

ITEM NO: 7

SUBJECT: COMMUNITY ASSISTANCE / DONATIONS – RECOMMENDATIONS BY COUNCILLORS

FILE NO: F02560

Recommendation:

That the Council approve the following donations from the Councillors’ Minor Local Projects
Vote:

<u>Organisation</u>	<u>Amount</u>
<i>Back to School Bike Program</i>	<i>\$100.00</i>
<i>1st Blaxland Scout Group</i>	<i>\$100.00</i>
<i>Girl Guides Association Glenbrook</i>	<i>\$200.00</i>
<i>Mountains Outreach Community Service</i>	<i>\$50.00</i>
<i>Rotary Club of Lower Blue Mountains</i>	<i>\$200.00</i>
<i>Rotary Club of Lower Blue Mountains</i>	<i>\$200.00</i>
<i>Streetwise Art Project</i>	<i>\$500.00</i>
<i>Valley Heights Progress Association</i>	<i>\$200.00</i>

Report by General Manager:

On 11 July 2000 the Council adopted a revised Policy for Councillors’ Minor Local Projects allocations for the provision of community assistance/donations. The following recommendations for donation, which appear to fall within the ambit of the Policy, have been received and are submitted for approval.

Minor Local Projects

<u>Recommending Councillor</u>	<u>Organisation</u>	<u>Purpose</u>	<u>Amount</u>
Cr Van Der Kley	Bike to School Program	Purchase drink bottles and T shirts	\$100.00
Cr Frappell	1 st Blaxland Scout Group	Administration Costs	\$100.00
Cr Frappell	Girl Guides Association Glenbrook	Repairs to Sewerage System	\$200.00
Cr Van Der Kley	Mountains Outreach Community Service	Annual Elders Lunch	\$50.00
Cr Myles	Rotary Club of Lower Blue Mountains	Australia Day Expenses	\$200.00
Cr Frappell	Rotary Club of Lower Blue Mountains	Australia Day Expenses	\$200.00
Mayor Angel	Streetwise Art Project	Mounting of Exhibition	\$500.00
Cr Myles	Valley Heights Progress Association	Administration Costs	\$200.00

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ITEM NO: 8**SUBJECT: BLACKHEATH COMMUNITY GARDENS ALTERNATIVE SITE****FILE NO: F03180-08/66355**

Recommendations:

1. *That the Council declines the offer from the Department of Lands of a licence of the drainage reserve at 31 Prince George Street, to use for the alternative Community Gardens site, and continues to negotiate for trusteeship;*
 2. *That the Council seal be affixed to any relevant documents relating to trusteeship; and*
 3. *That, should negotiations regarding trusteeship fail, the matter of an alternative site for the Blackheath Community Gardens be reported back to the Council.*
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Report by Group Manager Community and Corporate:**Reason for report**

This report is to update the Council on the progress of the relocation of the Blackheath Community Gardens.

Background

At the ordinary meeting of 29 January 2008, the Council resolved:

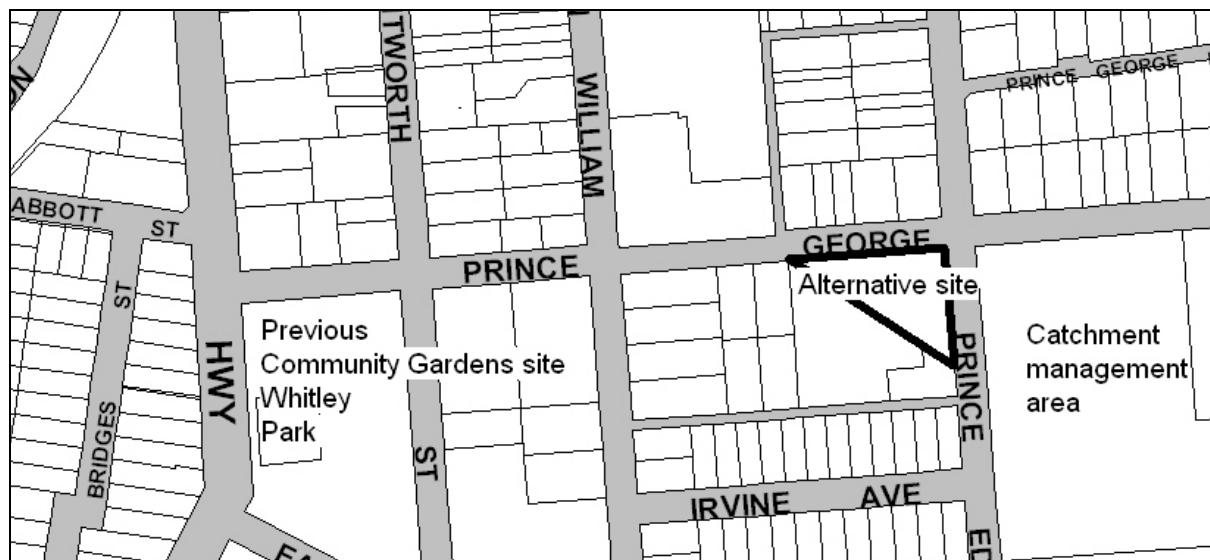
- "1. That the Council, in response to advice from the Department of Lands, direct the Blackheath Area Neighbourhood Centre (BANC) to cease development of community gardens in Whitley Park.*
- 2. That this matter be referred back to the Community and Facilities Working Party for a comprehensive investigation to seek a more appropriate and ecologically sustainable alternate site and BANC will be consulted during this investigation with the aim of moving to the site by 31 May 2008*
- 3. That the outcome of the investigations be reported back to the Council."*

(Minute No: 382, 29/1/08)

Since the meeting of January 2008, the Council;

- Confirmed that the Whitley Park site is no longer used as a Community Garden;
- Held a Community and Facilities Working Party meeting in Blackheath on 25 March 2008 to review alternative sites;
- Met with the Blackheath Area Neighbourhood Centre (BANC) and agreed in principle to an alternative site, which is Reserve 44506 for drainage purposes at 31 Prince George Street Blackheath (shown below);

- Assisted BANC with their removal from Whitley Park and offered storage of items; and
- Been negotiating with the Department of Lands about the agreed alternative site.



Use of the alternative site as a Community Garden

The alternative site at 31 Prince George Street is Crown Land that currently has no trustee. The options for this land becoming available to BANC for Community Garden purposes are outlined in the table below.

No.	Tenure	Advantages	Disadvantages
1	The Council becomes trustee and arranges a license to BANC	<ul style="list-style-type: none"> • Management is consistent with other Crown reserves • Maximum flexibility in agreement offered to BANC • No ongoing fees and license arrangements for the Council from the Department 	May take some time to achieve
2	The Council enters into a licence with the Department of Lands and develops sub-license to BANC	<ul style="list-style-type: none"> • Licence with Crown Lands has already been offered. • Can occur quickly 	<ul style="list-style-type: none"> • Ongoing fees, may attract land tax, no budget assigned • Ongoing renewal of license is administratively burdensome • The Council responsible for BANC activities • Unnecessarily complicated • Inconsistent with other Crown Land tenure arrangements

No.	Tenure	Advantages	Disadvantages
3	BANC has a licence directly with the Department of Lands	<ul style="list-style-type: none"> • Simple • No responsibilities for the Council 	<ul style="list-style-type: none"> • The Council loses ability to negotiate for the catchment management work required on site

Preferred Option

Option one, Trusteeship is preferred as the Council has an ongoing interest in managing the drainage functions of the site, especially as it flows directly into a catchment management area. The Council has been actively seeking Trusteeship. The negotiations have been protracted. The original request to become trustee was sent on 18 March 2008 and was followed up with emails, phone calls and an additional letter. However an official response was not received until 17 July. This response did not address the matter of the Council becoming trustee but did offer a licence. The Council will need to undertake further negotiations with the Department of Lands to pursue the Trustee possibility. 31 Prince George Street could be included into the Council’s current negotiations to become trustee of adjacent lands.

Financial implications for the Council

Should the Minister for Lands appoint the Blue Mountains City Council as the trustee for Reserve 44506, the Council will become responsible for the management of the site and the majority of costs associated with the ongoing management of the Reserve. This is able to be absorbed by the existing operational budget. It should be noted that current State and Federal Government funding initiatives provide support to trustees of Reserved Crown Lands to assist in the management of these lands.

Additional costs may arise through any support offered to BANC for the community gardens. This will be discussed once the Council is trustee and an agreement comes before the Council.

Legal and risk management issues for the Council

No known legal or risk management issues would arise from Council becoming trustee of Reserve 44506. Should the Council become trustee of Reserve 44506 there would be obligations to manage the site appropriately including risk management. This would be as per other Crown Land sites where the Council is trustee.

External consultation

In investigating alternative sites and the preferred alternative site, the Council has consulted the Department of Lands and BANC.

Conclusion

The Council is not yet able to provide an alternative site for the Blackheath Community Gardens. Negotiations need to continue with the Department of Lands.

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ITEM NO: 9

SUBJECT: CULTURAL PARTNERSHIPS PROGRAM

FILE NO: F00613

Recommendations:

1. *That the Council receives and notes this report.*
2. *That the Council endorses the re-distribution of funds as recommended by Council staff and the Cultural Partnerships Advisory Committee as detailed in this report.*

Report by Group Manager, Community and Corporate:

Background

At the Council meeting of the 13 May 2008 the Council resolved to fund the following nine proposals for Partnerships in 2008-2009 as recommended by the Cultural Partnerships Advisory Committee with a funding allocation from the Council and Arts NSW totalling \$75,000, to the following organisations:

Partner	Auspice	Project Title	Amount
1. The Women's Room	Winmalee Neighbourhood Centre	Living Art Project	\$10,000
2. Ruby Bloomers Women's Circus		Eco Show	\$10,000
3. Academy Singers		Connect	\$10,000
4. Upper Blue Mountains Circus Arts Projects		Circus Central	\$10,000
5. The Blue Mountains Concert Society		Young Performer Program	\$10,000
6. Shiney Pictures	Blackheath Area Neighbourhood Centre	Season's Greetings	\$10,000
7. Blue Mountains Radio Players	Blue Mountains Public Broadcasting Society	Blue Mountains Radio Players	\$6,000
8. Re-fabricating Networks for Textile Artists Inc.		Re-fabricating Environments	\$5,000
9. Eleanor Dark Foundation		Building on Partnerships	\$4,000
Total			\$75,000

The Council calls upon the City of the Arts Trust Advisory Committee Representatives as its specialist assessment body to conduct the Cultural Partnerships program assessment process and make recommendations to the Council. The Cultural Partnerships Advisory Committee met on 8 April 2008 and reviewed each proposal against the Cultural Partnerships Program guidelines and criteria. The purpose of this report is to recommend to the Council the

re-allocation of Cultural Partnerships funding recently declined by the Blue Mountains Public Broadcasting Society.

Re-distribution of funds

The Blue Mountains Public Broadcasting Society as the auspice organisation for the Blue Mountains Radio Players grant proposal have declined the Council’s \$6,000 Cultural Partnerships grant offer.

Council staff in consultation with the Advisory Committee recommends that this money be evenly re-distributed to the Eleanor Dark Foundation and Re-fabricating Networks for Textile Artists Inc. These organisations only received part funding for their projects and were ranked closely by the Advisory Committee in the assessment process. The total allocations recommended are:

- Eleanor Dark Foundation: Increase from \$4,000 to \$7,000;
- Re-fabricating Networks for Textile Artists Inc.: Increase from \$5,000 to \$8,000.

Sustainability Assessment (Triple Bottom Line Reporting):

Effects	Positive	Negative
<u>Environmental</u>	N/A	N/A
<u>Social</u>	Additional funds towards the Eleanor Dark Foundation and Re-fabricating Networks for Textile Artists proposals will assist residents being able to access and participate in arts and culture locally.	N/A
<u>Economic</u>	Funding already allocated in 2008/2009 budget	N/A

Financial implications for the Council

Funds are available to support the recommendations and are allocated in the 2008/2009 budget.

Legal and risk management issues for the Council

There are no legal and risk management issues to note.

External consultation

The Cultural Partnerships Advisory Committee were consulted and offered advice regarding this matter to the Council.

Conclusion

The re-distribution of Cultural Partnerships funding allocated in the 2008/2009 budget towards the Eleanor Dark Foundation and Re-fabricating Networks for Textile Artists proposals will assist these organisations in fully delivering their Cultural Partnerships projects.

It is recommended that the Council endorse the funding recommendation of the Cultural Partnerships Advisory Committee and Council staff as detailed in this report.

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ITEM NO: 10

SUBJECT: ANNUAL REPORT – FEE CONTRIBUTIONS FOR LAND USE APPLICATIONS SUBMITTED BY LOCAL NON-PROFIT ORGANISATIONS

FILE NO: F00740

Recommendation:

That the Council notes the annual report for 2007/2008 below, detailing the local non-profit organisations that received financial assistance for Land Use Application fees from the Council.

Report by Group Manager, Community and Corporate:

Reason for Report

As resolved by the Council, contributions towards fees paid for Land Use applications by local non-profit community organisations are assessed according to the following criteria:

- *Written applications must be from designated non-profit locally based community organisations / groups within the Blue Mountains.*
- *Fee waivers to only apply towards fees associated with Land Use Applications.*
- *The maximum fee waiver will be \$500 for any organisation in a financial year.*
- *Fee waivers relate to non-contestable services only to ensure that competitive neutrality principles are maintained.*

(Minute No. 464, 24 October 2000)

The Council also resolved:

That an annual report be provided to Council identifying the organisations who received support and the total amount that is in effect financial support supplied by Council.

(Minute No. 18, 29 January 2002)

Detailed below, are the community organisations and the financial support provided by the Council for Land Use Application fees in 2007/2008.

Community Group	Land Use Application Description	\$ Value of Refund
<i>Winmalee & District Preschool Kindergarten Inc.</i>	<i>X/672/2007 Addition to Preschool</i>	<i>\$482</i>

Community Group	Land Use Application Description	\$ Value of Refund
<i>Eleanor Dark Foundation (Varuna Writers Centre)</i>	X/133/2008 Water Tank Installation	\$368
<i>Eleanor Dark Foundation (Varuna Writers Centre)</i>	O/2874/2007 Tree Removal Permit	\$60
<i>Uniting Church Katoomba</i>	X/357/2008 Replace corrugated roof and provide new fence.	\$416
<i>Blue Mountains Korowal School</i>	X/1263/2007 Change to use of educational establishment – internal alterations to existing buildings, erection of new demountable building and construction of parking areas.	\$500
TOTAL		\$1826.00

Triple Bottom Line Reporting Assessment

Effects	Positive	Negative
Environmental	N/A	N/A
Social	The Land Use Application Fee Contribution program supports local not-for-profit Community Organisations provide a diverse range of activities and services to local residents.	N/A
Economic	The fee contribution scheme has allocated funding in 2007/2008	N/A

Sustainability Assessment

The Land Use Application Fee Contribution Program recognises the involvement that community organisations make to the quality of life and well being of the local community. The many community organisations across the Blue Mountains receiving assistance as part of this Program, provide a diverse range of activities and services to local residents. Council’s contribution to these community organisations builds on and develops their capacity to provide local activities and services.

Financial Implications

The Land Use Application Fee Contribution Program has allocated funding in the 2007/2008 Budget to cover these contributions.

Legal and Risk Management Issues

There are no legal and risk management issues to note.

Conclusion

The Land Use Application Fee contributions to local non-profit community organisations detailed in this report are in line with the Council’s requirements of this program and are reported to the Council.
