH) now the Biodiversity and Conservation Division (BCD) of the Department of Planning, Industry and Environment regarding the proposed amendment to the Blayney Local Environment Plan. I apologise for the delayed response as the original request was redirected to the wrong agency.

Based on the information provided, BCD has no specific comments to make on the proposed amendments. BCD is strongly supportive of the implementation of appropriate environmental zonings to areas identified as having high biodiversity or Aboriginal cultural sensitivity.

If you have any questions about this advice, please do not hesitate to contact Michelle Howarth, Conservation Planning Officer, via michelle.howarth@environment.nsw.gov.au or (02) 6883 5339.

Yours sincerely,

A handwritten signature in black ink that reads 'Samantha Wynn'.

Samantha Wynn
Senior Team Leader Planning
North West, Biodiversity and Conservation Division

26 August 2019



Planning,
Industry &
Environment

PP_2018_BLAYN_001_01/(IRF19/5422)

Ms Rebecca Ryan
General Manager
Blayney Shire Council
PO Box 62
BLAYNEY NSW 2799

Attention: Ms Claire Johnson, Senior Town Planner

Dear Ms Ryan

Planning proposal PP_2018_BLAYN_001_01 – Alteration of Gateway Determination.

I refer to your letter seeking an extension of time to complete planning proposal PP_2018_BLAYN_001_01 to insert Zone E2 Environmental Conservation (E2) in to the Blayney Local Environmental Plan 2012 and rezone proposed Lot 202 in the subdivision of Lot 201 DP 1037198 and proposed Lot 204 in the subdivision of Lot 1422 DP 1168271 from zone RU1 Primary production to E2.

I have determined as the delegate of the Minister, in accordance with section 3.34(7) of the *Environmental Planning and Assessment Act 1979*, to alter the Gateway determination dated 30 August 2018 for PP_2018_BLAYN_001_01. The Alteration of Gateway determination is enclosed. The timeframe extension is for six (6) months until 6 March 2020.

If you have any questions in relation to this matter, I have arranged for Ms Nikki Pridgeon of the Department of Planning, Industry and Environment, Western Region office, to assist you. Ms Pridgeon can be contacted on 5852 6800.

Yours sincerely

A handwritten signature in black ink, appearing to read 'DP', written over a faint circular stamp.

16.8.19

Damien Pfeiffer
Director, Western Region
Rural and Regional Planning

Encl: Alteration of Gateway determination

188 Macquarie Street Dubbo NSW 2830 | PO Box 58 Dubbo NSW 2830 | dpie.nsw.gov.au



**Planning,
Industry &
Environment**

Alteration of Gateway Determination

Planning proposal (Department Ref: PP_2018_BLAYN_001_01 – insert zone E2 Environmental Conservation and rezone land from zone RU1 Primary Production to E2 Environmental Conservation.

I, Director, Western Region, Planning and Assessment at the Department of Planning, Industry and Environment, as delegate of the Minister for Planning and Public Spaces, have determined under section 3.34(7) of the *Environmental Planning and Assessment Act 1979* to alter the Gateway determination dated 30 August 2018 for the proposed amendment to the Blayney Local Environmental Plan 2012 as follows:

1. Delete:

"condition 7

and replace with:

a new condition 7: "The time frame for completing the LEP is by 6 March 2020"

Dated 16th day of August 2019.

A handwritten signature in black ink, appearing to read "D Pfeiffer".

**Damien Pfeiffer
Director, Western Region
Local and Rural Planning
Planning and Assessment
Department of Planning, Industry and
Environment**

**Delegate of the Minister for Planning
and Public Spaces**

PP_2018_BLAYN_001_01 /(IRF19/5422)