

Blayney Shire Council



7 June 2012

Dear Councillor,

Your attendance is requested at an Ordinary Council Meeting of the Blayney Shire Council to be held in the Council Chambers on Tuesday, 12 June 2012 at 6.00 pm for consideration of the following business -

- (1) Acknowledgement of Country
- (2) Apologies for non-attendance
- (3) Confirmation of Minutes - Ordinary Council Meeting held on 14.05.12
- (4) Matters arising from Minutes
- (5) Disclosures of Interest
- (6) Public Forum
- (7) Mayoral Minute
- (8) Notices of Motion
- (9) Reports of Staff
 - (a) Corporate Services
 - (b) Engineering Services
 - (c) Environmental Services
- (10) Committee Reports
- (11) Questions from Councillors
- (12) Closed Meeting

Yours faithfully

GA Wilcox
GENERAL MANAGER

**5:45 PM PRESENTATION TO COUNCILLORS BY:
- DONNA GALVIN FOR WBC ALLIANCE**

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HELD ON TUESDAY 12 JUNE 2012

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GENERAL MANAGER'S REPORTS
PRESENTED TO THE BLAYNEY SHIRE COUNCIL
MEETING HELD ON TUESDAY, 12 JUNE 2012



01) **REQUEST FOR LEAVE**
(Cr)

RECOMMENDED:

1. That Council grant Cr Ewin’s request for a Leave of Absence for the July 2012 Council Meeting.

REPORT

Cr Ewin has requested a Leave of Absence from the July 2012 Ordinary Meeting of Council.

BUDGET IMPLICATIONS

Nil effect.

POLICY IMPLICATIONS

As per Council’s adopted Code of Meeting Practice (4.4(1)a(i).

Attachments

1 Request for Leave 1 Page

02) **REPORTING ON CONTRACTUAL CONDITIONS OF SENIOR STAFF**
(General Manager)

RECOMMENDED:

1. That the Council receive and note the report on the contractual conditions of senior staff in accordance with section 339 of the Local Government Act, 1993.

REPORT

This report is to advise on the statutory requirement, under section 339 of the Local Government Act, 1993 (LG Act), to report to Council on the contractual conditions of senior staff.

The General Manager is a senior staff member by virtue of section 334(2) of the LG Act (*“The position of General Manager is a senior staff position”*). A General Manager’s senior staff position is not reliant upon a Council determination under section 332 (re: Council determination of a structure) however the General Manager has a mandatory obligation under section 339 to report to Council at least once annually, on the contractual conditions of senior staff.

Council is advised that there is no senior staff (as defined in the dictionary at the end of the LG Act) apart from the General Manager.

Council is also advised that the General Manager’s contractual conditions are reported in the annual report, as required by clause 217(1)(b) of the Local Government (General) Regulation 2005.

During 2011/12 the following sequence of events with respect to senior staff occurred:

- Resignation of General Manager, Aaron Jones on 22 July 2011.
- On 11 July 2011 Council resolved to appoint Interim General Manager, Alan McCormack, until appointment of General Manager. Package applicable was \$181,650 per annum (plus motor vehicle).
- On 8 August 2011 Council resolved to advertise for a General Manager.
- On 22 September 2011 Council resolved to appoint Glenn Wilcox, General Manager. Package applicable was \$180,000 per annum including motor vehicle.
- Performance review of current General Manager is due to be undertaken 25 June 2012.

BUDGET IMPLICATIONS

Nil effect.

POLICY IMPLICATIONS

Nil effect.

Attachments

Nil

03) COMMUNITY CONSULTATION COMMITTEE
(General Manager)

RECOMMENDED:

1. That the Director of Planning and Environment or his representative attend the Community Consultative Committee meetings in the interim until the new council is elected.

REPORT

The attached request has been received from Infragen to have Council nominate a councillor or staff member to be on the community consultative committee.

At this time in the election cycle it is considered that a senior staff member be nominated to attend these meetings and that the new council review its requirements after the September elections.

BUDGET IMPLICATIONS

There is a cost to council to attend meetings and this will be absorbed within the existing budget.

POLICY IMPLICATIONS

There are no policy implications identified at this time.

Attachments

- 1 Request for Council Representative 1 Page

04) **COUNCIL & OTHER PUBLIC MEETINGS**
(General Manager)

RECOMMENDED:

1. That Council relocate its public meetings including all monthly and committee meetings to the Community Centre

REPORT

The development of the Blayney Shire Community Centre has allowed Council the ability to further meet community needs for an accessible building to allow persons of all ages and personal limitations to attend council and committee meetings. The new building allows access for mobility impaired persons and provides a hearing loop for people who need assistance in public spaces to hear via hearing aids.

This is a large improvement over the present Council Chambers that is located on the first floor of the Administration building and does not provide good acoustics to allow people to hear or view Councillors during debate. The use of this building improves the community access and social equity.

The relocation of Council meetings has been discussed since construction of the building commenced. Council is requested to consider the relocation of the chambers and that all future meetings are held at the Blayney Shire Community Centre.

At this stage items of furniture have not been identified and this should be considered by the next council as to how they wish the arrangement of tables and seating to occur. Existing furniture shall be utilised to provide suitable facilities for all meetings.

BUDGET IMPLICATIONS

It is considered that future budgets will need to allocate funding based on the Council's decision as to layouts, computer technology and public needs to view Council procedures.

POLICY IMPLICATIONS

Nil effect.

Attachments

Nil

05) FLYING THE ABORIGINAL FLAG
(General Manager)

RECOMMENDED:

1. That Council purchase and fly the Aboriginal Flag daily at the Administration Building

REPORT

Council has been contacted by the Blayney Chronicle to question on behalf of a resident why Council does not fly the Aboriginal Flag at Heritage Park on a daily basis and especially during organised events such as NAIDOC Week. It is believed that Council has considered the flying of the Aboriginal flag on previous occasions. The reporter at the local paper has indicated that a local resident will write to Council on this issue and request it is further discussed. A discussion was held with the paper about flag protocol and should Council fly any flag at Heritage Park or other areas, that the flag is to be raised or lowered every day, after sun rise and before sun set as a required remark of respect. The only time that this does not need to occur is when the flag is lite. This occurs at the Administration Building where the two flags, National and State, are displayed.

The flying of the Aboriginal flag at Heritage Park will also require the flying of the National flag. To ensure that the costs of this do not impact on staff resources, the flags should be permanently displayed and lighting provided to ensure that protocols are meet.

As an alternative to this Council may wish to consider that the Aboriginal Flag is flown at the Administration Building on one of the existing flag poles. These poles have lighting. The flying of the Aboriginal flag is carried out by many Councils at their principle building and at schools and government offices. It is considered that this would be a higher recognition of Aboriginal people to have the flag flown at the principle office through out the year rather than on one or two occasions annually.

Although there is no requirement for Council to fly the Aboriginal flag, it is noted that Council presently flies the Aboriginal Flag during its public meetings inside the Council Chambers and does recognise aboriginal history in its statements of recognition. The flying of the Aboriginal flag at the administration building will be an extension of this recognition and the contribution that Aboriginal people have to the past and modern history of the Nation.

BUDGET IMPLICATIONS

If the Aboriginal flag is flown at the Administration building, the cost would be for a new flag of similar size to the National flag estimated at \$200.

If the Aboriginal Flag is to be flown at Heritage park daily then the staff time would need to be budgeted for or alternatively the flags would need to be lighted which could cost around \$5,000 plus annual running costs.

POLICY IMPLICATIONS

There are no policy implications as flags will be flown as required by the National flag standards.

Attachments

Nil

CORPORATE SERVICES REPORTS
PRESENTED TO THE BLAYNEY SHIRE COUNCIL
MEETING HELD ON TUESDAY, 12 JUNE 2012



**06) ADOPTION OF DRAFT DELIVERY PROGRAM (2012 - 2016)
AND OPERATIONAL PLAN (2012 - 2013)**
(Director Corporate Services)

RECOMMENDED:

1. That in accordance with Sections 402-406 of the Local Government Act 1993, the Delivery Program 2012-16, Operational Plan 2012/13 and Resourcing Strategy be adopted by Council.
2. That Council adopt the Revenue Policy for 2012/13, as outlined in the Operational Plan 2012/13;
3. That Council adopt the Statement of Rating Structure and their respective short names as contained in the Operational Plan 2012/13 (which includes the special variation increase of 40.7%), subject to a decision by the Independent Pricing and Regulatory Tribunal (IPART) and make the ordinary rates and charges, including domestic waste management charges, pursuant to section 494 and 496 of the Local Government Act 1993 detailed in the tables below:

Category - Sub Category	Base Amount		Ad Valorem	Total Yield
	%	\$	(rate in \$)	\$
Residential				
Blayney	27.15	170.00	0.00706569	754,306
Millthorpe	22.39	160.00	0.00548533	225,765
Carcoar	30.68	150.00	0.00676388	42,533
Other Areas	25.05	140.00	0.00380805	644,371
Business				
Blayney	19.32	210.00	0.00923768	177,131
Millthorpe	14.45	200.00	0.00905620	23,514
Carcoar	14.77	190.00	0.01029838	9,003
Villages	40.88	190.00	0.00748014	7,925
Other Areas	23.65	210.00	0.00675909	29,681
Limestone Production	5.36	210.00	0.00675909	3,913
Slate Production	18.71	210.00	0.00675909	1,122
Power Generation	2.72	210.00	0.00675909	15,397
Mining				
Gold/Copper Mining	0.0002	295.00	0.05314365	2,218,215
Farmland				
Farmland	5.35	130.00	0.00388807	1,744,454
TOTAL YIELD				5,897,330
Blayney Sewerage Service	Access Charge		Minimum Usage Charge	Total Yield
	\$		\$	\$
Residential				
Connected	479.00			516,362
Vacant/Unmetered	247.00			35,815
Non Residential				
20mm Water Service	419.00		479.00	
25mm Water Service	651.00		479.00	
32mm Water Service	1,070.00		479.00	
40mm Water service	1,673.00		479.00	
50mm Water Service	2,615.00		479.00	
80mm Water Service	6,693.00		479.00	
100mm Water Service	10,457.00		479.00	

150mm Water Service	23,529.00	479.00	
Vacant/Unmetered	247.00		12,103
Estimated Usage Charges			185,475
TOTAL YIELD			749,755

Millthorpe Sewerage Service	Access Charge	Minimum Usage Charge	Total Yield
	\$	\$	\$
Residential			
Connected	762.00		217,170
Vacant/Unmetered	678.00		46,104
Non Residential			
20mm Water Service	715.00	762.00	
25mm Water Service	1,119.00	762.00	
32mm Water Service	1,831.00	762.00	
40mm Water service	2,860.00	762.00	
50mm Water Service	4,470.00	762.00	
80mm Water Service	11,442.00	762.00	
100mm Water Service	17,878.00	762.00	
150mm Water Service	40,226.00	762.00	
Vacant/Unmetered	628.00	-	
Estimated Usage Charges			29,306
TOTAL YIELD			292,580

Waste Management Charges	Annual Charge	Total Yield
Domestic		
Domestic Waste Management Charge	300.00	606,600
Domestic Waste Management Charge – Vacant Land	40.00	15,360
Domestic Waste Management Charge – Rural Areas	300.00	81,900
Non-Domestic		
Non-Domestic Waste Management Charge	300.00	69,000
Extra Services		
Additional Garbage Charge – per bin	160.00	11,200
Additional Recycling Charge – per bin	140.00	4,760
TOTAL YIELD		788,820

4. That Council approve the borrowing of \$1,000,000 for the Blayney Shire Bridge recovery program during 2012/13 and authorise the affixing of the Council Seal to all documents relating to that loan;
5. That the Division of Local Government be advised of Council's adopted Delivery Program 2012-16, Operational Plan 2012/13 and Resourcing Strategy within 28 days of adoption by Council;
6. That the schedule of Section 356 Donations be adopted.
7. That in accordance with Sections 402 and Section 404 of the Local Government Act 1993, the incoming Council review and endorse the Community Strategic Plan and Delivery program including the Resourcing Strategy.
8. That a copy of the resolution be provided to the Independent Pricing and Regulatory Tribunal (IPART) as required under the Local Government Special Rate Variation guidelines

REPORT

Public exhibition of Council's draft Delivery Program 2012-16 concluded on 30 May 2012 and annual Operational Plan 2012-13 concluded on 18 May 2012, in accordance with the Council resolution of 16 April 2012. Council adhered to the mandatory exhibition period of 28 days as required under the Local Government Act 1993, in order to allow sufficient time for all members of the community to become aware of the program and its Special Rate Variation component.

While not formally placed on exhibition, being a management tool for Council, the Resourcing Strategy and a range of supplementary documents were also made available to the community to provide the full scope of information on Council's financial, asset and resourcing position.

These documents replace Council's former Management Plan, in line with changes to the NSW Local Government Act 1993, which introduced 'Integrated Planning and Reporting' requirements.

Fundamentally, the legislation requires:

- the development and adoption of a ten year community strategic plan;
- the development and adoption of a delivery program for the first four years of the ten year strategic plan, supported by a resourcing strategy covering council's asset strategy, workforce plan and financial plan;
- the development and adoption of an operational plan and revenue policy annually, for each year of the four year delivery program.

Council has completed the first step in the implementation process with the adoption of '*Blayney Shire 2025*', our community strategic plan, in March 2012. This report now presents the three further documents required for this Council to finalise implementation of the Act's integrated planning and reporting requirements, and importantly, to take our first steps toward the community outcomes identified and expressed in Community Strategic Plan.

These documents are:

1. Council's Resourcing Strategy that identifies the funding and resources needed by Council to implement the strategies the Council is responsible for under '*Blayney Shire 2025*'. The strategy incorporates Council's:
 - (i) Asset Management Strategy for the next ten years;
 - (ii) Workforce Plan, addressing issues of sourcing and retaining the workforce skills and capability needed over the next four years; and
 - (iii) Financial Plan for the next ten years, addressing Council's revenue streams, pricing policy, assumptions, risks and forecasts. This document proposes a 40.7% special variation (or increase) to rate revenues in 2012/13 (impacting on the Mining category) and a 10.3% special variation from 2013/14 onwards (impacting on all rating categories).

2. Council's Delivery Program 2012-2016 which identifies objectives to be completed over the next four years in relation to each of the outcomes and supporting strategies of *Blayney Shire 2025*; and
3. Council's Operational Plan 2012/2013 which identifies the specific actions to be completed in 2012/2013 under each of the four year objectives expressed in the delivery program. For ease of reference Council has this in two parts: Part 1 – Activities and Part 2 – Financial Information including Annual Budget and Fees & Charges.

It is a requirement that any submissions received be considered by Council in the process of finalisation and adoption of the draft plans. At the time of report preparation, Council had received one submission on the Delivery Program and Operational Plan. A summary of submission issues and responses is included as an attachment to this report for Council's consideration. Should further submissions be received they will be tabled at the Council meeting.

While Council must endorse these plans the incoming Council, upon election in September, also has obligations to endorse Council's Community Strategic Plan and Delivery Program including Council's Resourcing Strategy.

Local Government Act Section 402(5) states the following:

402 Community strategic plan

(5) Following an ordinary election of councillors, the council must review the community strategic plan before 30 June following the election. The council may endorse the existing plan, endorse amendments to the existing plan or develop and endorse a new community strategic plan, as appropriate to ensure that the area has a community strategic plan covering at least the next 10 years.

Local Government Act Section 404(3) states the following:

404 Delivery program

(3) The council must establish a new delivery program after each ordinary election of councillors to cover the principal activities of the council for the 4-year period commencing on 1 July following the election

Statement of Rating Structure 2012/13

Council's rate income will generally equate to approximately 47% of the total annual revenue required by Council to maintain current services and service levels.

Council has made formal application to IPART for approval of a special rate variation (SRV) to increase its total rate revenue by 40.7% in 2012/2013. The increase will largely impact mainly upon the Mining category with a 354% (or \$1,591,000) increase in revenue with the other categories experiencing an average of 3.31% increase. The purpose of the SRV is to provide additional revenue to Council as a first step towards improving the standard and

condition of the Shire's infrastructure with particular emphasis with the infrastructure servicing the Cadia Mine district and community infrastructure programs.

Should IPART decline Council's application or determine an alternate percentage special variation, Council will need to convene an Extraordinary Meeting before 30 June 2012 to make the rates and annual charges pursuant to Local Government Act section 494 and 496.

Under Council's preferred position of 40.7%, the rating structure in 2012/2013 would be as follows:

CATEGORY – SUB CATEGORY	BASE AMOUNT %	\$	AD VALOREM (\$)	TOTAL YIELD	% OF TOTAL YIELD
Residential					
Blayney	27.15%	\$170.00	0.00706569	\$754,306	12.80%
Millthorpe	22.39%	\$160.00	0.00548533	\$225,765	3.83%
Carcoar	30.68%	\$150.00	0.00676388	\$42,533	0.72%
Other Areas	25.05%	\$140.00	0.00380805	\$644,371	10.93%
Business					
Blayney	19.32%	\$210.00	0.00923768	\$177,131	3.00%
Millthorpe	14.45%	\$200.00	0.00905620	23514	0.40%
Carcoar	14.77%	\$190.00	0.01029838	\$9,003	0.15%
Villages	40.88%	\$190.00	0.00748014	\$7,925	0.13%
Other Areas	23.65%	\$210.00	0.00675909	\$29,681	0.50%
Limestone Production	5.36%	\$210.00	0.00675909	\$3,913	0.07%
Slate Production	18.71%	\$210.00	0.00675909	\$1,122	0.02%
Power Generation	2.72%	\$210.00	0.00675909	\$15,397	0.26%
Mining					
Gold/Copper Mining	0.0002%	\$295.00	0.05314365	\$2,218,215	37.61%
Farmland					
Farmland	5.35%	\$130.00	0.00388807	\$1,744,454	29.58%
TOTAL YIELD				\$5,897,330	100.00%

Sewerage Charges

Council has adopted consumption based pricing for sewerage services, to comply with the Department of Energy, Utilities and Sustainability (DEUS) requirements.

For *Residential* properties a uniform charge will be applied to all residential customers, within their respective sewer scheme, in accordance with the best practice sewer pricing guidelines as issued by DEUS.

For *Non-Residential* properties, their sewerage charge will consists of a two part tariff, being a Connection Charge and a Usage Charge.

The Connection Charge is determined by multiplying the access charge applicable to the water service connection size, by the Sewerage Discharge Factor (SDF).

The pricing structure proposed is as follows:

BLAYNEY SEWERAGE SERVICE		Access Charge	Minimum Usage Charge	TOTAL YIELD
Residential				
	Connected	\$479.00	-	\$516,362
	Vacant/Unmetered	\$247.00	-	\$35,815
Non-Residential				
	20mm Water Service	\$419.00	\$479.00	
	25mm Water Service	\$651.00	\$479.00	
	32mm Water Service	\$1,070.00	\$479.00	
	40mm Water Service	\$1,673.00	\$479.00	
	50mm Water Service	\$2,615.00	\$479.00	
	80mm Water Service	\$6,693.00	\$479.00	
	100mm Water Service	\$10,457.00	\$479.00	
	150mm Water Service	\$23,529.00	\$479.00	
	Vacant/Unmetered	\$247.00	-	\$12,103
	Estimated Usage Charges			\$185,475
TOTAL YIELD				\$749,755

SDF%

1.	A very small proportion of metered water is discharged to the sewerage system e.g.: a typical concrete batching plant.	5
2.	A small proportion of metered water is discharged to the sewerage system e.g.: typical nurseries and market gardens	25
3.	Around half of the metered water is discharged to the sewerage system e.g.: typical licensed club with catering facilities with substantial external watering, typical school with substantial external watering.	50
4.	A significant proportion of metered water is discharged to the sewerage system e.g.: a typical public swimming pool with showering / toilet facilities and external watering.	75
5.	Most, if not all, of metered water is discharged to the sewerage system e.g.: a typical restaurant, retail outlet or hotel.	95

MILLTHORPE SEWERAGE SERVICE		Access Charge	Minimum Usage Charge	TOTAL YIELD
Residential				
	Connected	\$762.00	-	\$217,170
	Vacant/Unmetered	\$678.00	-	\$46,104
Non-Residential				
	20mm Water Service	\$715.00	\$762.00	
	25mm Water Service	\$1,119.00	\$762.00	
	32mm Water Service	\$1,831.00	\$762.00	
	40mm Water Service	\$2,860.00	\$762.00	
	50mm Water Service	\$4,470.00	\$762.00	
	80mm Water Service	\$11,442.00	\$762.00	

100mm Water Service	\$17,878.00	\$762.00	
150mm Water Service	\$40,226.00	\$762.00	
Vacant/Unmetered	\$628.00	-	
Estimated Usage Charges			\$29,306
TOTAL YIELD			\$292,580

		SDF%
1.	A very small proportion of metered water is discharged to the sewerage system e.g.: a typical concrete batching plant.	5
2.	A small proportion of metered water is discharged to the sewerage system e.g.: typical nurseries and market gardens	25
3.	Around half of the metered water is discharged to the sewerage system e.g.: typical licensed club with catering facilities with substantial external watering, typical school with substantial external watering.	50
4.	A significant proportion of metered water is discharged to the sewerage system e.g.: a typical public swimming pool with showering / toilet facilities and external watering.	75
5.	Most, if not all, of metered water is discharged to the sewerage system e.g.: a typical restaurant, retail outlet or hotel.	95

Waste Management Charges

Due to an increase in service costs, it has been necessary for Council to increase its Domestic Waste Management Charges and Non-Domestic Waste Management Charges. Council is working towards full cost recovery in accord with Waste Management Best Practice and legislation. Under this structure Council continues to cross-subsidise Waste Management operations.

The pricing structure proposed is as follows:

WASTE MANAGEMENT CHARGES	Annual Charge	Yield
Domestic		
Domestic Waste Management Charge	\$300.00	\$606,600
Domestic Waste Management Charge – Vacant Land	\$40.00	\$15,360
Domestic Waste Management Charge – Rural Areas	\$300.00	\$81,900
Non-Domestic		
Non-Domestic Waste Management Charge	\$300.00	\$69,000
Extra Services		
Additional Garbage Charge – per bin	\$160.00	\$11,200
Additional Recycling Charge – per bin	\$140.00	\$4,760
TOTAL YIELD		\$788,820

Section 356 Donations

Also detailed within Council's Draft Operational Plan, the following table provides Council's schedule of Section 356 Donations for 2012/2013.

Item	Recipient	Type	2012/13 Donation \$
1	Lifeline – Annual Donation	G	200.00
2	Western Region Academy of Sport	G	350.00
3	The Macquarie Philharmonia Foundation	G	250.00
4	Blayney Fishing Club – Annual Donation	G	100.00
5	Wreaths & Pipe Band – Remembrance Day	G	650.00
6	Wreaths & Pipe Band – ANZAC Day	G	1,600.00
7	Blayney Community Fund	G	100.00
8	2BS Junior Sports Awards Program	G	2,000.00
9	Life Education Van	G	50.00
10	Millthorpe School of Arts	R/W/S	1,838.79
11	Tallwood Hall	R	237.03
12	Stringybark Craft Cottage/ Gladstone Hall	R	382.04
13	Millthorpe & District Historical Society	R/W/S	3,791.30
14	Carcoar Historical Society	R	580.81
15	Lyndhurst Soldiers Hall	R/W	553.94
16	Millthorpe CWA	R/S	1,559.69
17	Blayney RSL	R/S	1,267.27
18	Lyndhurst CWA	R	377.00
19	Mandurama CWA	R	346.33
20	Hobbys Yards Hall	R	223.16
21	Carcoar School of Arts	R/W	478.19
22	Carcoar Dam Sailing Club Incorporated	R	250.24
23	Blayney Fire Station	R/D/S	1,499.84
24	Millthorpe Fire Station	R/D/S	1,533.00
25	Anglican Church Millthorpe	S (50%)	381.00
26	Uniting Church Millthorpe	S (50%)	381.00
27	Uniting Church Blayney	S (50%)	239.50
28	Presbyterian Church Blayney	S (50%)	239.50
29	Catholic Church Blayney	S (50%)	239.50
30	Blayney Pistol Club	G	365.00
31	Anglican Church Blayney	S (50%)	239.50
32	Uralba	G	1,000.00
33	Snowy Hydro Helicopter – NEW	G	250.00
TOTAL			23,553.63

Legend

D = Domestic Waste Charges

G = General Donation

R = Council Rates

S = Sewer Connection Charge

S (50%) = 50% of Sewer Connection Charge

W = Contribution to Central Tablelands Water Administration Charge

The Delivery Program 2012-16, Operational Plan 2012-13 and Resourcing Strategy are the culmination of an intense period of work for Council. The development of these plans is a substantial change away from the management planning process required of Councils and relied on since the introduction of the NSW Local Government Act in 1993.

Whilst the integrated planning and reporting requirements now in place under the Act are the catalyst to the change, the key driver of the change has been the community engagement underpinning and expressed through *Blayney Shire 2025*, and the framework this provides for the objectives and actions expressed in both the delivery program and operational plan. The result is a very comprehensive and clear statement of the direction and activities of the Council over the next four years, and the beginning of an integrated and more effective approach to the delivery of services by Council. All stakeholders – the community, councillors and staff – are to be commended for their engagement in and commitment to the processes that have delivered *Blayney Shire 2025* and the first delivery program and operational plan that sets us on our path to the Blayney Shire we would all like to experience in ten years' time.

BUDGET IMPLICATIONS

The financial implications of this report are detailed in the Delivery Program 2012-16 and Operational Plan 2012/13. It should be noted that works in the Delivery Program to be funded by additional revenue will not proceed if the application is not approved by IPART.

POLICY IMPLICATIONS

Adoption of the Delivery Program 2012-16, Operational Plan 2012/13 and Resourcing Strategy establishes a comprehensive and clear statement of the direction and activities of the Council over the next four years, and in particular establishes Council's Revenue Policy for the year ahead.

Attachments

1	Submission from David Kingham	2 Pages
2	Summary of Submissions to Council's Plans	4 Pages
3	Workforce Plan	17 Pages
4	Asset Management Strategy	41 Pages
5	Long Term Financial Plan	34 Pages
6	Delivery Program	61 Pages
7	Operational Plan Activities	88 Pages
8	Operational Plan Financial Information	56 Pages

07) REPORT ON COUNCIL INVESTMENTS AS AT 31 MAY 2012
 (Manager Financial Services)

RECOMMENDED:

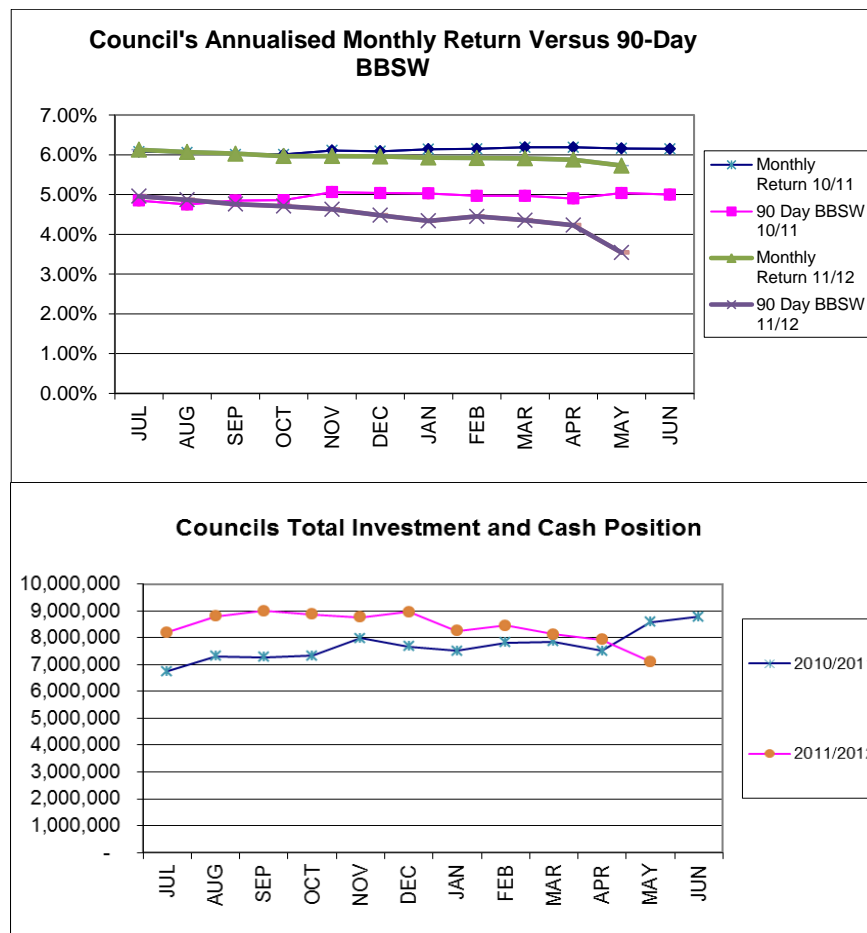
1. That the report indicating Council’s Investment position as at 31 May 2012 be received and noted.
2. That the certification of the Responsible Accounting Officer be noted and the report be adopted.

REPORT

This report provides details of Council’s Investment Portfolio as at 31 May 2012.

Council’s total investment and cash position as at 31 May 2012 is \$7,110,879. Investments earned interest of \$28,572 for the month of May 2012.

Council’s monthly net return annualised for May of 5.79% outperformed the 90 day Bank Bill Swap Rate of 3.54%.



REGISTER OF INVESTMENTS AND CASH AS AT MAY 2012

Institution	Maturity	Amount \$	Monthly Net Return Annualised
<u>Term Deposits</u>			
Bank of Cyprus Australia	28/08/2012	500,000.00	5.20%
Bankstown City Credit Union	5/06/2012	500,000.00	5.90%
Beirut Hellenic Bank Ltd	11/10/2012	500,000.00	5.95%
ME Bank	17/07/2012	500,000.00	5.75%
ING	31/07/2012	500,000.00	5.96%
The Rock Building Society	12/06/2012	500,000.00	5.90%
Community CPS	31/07/2012	500,000.00	5.70%
Queensland Country Credit Union	19/06/2012	500,000.00	5.85%
Bank of Queensland	10/07/2012	500,000.00	5.75%
Railways Credit Union	16/08/2012	500,000.00	5.81%
AMP	7/08/2012	500,000.00	6.00%
Suncorp Metway	21/08/2012	500,000.00	5.30%
Total		6,000,000.00	5.74%
<u>Collateralised Debt Obligation (CDO's)</u>			
ANZ Custodian (Kakadu, BBSW + 140	20/03/2014	500,000.00	5.63%
Total		500,000.00	5.63%
Total Investments		6,500,000.00	5.73%
Benchmark: BBSW 90 Day Index			3.54%
Commonwealth Bank - At Call Account		-	
Commonwealth Bank Balance		610,879.56	
TOTAL INVESTMENTS & CASH		7,110,879.56	

Summary of Investment movements - MAY

Financial Institution	Invst/(Recall) Amount \$	Commentary
<u>Term Deposits</u>		
Suncorp	(507,192.74)	Term Deposit matured 22/05/2012
Suncorp	500,000.00	Term Deposit invested 22/05/2012
Community CPS	(507,773.29)	Term Deposit matured 01/05/2012
Community CPS	500,000.00	Term Deposit invested 01/05/2012
Bank of Cyprus	(507,304.93)	Term Deposit matured 29/05/2012
Bank of Cyprus	500,000.00	Term Deposit invested 29/05/2012

Collateralised Debt Obligations (CDO's)

As per Council's Auditor recommendations the disclosure of the impact of market conditions on the value of the Collateralised Debt Obligations held is provided. It is estimated by ANZ Custodian Services that the market value of Kakadu is \$82,578 as at 31 March 2012. It is anticipated that as the investment draws near to maturity the market value will increase. Council is also involved in ongoing legal action to minimise any losses.

Council's monthly net return annualised for May on the CDO is 5.83% outperforming the 90 day Bank Bill Swap Rate of 3.54%.

CERTIFICATION – RESPONSIBLE ACCOUNTING OFFICER

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

BUDGET IMPLICATIONS

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

POLICY IMPLICATIONS

Nil effect.

Attachments

Nil

08) 2012/2013 COUNCILLOR AND MAYORAL FEES
(Director Corporate Services)

RECOMMENDED:

1. That the Councillor annual fee be increased to \$10,220 and the additional Mayoral annual fee be increased to \$22,310 for the 2012/2013 financial year effective from 1 July 2012.

REPORT

The Division of Local Government has advised Council the outcomes of the Local Government Remuneration Tribunal's 2012 Annual Review.

The Tribunal's report and determination provides details of the matters and submissions which it had taken into account in its determination that an increase of 2.5 per cent in fees for councillors and mayors was appropriate. The increases are effective on and from 1 July 2012.

The groupings of Councils have remained unchanged. Blayney Shire Council remains one of the 77 councils within the Rural Council category determined under Section 239 of the Act for the purposes of the annual fees, and the relevant scale of fees is therefore:

	Minimum \$	Maximum \$
Councillor	7,740	10,220
Mayor (payable in addition to Councillor fee)	8,220	22,310

The current Mayoral and Councillor annual fees are \$21,770 and \$9,970 respectively. In accordance with Section 249(2) of the Local Government Act, 1993, the annual fee payable to a Mayor must be paid in addition to the fee paid to the Mayor as a Councillor.

In recent years, Councillors and the Mayor have received the maximum under the scale as approved, and the current budget has provided for that to be continued. The recommendation above follows that practice.

A copy of the Report and Determination of The Local Government Remuneration Tribunal is provided as an attachment.

BUDGET IMPLICATIONS

Council's 2012/2013 budget was prepared on the anticipation of a 2.5% increase being approved for both the Councillor and Mayoral annual fees.

POLICY IMPLICATIONS

Nil effect.

Attachments

- 1** Local Government Remuneration Tribunal Report and Determination 21 Pages

ENGINEERING SERVICES REPORTS
PRESENTED TO THE BLAYNEY SHIRE COUNCIL
MEETING HELD ON TUESDAY, 12 JUNE 2012



09) TBL SEWERAGE BENCHMARKING REPORT
(Director Engineering)

RECOMMENDED:

1. That the summary of the results of the 2010/11 Blayney Shire Council Triple Bottom Line (TBL) Performance Report as published by the NSW Office of Water be noted.

REPORT

Executive Summary

In line with the National Water Initiative, the NSW Government developed the Best Practice Management of Water Supply and Sewerage Guidelines. These guidelines are the key driver in the NSW Government's reform agenda for planning and management and for continuing performance improvement by Local Water Utilities (LWUs).

The guidelines require LWUs to undertake annual performance monitoring in accordance with the National Water Initiative, with the aim of improving the quality and efficiency of services to all NSW residents.

This report provides an annual update on the performance of Council's Sewerage business and is provided for noting.

Background Information

Best Practice Compliance

Council's compliance level with the NSW Best Practice Management Guidelines Requirements is 89%.

Council's non compliance is with requirement 2(d) Pricing – Developer Servicing Plan with commercial developer charges. The work required to undertake this is programmed to be undertaken as part of the Centroc Water Utilities Alliance (CQUA) Best Practice program in the forthcoming 2012/13 year.

The key achievement in the 2010/11 reporting period was the completion of the increased office/lab facilities at the Blayney Sewage Treatment Works as recommended in the Strategic Business Plan.

Council also completed the installation of a Probiotic low energy aeration system for the biological removal of sludge from the sludge lagoons at the Blayney Sewage Treatment Works. Council has received its Triple Bottom Line (TBL) Performance Report for the 2010/11 period.

Characteristics		
Indicator	Result	Comments
Properties served per km of main	26	Affected by spatial separation of catchments, and low urban density within these two catchments. Statewide median 40.
Renewals Expenditure	0.0% of CRC ¹ Ranking ² 3 (3)	Council's maintenance and renewals expenditures are satisfactory. Expenditure as programmed in Asset Management Plan should provide for improved result. Cleaning and CCTV program commenced in 2011/12 year, to identify priority areas. Statewide median 0.2%.
Employees per 1,000 properties	1 Ranking 1 (1)	The number of employees per 1000 properties is 45% of the median of 2.3 for 200-1,500 properties. It is recommended that Council review, to ensure sufficient resources are available for effective operation and maintenance of the system. Statewide median 1.6%.
Social – Charges		
Typical residential bill (TRB) (\$)	465 Ranking 3 (3)	The TRB is in accordance with Council's Strategic Business Plan for Sewer. Statewide median \$570.
Typical Developer Charges (\$ per ET ³)	3,120 Ranking 1 (3)	To be reviewed as part of CWUA Best Practice program. Statewide median \$4,280 per ET.
Non-residential sewer usage charge (c/kL)	110 Ranking 3 (3)	Satisfactory. Review of charge required to be comparable to operating cost per kL. Statewide median 115 c/kL
Social – Health		
Urban properties without reticulated sewerage service (%)	29.9 Ranking 5 (5)	Result is low due to outer villages not being connected to the network. Connection levels in the Village of Millthorpe continue to grow. Statewide median 3.4%
Percent of sewage that complied	80% Ranking 4 (4)	Statewide median 99%
Sewage treatment works compliant at all times	0 of 1	
Social – Levels of Service		
Odour complaints / 1,000 properties	0 Ranking 1 (1)	Very Good Statewide median 0.6
Service complaints / 1,000 properties	16 Ranking 3 (3)	Satisfactory Statewide median 12
Average sewerage interruption (mins)	60 Ranking 1 (1)	Very Good Statewide median 106
Total days lost (%)	0 Ranking 1 (1)	Very Good Statewide median 1.9

Environmental		
Volume of sewage collected / property (kL)	162 Ranking 2 (1)	Statewide median 255
Recycled water (% of effluent recycled)	74% Ranking 1 (1)	Very Good Heavily reliant upon external demand, from Cadia, reduction in %, however volume most likely increased due to increased rainfall
Net greenhouse gas emissions (t CO ² / 1000 properties)	310 Ranking 3 (3)	Satisfactory Driven by amount of pumped network v gravity Statewide median 360
Compliance with BOD and SS in licence (%)	100% Ranking 1 (1)	Very Good
Sewer main breaks & chokes / 100km of main	41 Ranking 4 (3)	May require review Cleaning and CCTV program commenced in 2011/12 year, to identify priority areas. Statewide median 41
Sewer overflows to the environment / 100km of main	0 Ranking 1 (1)	Very good Cleaning and CCTV program commenced in 2011/12 year, to identify priority areas. Statewide median 14
Non residential % of sewage collected	10 Ranking 2 (5)	Statewide median 17
Economic		
Non residential revenue (%)	8 Ranking 4 (5)	Considered in line with the non residential % of sewage collected. Statewide median 17
Economic real rate of return (%)	0.3 Ranking 2 (3)	Good Statewide median 0.9%
Return on assets (%)	1.2 Ranking 2 (3)	May require review An ROA > 0% is required for full cost recovery. Statewide median 0.8%
Net debt to equity (%)	-13 Ranking 3 (4)	When considering significant capital investment, it is recommended Council use greater use of borrowings. Statewide median -1%
Interest cover	>100 Ranking 1 (1)	Very Good Interest cover > 2 considered satisfactory Statewide median 5
Loan payment (\$) / property	59 Ranking 1 (2)	Good The component of the TRB required to meet loan repayments. Statewide median \$87
Operating Cost (OMA) / property	335 Ranking 3 (2)	Satisfactory Prime indicator of the financial performance of the

(\$)		Local Water Utility (Council). Affected by spatial separation of catchments, and low urban density within these two catchments. Statewide median \$380
Management cost / property (\$)	144 Ranking 5 (4)	May require review Management cost is high. With increase in connections in Village of Millthorpe management cost should trend downward. Statewide median is \$103
Treatment cost / property (\$)	154 Ranking 4 (4)	May require review Affected by type / level of treatment and economies of scale. Statewide median \$126
Pumping cost / property (\$)	23 Ranking 2 (1)	Good Affected by spatial separation of catchments, and topography, requiring more pumping stations. Statewide median \$50
Sewer main cost / property (\$)	10 Ranking 1 (1)	Very good Affected by spatial separation of catchments, and topography, requiring more pumping stations. Statewide median \$45
Notes:		
<ol style="list-style-type: none"> 1. CRC – Current replacement cost of system assets. 2. Ranking – The ranking relative to similar size Local Water Utilities (LWU's) with 200 to 1,500 connected properties is shown first, followed by the ranking relative to all LWU's within brackets. 3. ET – Equivalent Tenaments 		

BUDGET IMPLICATIONS

Nil

POLICY IMPLICATIONS

Nil

Attachments

Nil

10) **CROWN ROAD CLOSURE - BROWNS CREEK**
(Director Engineering)

RECOMMENDED:

1. That Council approve the proposed closure of Crown Road reserves associated with the Crown Road account W389103, subject to legal access being maintained to Lots 281 and 282 DP 750380 via the Crown Road reserve from the Mid Western Highway, to the south western corner of Lot 282 DP 750380.

REPORT

Executive Summary

Council has received further correspondence from Crown Lands in relation to a proposal for the closure and sale of Crown Road reserves at the southern end of Gays Lane.

Background Information

At the May 2006 ordinary meeting of Council, the following resolution was adopted by Council:

1. *That Council object to the closure of any crown road reserve which results in any portion or lot becoming landlocked.*

In September 2010, Council received correspondence from NSW Crown Lands, advising of the proposed closure of Crown Road reserves in the vicinity of “Kalinda” on Browns Creek Road.

After investigating the matter, and in accordance with the above mentioned resolution, council advised Crown Lands of its objection, due to the potential land locking of Lots 281 and 282 in DP 750380.

Further, Councillors may recall that at the ordinary February meeting of Council the following resolution was adopted by Council:

1. *That council approve the proposed closure of Crown Road reserves associated with the Crown Road account W389103, subject to legal access being maintained to Lots 281 and 282 DP 750380.*

The Crown provided Council’s advice to the applicant, and the applicant has advised that Lots 281 and 282 are presently accessed via a Crown Road reserve to the East of the subject land off the Mid Western Highway.

An inspection of the land and ownership details indicates that Lots 281 and 282 are physically accessed via this route, and whilst title is under separate ownership, it is noted that the postal address for Lots 281 and 282 is the same as Lots 274, 277 & 278 DP 750380 that are to the East of the subject lands.

The applicant and the Crown have also presented as part of their case, that the Crown road reserve from Gays Lane and along the western edge of Lots 283 and 282 contains well established trees that may hinder vehicle access, should it ever be required.

In discussion with the Crown, it was noted that the Crown has received a further application for Crown Road closure (W382565) along part of the reserve, now proposed to be used for access. The Crown has advised that their preferred remedy is to approve the application, the subject of this report, and deny the other application (W382565).

It is recommended that Council support the proposal for the closure of Crown Roads under W389103, subject to access being provided via the Crown Road reserve from the Mid Western Highway, West along the southern boundary of Lot 201 DP875880 to the south western corner of Lot 282 DP 750380, and advise Crown Lands accordingly.

BUDGET IMPLICATIONS

Nil

POLICY IMPLICATIONS

Legal access is maintained to Lots 281 and 282 DP 750380.

Attachments

1 Locality and Site Map

ENVIRONMENTAL SERVICES REPORTS
PRESENTED TO THE BLAYNEY SHIRE COUNCIL
MEETING HELD ON TUESDAY, 12 JUNE 2012



11) **DEVELOPMENT APPLICATION NO.25/2012 - ELEVEN (11)**
LOT SUBDIVISION AT 444 FOREST REEFS ROAD,
MILLTHORPE

(Director Environmental Services)

RECOMMENDED:

1. That Council note the submission made in regard to the proposed development, and;
2. That Council consent to Development Application No.25/2012 subject to the following conditions of consent.

SCHEDULE 'A'

1. The determination shall be regarded as being in accordance with the particulars and endorsed plans set out and described in Development Application No.25/2012 registered in Council's records as of the 1 August 2011 except where varied by any or all of the following conditions issued as part of this consent. Any additional development not subject to this approval shall require the further consent of Council.

STATUTORY

REASON: To comply with legislative statutory requirements.

2. The applicant shall apply to Council for the issue of a Subdivision Certificate for the approved subdivision, and submit the final plan of survey of the subdivision and five (5) copies for Council's endorsement.
Note: Council will only consider issuing a subdivision certificate in relation to this subdivision when it is satisfied that all conditions of development consent have been complied with and the appropriate fees paid.
3. The developer is to furnish Council with documentary evidence that arrangements, satisfactory to Essential Energy and the appropriate telecommunications authority, for the provision of street and pathway lighting and for the provision of underground electrical power and telephone lines, respectively, to serve each lot, have been made prior to the issue of a Subdivision Certificate.

CONSTRUCTION

REASON: To comply with Council's policy and requirements for the provision of access and infrastructure.

4. The applicant is to resubmit three (3) copies of engineering plans specifications and calculations in relation to **conditions (10, 11, 13, 14 and 15)**. The works are to comply with *WBC Guidelines for Engineering*

Works, prior to any works commencing.

5. During the course of construction, the applicant is to obtain a compliance certificate pursuant to section 109C of the Environmental Planning and Assessment Act 1979, as amended, from either Council or an accredited Certifying Authority that the engineering work required by Conditions 10, 11, 13, 14, 15 has been constructed in accordance with the approved plans and *WBC Guidelines for Engineering Works*, prior to any works commencing. Note: Where Council is the Certifying Authority in relation to engineering works, fees shall be payable in accordance with Council fees and charges.

6. The applicant is to obtain a construction certificate pursuant to section 109C of the Environmental planning and Assessment Act 1979, as amended from either Council or an accredited Certifying Authority that the proposed works are in accordance with the approved plans and *WBC Guidelines for Engineering Works*, prior to any works commencing.
Note 1: No building, engineering or excavation work is to be carried out in relation to this development until the necessary construction certificate or certificates have been obtained.
Note 2: YOU MUST NOT COMMENCE WORK UNTIL YOU HAVE RECEIVED THE CONSTRUCTION CERTIFICATE, even if you have made an application for a construction certificate at the same time as you lodge this development application.

7. Prior to the issue of a subdivision certificate, the applicant is to submit to Council an electronic copy of the works as executed plans for the works required by Conditions 10,11,13, 14, 15 in AutoCAD 2000 format. Further, the works are to comply with *WBC Guidelines for Engineering Works*.
Note 1: Information provided shall also include the provision of information on the works executed plan which details road levels, road crossfalls, and longitudinal grades.

8. During the course of construction, the applicant is to arrange an inspection of the subdivision works by Council's Engineering Department at the following stages of the development. This condition applies notwithstanding any private certification of the engineering works.

	Stage	Works Inspections
A	Road construction	<ul style="list-style-type: none"> • Following site regarding, and prior to installation of footway services • Excavation and trimming of subgrade • After compaction of sub base • After compaction of base, and prior to sealing • Subsoil drainage • Road pavement surfacing • Pavement test results (compaction, strength)
B	Drainage	<ul style="list-style-type: none"> • After laying of pipes and prior to backfill • Pits after rendering openings and installation of step irons • Following channel shaping prior to topsoiling and seeding
C	New gate - rural crossing	<ul style="list-style-type: none"> • Prior to commencement of excavation works • After compaction of base and prior to sealing • Road pavement surfacing
D	Erosion and sediment control	<ul style="list-style-type: none"> • Prior to the installation of erosion measures
E	All development and/or subdivision works	<ul style="list-style-type: none"> • Practical completion
F	Road openings	<ul style="list-style-type: none"> • Upon completion of works

9. Prior to the issue of a Construction Certificate, engineering inspection fees must be paid in accordance with Council's fees and charges for that length of road to be constructed to which the Construction Certificate relates.
10. Prior to any work being undertaken on site, all roads within the proposed development are to be designed to Council's Rural Local Access Standard in accordance with the *WBC Guidelines for Engineering Works*.
11. The intersection between the proposed road and Buesnel (formerly Benereefs) Lane be designed and constructed to the RTA BAR/BAL standard with required stopping

sight distances provided.

12. Prior to the issue of a subdivision certificate, the proposed road shall be constructed to Council's Rural Local Access Standard in accordance with the *WBC Guidelines for Engineering Works* and the approved plans.
13. During the course of construction, construct an all-weather 2wd vehicular access to each proposed allotment. Such access shall include a gate or stock grid set back in a minimum of 15m from the edge of the proposed road and be constructed to a minimum 4.0m wide sealed footway crossing, extending from the edge of the bitumen seal on the proposed road to the entrance gate. All works are to be undertaken in accordance with the *WBC Guidelines for Engineering Works* and be completed prior to the issue of a subdivision certificate. Note: All accesses shall be located such that all RTA stopping sight distance requirements are achieved.
14. All accesses are to be designed and constructed to provide weather access to the subject land. If the 1% Annual Exceedence Probability storm cannot be catered for with piped drainage, the over road flow must have a velocity-depth product of less than 0.7m²/s.
15. Within and for the full length of the access handle(s) of the hatchet shaped allotment(s) and over the footway, construction of a sealed vehicular driveway(s) 2400mm wide, designed to *WBC Guidelines for Engineering Works* and completed prior to the issue of a subdivision certificate.
16. Prior to the completion of any works on Council controlled land including a public road, the applicant is to affect Public Liability insurance in the minimum amount of \$20 million. This insurance is to note Council's interest and is to remain current for at least the period from the issue of the construction certificate until the issue of a compliance certificate for the works. Documentary evidence of the currency of the cover is to be provided to Council prior to the issuing of a construction certificate.
17. Erosion and sediment control are to be established prior to commencement of construction and maintained to prevent silt and sediment escaping the site or producing erosion. This work must be carried out and maintained in accordance with the *WBC Guidelines for Engineering Works*, and Department of Housing – *Soil and Water Management for Urban Development* (Blue Book).

Note: All erosion and sediment control measures must be in place prior to earthworks commencing. Copies of the above guidelines are available from Council's Planning and Building Services Department.

18. The final survey plan is to provide for the dedication as public road all roads required to be (re) constructed under this consent.
19. The developer is to relocate, if necessary, at the developer's cost, any utility services.
20. The designated number plates shall be obtained from Council and erected in accordance with the *Specifications for Erection of Street Address Numbers* as supplied by Council.
Written notification is to be provided to Council indicating rural addressing numbers have been erected. This letter is to be supplied to Council or the Principal Certifying Authority PRIOR to the issue of the subdivision certificate.
21. The developer is to contribute to Council the cost of two (2) street trees per lot prior to the issue of the subdivision certificate. The cost shall be as per Council's fees and charges in the year the contribution is paid.
22. The developer is to lodge a bond with Council equal to 5% of the total subdivision civil construction costs for that part of the subdivision to which the construction certificate relates, at practical completion, to be held by Council for a minimum period of twelve (12) months. The bond must be lodged with Council before a subdivision certificate is issued by Council.
23. The developer is to warrant the civil construction works for a minimum period of twelve (12) months from practical completion. Any maintenance required within that twelve month period is to be the responsibility of the developer.

SECTION 94 CONTRIBUTIONS

REASON: To comply with Council's policy for a contribution towards headworks.

24. In accordance with Section 94 of the Environmental Planning and Assessment Act 1979 a contribution is to be paid in accordance with the 2009 Review – BSC 1 Roads Rural, for the provision and augmentation of rural roads. The amount of this contribution shall be \$126,954.00. This amount shall be indexed in accordance with the Contributions Plan from 1 July 2012. The contribution shall be paid to Council prior to the release of a

construction certificate.

Note: S94 contributions are calculated based on nine (9) additional allotments.

25. That the applicant contributes towards other headworks. The amount applicable will be dependent upon the date on which payment is made and will be as per Council's adopted fees and charges for the financial year in which payment is made. The cost of the applicable headworks per new allotment (9) during the 2011/2012 financial year is as follows:

BSC 8	Bushfire Services	\$341.00
BSC 10	Community Facilities	\$534.00
	TOTAL	\$875.00

Payment is to be made prior to the issue of a subdivision certificate.

STOCK PROOF FENCING

REASON: To ensure agricultural activities are not impacted upon.

26. All boundaries should be constructed with stock and dog proof fencing, to be undertaken prior to the release of a Subdivision Certificate.

AMENITY

REASON: To ensure the protection of amenity in the locality and to comply with Council's policies for development

27. Vegetated buffers shall be provided as indicated in the plans submitted, along the western and northern boundaries of the land. Details of the plantings shall be submitted to Council in a management plan, for approval prior to the issue of the subdivision certificate.
28. Construction work must only be carried out within the following times:
Monday to Friday: 7am to 7pm.
Saturday: 8am to 1pm
No work is to be carried out a Sunday or Public Holidays
Note: The principal contractor shall be responsible to instruct and control their sub-contractors regarding the hours of work.
29. Dust suppression measures shall be undertaken during the construction phase to minimize drift of dust onto adjoining properties.

REPORT

Applicant:	Peter Basha Planning And Development
Owner:	LK & LA McCook
Application No:	DA25/2012
Zone:	1(c) Rural Small Holdings
Date Received:	1 August 2011
Assessment No:	150-23120-7
Property:	444 Forest Reefs Road, Millthorpe
Proposed Development:	Eleven (11) Lot Subdivision

BACKGROUND

Council has received a development application for an Eleven (11) Lot Subdivision at 444 Forest Reefs Road, Millthorpe. The majority of allotments have a minimum area of at least 2 hectares, and are to be created for rural residential purposes. The larger residue allotment of 13.3 hectares would contain the property's existing dwelling and infrastructure.

The proposal would include the construction of a sealed internal access road, fencing, future on site waste water disposal, and future water supply via rainwater tanks.

The application was lodged on 1 August 2011 and was notified to adjoining land owners on 23 August 2011, three (3) submissions were received. The submissions are listed and considered in a later section of this report, and a response from Council is provided for each concern.

Section 79C Assessment:**(a)(i) the provisions of any environmental planning instrument**State Environmental Planning Policy's (SEPP)

SEPP (Rural Lands) 2008 applies to this development. The SEPP outlines principles related to subdivision in rural zones.

Rural Subdivision Principles

- (a) *the minimisation of rural land fragmentation,*
- (b) *the minimisation of rural land use conflicts, particularly between residential land uses and other rural land uses,*
- (c) *the consideration of the nature of existing agricultural holdings and the existing and planned future supply of rural residential land when considering lot sizes for rural lands,*
- (d) *the consideration of the natural and physical constraints and opportunities of land,*
- (e) *ensuring that planning for dwelling opportunities takes account of those constraints.*

The land is zoned 1(c) Rural Small Holdings which states a minimum lot size of 2 hectares. The proposed has outlined each allotment to meet this requirement. Land use conflicts will be dealt with by utilising buffers as outlined in the Blayney Development Control Plan No. 3 – Rural Residential Development, subclause 'Buffers'.

The impact of the development on existing agricultural holdings is considered minimal and issues raised can be addressed, as outlined in later sections of this report.

The consideration of rural residential land in regard to supply, and any natural or physical constraints and opportunities has been addressed under the formulation of Council's LEP 1998, and will be further addressed under the LEP review process.

Matters to be considered for rural subdivisions or rural dwellings

- (a) The existing uses and approved uses of land in the vicinity of the development
Comment: The land is currently utilised for agricultural purposes, for livestock grazing. A number of improvements are located on the land including dwelling, sheds and other outbuildings, fencing and dams. Surrounding development comprises established rural small holdings.
- (b) Whether or not the development is likely to have a significant impact on land uses that, in the opinion of the consent authority, are likely to be preferred and the predominant land uses in the vicinity of the development
Comment: The land use proposed is similar in nature to existing predominant development in the area, therefore impact is not expected to be significant. Issues raised through the notification process have been considered in a later section of this report in an effort to alleviate concerns from the community.
- (c) Whether or not the development is likely to be incompatible with a use referred to in paragraph (a) or (b)
Comment: The development would be of a similar nature to existing development therefore it is unlikely that landuse conflict would be significant. Issues raised through the notification process have been considered in a later section of this report in an effort to alleviate concerns from the community.
- (d) If the land is not situated within a rural residential zone, whether or not the development is likely to be incompatible with a use on land within an adjoining rural residential zone.
Comment: The land is situated in the 1(c) Rural Small Holdings zone.
- (e) Any measures proposed by the applicant to avoid or minimize any incompatibility referred to in paragraphs (c) or (d).
Comment: The applicant seeks to provide a number of measures to minimize landuse conflict. This includes:
- Careful selection of home sites away from water courses and other water bodies
 - Use of land space/vegetation buffers to provide a barrier between landuses
 - Installation of appropriate on-site effluent systems to protect water quality
 - Conditioning any development consent with regard to fencing
 - Effective and appropriate access and servicing to each allotment
 - Control over hours of operation for construction works

- Effective erosion and sediment control measures during construction works

Regional Environmental Plans (REP)

No REPs are relevant.

Local Environmental Plan (LEP)

The proposal is permissible in the 1(c) Rural Small Holdings Zone as outlined in the Blayney Local Environmental Plan 1998. The objectives of the zone are considered as follows:

- To promote development of land identified as suitable for rural residential or small holding development
Comment: The subdivision design is in line with the objectives of the Small Rural Holdings Zone, and the nature of existing surrounding development.
- To identify land suitable for future urban development, and for development for other non-agricultural purposes, in accordance with the needs for that development
Comment: The development is not for urban development or non-agricultural purposes.
- To allow a range of rural living styles in appropriate locations within the zone.
Comment: The proposal allows for the establishment of rural small holding development, a need identified within the current planning instruments, in the context of landuses in the Blayney rural community.

Clause 10 General considerations for development within the rural and environment protection zones

The general requirements are considered as follows:

- The present use of the land, the potential use of the land for the purpose of agriculture and the potential of any land which is prime crop and pasture land for sustained agricultural production.
Comment: The land is proposed for rural small holdings in accordance with the provisions of the zone. This may allow for minor agriculture to occur. Sustained agricultural production is not appropriate for this zone.
- Vegetation, timber production, land capability (including soil resources and soil stability) and water resources (including the quality and stability of water courses and ground water storage and riparian rights)
Comment: Impact on these resources is minimized through attention to erosion and sediment control during earthworks, and the measures set down in the geotechnical reports for effluent disposal, to protect water quality and soil stability. No land clearing is required for the development.
- The future recovery from known or prospective areas of valuable deposits of minerals, coal, petroleum, sand, gravel or other extractive materials.
Comment: It is not expected that there would be any significant impact on these resources from the development. The NSW Office of Trade and

Investment were contacted and their response indicated no particular concerns.

- (d) The protection of areas of significance for nature conservation or of high scenic recreational value, and of places and buildings of archaeological or heritage significance, including Aboriginal relics and places

Comment: There are no such known significant areas, places or buildings relevant to this development.

- (e) The cost of providing, extending and maintaining public amenities and services to the site of the proposed development

Comment: The cost of any service enhancement to cater for this development would be borne by the developer in terms of on ground works and/or Sec 94 contributions for rural roads, bushfire services and community facilities.

- (f) Future expansion of settlements in the locality

Comment: The proposed development is likely to have a minor impact on settlement expansion, in light of new residents in put into the local economy of Millthorpe.

Council must also consider the effect of the proposed development on adjoining land and other land in the locality.

Comment: The adjoining land in this vicinity comprises subdivision of a similar nature, rural small holdings. Stock grazing is the most common landuse – sheep, cattle and alpacas. Adjoining residents have been notified and submissions received. The issues raised have been addressed by the developer and are considered elsewhere in this report.

Clause 11 Subdivision of land generally

Council must consider the following matters in regard to this zone:

- (a) The primary purpose for which each allotment to be created by the subdivision is intended to be used

Comment: The proposed landuse is for rural residential.

- (b) Whether any allotment to be created by the subdivision is intended to be used primarily for the purpose of agriculture

Comment: No allotments are proposed primarily for agriculture.

- (c) Whether a dwelling is intended to be erected on any allotment to be created by the subdivision and the approximate location of any such dwelling

Comment: Allotments 1 and 3-11 are proposed for the erection of dwellings. The location of building envelopes is depicted on the subdivision plan as submitted to Council.

- (d) Whether any proposed allotment contains an existing dwelling house and the location of any such dwelling house.

Comment: The proposed Lot 3 contains the existing dwelling and associated outbuildings.

Clause 15 Subdivision for the purpose of dwelling houses in Zone No 1(c)

The Council must not consider the subdivision of land in this zone unless all lots are at least 2ha and intended for the purpose of a dwelling house. In this

case the lots range from 2ha to 2.5ha, with the residue lot 2 being 13.32ha. Lots 1 and 3-11 will contain dwelling houses.

The provisions of this Clause are considered as follows:

- (a) The land capability (including soil resources and soil stability), natural constraints and hazards of the land to be subdivided in relation to the density of the allotments proposed to be created,
Comment: The allotments to be created are in keeping with the objectives of the zone, to minimize impact from natural constraints and hazards, and to have regard for land capability. Onsite effluent management studies have been provided which outline the suitability of the site for the development and the systems which would apply.
- (b) The desirability of providing a range and mixture of allotments sizes,
Comment: The development provides all lots of around 2ha, with a residue of 13.32ha. The surrounding land provides a range of lot sizes within other rural small holding settlement.
- (c) Whether the design of each allotment to be created by the subdivision is satisfactory for the economic provision of services and the physical suitability for the on-site disposal of wastes,
Comment: The development is shown to be capable of effective on site disposal of waste through the geotechnical reports provided. The cost of service provision would be borne by the developer through on ground works and/or Sec94 contributions for roads, bushfire and community services.
- (d) The capability of the land to accommodate septic disposal of household waste,
Comment: The geotechnical reports provided illustrate that the development is capable of effective on site disposal of waste.
- (e) The standard and capacity of public roads serving the land relative to the likely volume of the traffic to be generated as a consequence of the density of the proposed development, and the means available to improve roads to a standard appropriate to the level of traffic likely to be generated,
Comment: Public roads to service the development would be upgraded to accommodate the increase of traffic and population to the area, through on ground works and Sec94 contributions for roads.
- (f) The availability of other similar kinds of services and social services relative to the likely demand for these services and costs of their provision,
Comment: Service provision would be covered through Sec94 contributions for roads, community facilities and bushfire services. Connection to communication services and electricity are detailed as conditions of consent.
- (g) The purpose for which the land is to be used after subdivision.
Comment: Following subdivision the land would be utilised for rural residential purposes in accordance with the zone objectives.

(a)(ii) the provisions of any draft environmental planning instrument
Draft Blayney Local Environmental Plan 2011 (Draft BLEP)

The proposed development was lodged prior the Draft Blayney LEP endorsement on 2 February 2012, and therefore the Draft LEP does not need to be considered.

(a)(iii) any development control plans

Development Control Plan (DCP) No. 3 – Rural Residential Development

The DCP outlines matters for consideration when assessing a development application on land that is identified as being a 1(c) Rural Residential Zone.

MATTERS FOR CONSIDERATION

4.1 General Subdivision Layout

- Size and shape of the allotments are suitable to accommodate a dwelling, associated structures, driveways, landscaping, water tanks and onsite effluent disposal area, without impact on adjoining lands. The plans of the subdivision show a clear building envelope for each of the allotments.
- Boundaries of the subdivision follow existing fence lines on all external boundaries. Fencing of individual allotments would be carried out as part of the development conditions.
- Dwelling Sites have been identified in building envelopes on the site plans, which allow flexibility for future orientation of dwellings. Each site can cater for on-site effluent disposal. Each site would have particular siting requirements for future dwellings as regards cut and fill.
- Variation of allotments size, shapes and type have been taken into consideration. The allotments on the western side of the subdivision are all of similar size but are of varying shapes. The allotments vary from 2 hectares to 13.318 hectares.
- Newly created subdivisions should design allotments to be an average of 3 - 4 hectares. The average allotment size for the proposed subdivision is 3.1 hectares. Adjoining existing subdivision caters for a wider variety of lot sizes.

4.2 Buffers

Adjoining landuse is similar in nature to the proposed development. However, a 30m buffer is provided between the building envelopes within the proposed subdivision that border the 1(a) zone to the west and south west, to minimise the impacts of both agricultural activities in the 1(a) zone and rural residential activities in the rural small holdings zone, on adjoining landuses. This includes influences such as odour, noise, dust and chemical spray drift. A further 5m maintenance area would apply along the edge of the building envelope area. The buffer would be planted out with vegetation in accordance with a vegetation management plan to be provided as a condition of consent.

4.3 Erosion & Sediment Control

Any earthworks would be carried out in accordance with sediment and erosion control best practice management to minimise impacts on water quality and soil stability. A sediment and erosion control plan would be submitted as a condition of consent.

4.4 Roads and Access

All new road and access provision would be in accordance with the standards as set down within the DCP as regards sealing, construction standards and design speed (80kph). A full set of engineering plans, specifications and calculations would be submitted to Council as a condition of consent, to comply with the WBC Guidelines for Engineering Works.

Roads and road reserves should be fenced to stock proof standard, and all new entrances should be recessed and contain adequate drainage.

4.5 Waste Water

The developer has provided geotechnical reports for each proposed new allotment, which give options for land application and treatment systems. Site assessments under these reports were carried out using the Australian Standard 1547:2000 *On-site domestic wastewater management*, and the Environment and Health Protection Guidelines *On-site sewage management for single households (1998)*. Council is satisfied that each of the proposed lots would be able to carry out effective on-site disposal of effluent and waste water.

4.6 Water

All new dwellings would provide adequate on-site water supply for domestic usage and fire fighting purposes, not less than 22,000 litres, with a minimum of 10,000 for fire fighting purposes. Collection and storage facilities would comply with Australian Drinking Water Guidelines, *Guidelines on the use of Rainwater Tanks*. Any bores for domestic supply should be tested for suitability prior to use.

4.7 Flora and Fauna

From the information available and that provided by the developer, there are no known matters relating to flora and fauna which are relevant to the proposed development.

4.8 Buildings

No building work is proposed by this development application. Details of any future building work (dwellings) on the land would be required to be submitted to Council for approval.

4.9 Utility Services

The developer would bear the cost of utility service enhancement, and conditions of consent would require confirmation from the electricity and telephone authorities that the services are available and adequate for the development.

4.10 Section 94 Contributions

The developer would be required through conditions of consent to undertake Sec 94 contributions for roads, community facilities, and bush fire services.

4.11

As a condition of consent the developer would be asked to consult with the Upper Macquarie County Council in regard to weed control and management.

(a) (iv) any matters prescribed by the regulations

Clause 92 of the *Environmental Planning and Assessment Act 2000* prescribes certain matters that must be considered by Council in determining a development application. There are no relevant prescribed matters that would apply to this proposal.

(b) the likely impacts of the development**Context and Setting**

The proposed development is to be located within an existing rural residential zone, adjoining the 1(a) zone to the west. Surrounding development is largely rural small holdings to the south east, east and north. To the west and south west is larger acre rural land.

The proposed development fits within the existing setting and is proposed to be undertaken in line with the objectives of the zone, having regard for protection of agricultural activities in the adjoining rural zone.

Access, Transport and Traffic

The proposed development includes the construction and dedication of a new road to serve the subdivision. The new road would feed off Forest Reefs Road along Beusnel Lane some 4.4km west of Millthorpe. The new road would be constructed in line with the requirements of the *WBC Guidelines for Engineering Works*, to minimise traffic impacts and cater for the safety of the travelling public.

Traffic numbers in the locality would be expected to increase gradually as the land is settled. Forest Reefs Road and Beusnel Lane are two lane sealed roads. Council's Engineer has assessed the proposal and the local roads, and has determined that the local road system is adequate for the proposed development, subject to upgrading of the Beusnel Lane intersection with Forest Reefs Road, construction of entrances into each new lot, relocation of utilities services where applicable, street numbering, planting of street trees and the payment of Sec94 contributions for ongoing maintenance and upkeep of Council roads.

Utilities

The development would require telephone and electrical utility connection. The cost of utility enhancement would be borne by the developer, and confirmation that the services are available and adequate for the development would be required from the relevant authorities as a condition of consent.

Heritage

There are no particular known heritage matters relevant to this proposal.

Other Land Resources

The NSW Office of Trade and Mineral Resources were contacted in regard to mineral resources in the area. Their response indicated that they had no objections to the proposal.

Water, Soil, Air and Microclimate

Water quality, soil stability, air quality and therefore microclimate protection would be achieved through attention to effective erosion and sediment control measures and dust control during construction, and installation of onsite effluent systems with future dwellings. Stormwater would be dissipated into the local drainage system incorporating erosion and sediment control measures, drainage infrastructure and scour protection.

Flora and Fauna

There are no particular known matters relating to flora or fauna which would apply to this development. The site has been largely disturbed through past agricultural activities.

Waste

Waste materials from the construction phase would include domestic waste and spoil. Domestic waste would be collected and stored on site for off-site disposal at an approved waste facility. Construction waste may include topsoil, rock, vegetation etc. These would be stockpiled on site for possible reuse in rehabilitation measures. Any surplus would be removed to an approved waste facility.

Waste water would be treated through onsite effluent systems relating to future dwellings on the land, in accordance with the geotechnical reports submitted.

Natural Hazards

There are no particular known natural hazards applicable to this development.

Technological Hazards

There are no particular known technological hazards applicable to this development.

Safety, Security and Crime Prevention

There are no particular matters relating to safety, security and crime prevention that are relevant to this development.

Social and Economic Impact on the locality

The proposed development would provide opportunities for rural living, conveniently located in close proximity to Millthorpe and Blayney. Negative impacts are unlikely to be significant, given the environmental safeguards as discussed elsewhere in this report, relating to waste management, road construction, service provision, buffer protection and fencing requirements. In the short term, hours of operation, along with sediment, erosion and dust control will protect local amenity during construction.

Construction

The construction works required for this development will relate to the construction of roads, entrances and servicing. Impacts of these will be minimized through limiting the hours of operation, sediment and erosion control measures, dust control and suppression and effective traffic control.

Site Design and Internal Design

The design of the subdivision has had regard for the topography of the land, with a view to the creation of lots that drain well into local stormwater channels, and dwelling sites that enable flexibility for orientation and solar opportunities.

Cumulative Impacts

It is proposed that the development would be undertaken as a staged development:

Stage 1: Lots 1 & 2 only, with a large residue.

Stage 2: Subdivision of the residue into Lots 3-11.

This would assist in minimising the cumulative impact of the development, enabling a gradual increase in traffic and other impacts, such as they would be.

The cumulative impact overall is the subdivision of land in an infill situation in a location within an existing small rural holding settlement pattern. The land was zoned with the intention of eventual full take-up of land for these purposes within the zone, with long term impacts considered as part of the strategic process that originally defined the zone.

(b) suitability of the site for the development

The subject land is considered to be suitable for the proposed development.

(c) any submissions made in accordance with this Act or the regulations

The application was lodged on 1 August 2011 and was notified to adjoining land owners on 23 August 2011, three (3) submissions were received. The developer was advised of the issues and has made written response.

The submissions have outlined a number of concerns, and responses are offered as follows:

ISSUE	COUNCIL RESPONSE
Ongoing subdivision being approved on prime agricultural land.	The subject land is zoned 1(c) Rural Small Holdings. The proposed development meets the objectives of this zone.
To decrease land use conflict, a buffer of trees should be planted within the proposed subdivision.	As outlined in the Blayney Development Control Plan (DCP) No. 3 – Rural Residential Development, Vegetated buffers should be used to provide a barrier between conflicting land uses. This is to be a condition of consent.
Proposed effluent systems on the proposed subdivision could flow into adjoining land and cause environmental issues.	An on-site effluent management study has been carried out by Envirowest Consulting Pty Ltd on each of the proposed allotments which outlined the appropriate effluent management systems to be used, installed to industry standard.
The boundary fence should be stock and dog	This would be a condition of consent.

proof to protect adjoining agricultural land.	
Negative impact on the rural landscape which will disturb the views and vistas of existing land owners.	The land is zoned 1(c). The development meets the objectives of the zone, as discussed in this report.
Is the subject land able to be subdivided?	The minimum allotment size in the 1(c) Rural Small Holdings zone is two (2) hectares as stated in Clause 17A of the <i>Blayney Local Environmental Plan 1998</i> .
The layout of the access locations will cause headlights to shine into existing residential development.	The layout of the subdivision allows for access to each of the allotments, locations to be approved by Council's Engineer prior to construction.
Buildings envelopes on allotments 5 & 6 should be 75 meters (not 25 meters as proposed) from the boundary and landscaping or screening is provided.	Vegetated buffers are to be required along boundaries between conflicting landuses. Council would apply the requirements of DCP No. 3, set down as a condition of consent.
Environmental issues such as dust, and noise will effect adjoining land owners during the construction phase.	Conditions of consent would include sediment control and hours of works to ensure adjoining land owners are not inconvenienced during the construction phase.
The development would diminish property value of adjoining land.	The subject land is zoned 1(c) Rural Small Holdings. The development is permissible with consent. Land value is not a matter for planning assessment.
The southern boundary be planted with mature trees to minimize the visual effect	As outlined in the Blayney Development Control Plan (DCP) No. 3 – Rural Residential Development, Buffers should be used to provide a barrier between conflicting land uses. This is a condition of consent

(d) the public interest

The public interest is recognised by Council's consideration and notification of the application, and the subsequent receipt of submissions.

BUDGET IMPLICATIONS

There are no budget implications for Council associated with this report.

POLICY IMPLICATIONS

There are no budget implications for Council associated with this report.

Attachments

1 DA25/2012 Plans 36 Pages

12) **ENVIRONMENTAL PROTECTION AUTHORITY - ISSUE OF NOTICE**
(Director Environmental Services)

RECOMMENDED:

1. That Council note the fine issued by NSW Environmental Protection Authority

REPORT

Council has received advice, that in October 2011 it failed to return a compulsory reporting form for the Blayney Waste Depot. On investigation this has been found to be correct.

Council had submitted the annual licencing fee and has subsequently submitted required monitoring reports under the licence during January 2012. Unfortunately the required annual report was not picked up in the staff changeovers that occurred late last year. The EPA has issued a fine of \$1500 for non compliance with this licence report area.

Council's staff have contacted the local EPA and will follow up on this fine to explain the change over of staff and request consideration of returning the fine as improvements to the waste depot or local environmental programs.

BUDGET IMPLICATIONS

This cost can be found within the current budget.

POLICY IMPLICATIONS

Nil effect.

Attachments

Nil

13) **DRAFT BLAYNEY LOCAL ENVIRONMENTAL PLAN 2012**
(Director Environmental Services)

RECOMMENDED:

1. That Council resolves that the Draft Plan is consistent with the adopted land use strategies for the Blayney Shire including, but not limited to, the Councils of Blayney, Cabonne and Orange City (July 2008) *Sub-Regional Rural and Industrial Land Use Strategy*, the Blayney Shire Council (March 2011) *Blayney Settlement Strategy*, and the *Community Heritage Study*;
2. That Council acknowledges that the Draft Plan has been prepared in accordance with the provisions of the *Environmental Planning & Assessment Act 1979* ('EP&A Act') including but not limited to the requirements under (former) Section 68 to:
 - a. Comply with the provisions of the (former) Sections 66 and 67 relating to public involvement in the preparation of the Draft Plan;
 - b. Specify the environmental planning instruments and directions under Section 117 that have been taken into consideration;
 - c. Give details of any inconsistency between the Draft Plan and any instrument or direction and the reasons justifying the inconsistency;
3. Approves the Draft Plan as set out in Attachments 1-3 to this report for the purposes of (former) Section 68 of the EP&A Act;
4. Forwards the Draft Plan (and all supporting documentation) to the Director-General of the Department of Planning & Infrastructure requesting that a report be prepared under (former) Section 69 of the EP&A Act for the Minister to make the local environmental plan under (former) Section 70 of the EP&A Act;
5. Seeks the Director-General's opinion that the inconsistencies between the Draft Plan and any Ministerial Directions or Planning Circulars are, for the reasons identified, of minor significance or can be addressed at a later date;
6. Provides the General Manager with the delegation to make minor technical, legal and policy amendments to the adopted Draft Plan arising out of consultation with the Director-General or the Department of Planning & Infrastructure.

REPORT

The Draft *Blayney Local Environmental Plan 2012* ('Draft BLEP2012' or 'Draft Plan') is now sufficiently advanced such that staff seek a resolution from Council allowing the plan to be forwarded to the NSW Department of Planning & Infrastructure ('Department' or 'DP&I') with the intention of gaining authorisation, pursuant to (former) Section 68 of the *Environmental Planning and Assessment Act 1979* ('the EP&A Act') to place the Draft Plan on public exhibition.

This report has been prepared in line with the requirements of (former) Section 68 of the EP&A Act and is accompanied by a copy of Draft Plan and all relevant supporting documentation. This report should be read in conjunction with the Section 64 Report that was provided to the Department in April 2011 (this provides a more complete analysis of the reasoning behind the Draft Plan).

Please note that all references to the EP&A Act are to former provisions that were in place prior to amendments in July 2009. The former provisions apply to the Draft Plan as the Draft Plan was prepared under these provisions. Please note that the full and final Section 68 Report to the Department will also include a full review of the Draft Plan against the relevant State policies and Section 117 Ministerial Directions (see the Section 64 Report for more details).

BUDGET IMPLICATIONS

Nil.

POLICY IMPLICATIONS

Nil.

Attachments

1 Draft Blayney Local Environmental Plan 45 Pages

14) **PLANNING PROPOSAL - 137 NEWBRIDGE ROAD, BLAYNEY**
(Director Environmental Services)

RECOMMENDED:

That as a consequence of consultation and consideration of the submissions received, Council is of the view that:

1. Council support the Planning Proposal for the rezoning of Lots 102-107 DP 1161062 from 1(a) General Rural and 7(a) Scenic Protection to 2(v) Village or Urban under the provisions of the Blayney Local Environmental Plan 1998, without variation.
2. Council support the Planning Proposal for the rezoning of Lots 102-107 DP 1161062 from 1(a) General Rural and 7(a) Scenic Protection to IN1 General Industrial, RU2 Rural Landscape and SP2 Infrastructure under the provisions of the Draft Blayney Local Environmental Plan 2011, without variation.
3. The Planning Proposal, together with the consideration of submissions, be forwarded to the NSW Office of Planning and Infrastructure to request the making of a local environmental planning instrument to give effect to the Planning Proposal for Lots 102-107 DP 1161062, 137 Newbridge Road, Blayney.

REPORT

Owner:	Metziya P/L
Zone:	1(a) General Rural & 7(a) Environment Protection
Date Received:	6 December 2011
Property:	137 Newbridge Road, Blayney – Lots 102-107 DP 1161062
Proposed Development:	Rezoning of land

EXECUTIVE SUMMARY

A Planning Proposal or Local Environmental Plan amendment application, has been lodged for the rezoning of Lots 102-107 DP 1161062 from 1(a) General Rural and 7(a) Scenic Protection (Blayney Local Environmental Plan 1998), to 2(v) Village or Urban and part 7(a) Environmental Protection Scenic (under the provisions of the Draft Blayney Local Environmental Plan 2011 this would equate to IN1 General Industrial, RU2 Rural Landscape and SP2 Infrastructure. The Planning Proposal was lodged with Council on 6 December 2011.

The site was previously identified in the Land Use Strategy as a strategic area for industrial expansion, and rezoning now has been identified as the best means to rectify an anomaly whereby industrial development has been permitted in a rural zone.

The NSW Office of Planning and Infrastructure has indicated that with the uncertainty of the timing for the completion of the Comprehensive LEP 2011, the planning proposal should be considered under the current Blayney LEP 1998.

A report was placed before Council in December 2011 when Council resolved to refer the Planning Proposal for a Gateway Determination.

The Planning Proposal received the Gateway Determination from the NSW Office of Planning and Infrastructure dated 21 February 2012, which stated that the amendment to the Blayney LEP1998 should proceed subject to conditions which related to the requirement for additional information, the level of public consultation and State government agencies to be consulted. The timeframe for completing the LEP is to be 6 months from the week following the date of the gateway determination.

The consultation process has been undertaken and the documentation was placed on public exhibition from 29 March 2012 to 12 April 2012. This time frame was then extended to 27 April 2012. Written submissions were received from both the public and from State agencies. In addition a public hearing was conducted on 31 May 2012 for the public to present their concerns.

Upon the conclusion of this public exhibition period Council must now consider any submissions made in respect of the planning proposal.

SITE CHARACTERISTICS

The Planning Proposal seeks to rezone land (64.298 hectares) to permit broader industrial development and provide for an environmental buffer to the township of Blayney. The bulk of the land is currently zoned rural, with a part to the west adjoining the town being scenic protection.

An industrial enterprise has been established on the land, as permitted within the rural zone. The complex includes industrial buildings, office and staff facilities and amenities, to support a frozen food warehouse and dry goods warehousing. A dual rail siding with direct access to the Great Western Railway is located on the site, on Lot 102. Lot 106 is the site for the construction of a minerals filtration plant as part of the Cadia East Copper and Gold Project, which would utilise rail transport.

The buildings are some 26,200sqm, with consent for an additional 17,900sqm of dry goods warehousing. They buildings are steel frame and insulated metal cladding with iron roofing, on concrete slabs. Ridge heights are approximately 12.6m, and the site includes hard stand areas for access roads and vehicle manoeuvring areas.

The site is accessed off the Newbridge Road, about 1km from the Blayney CBD. The road has a two lane sealed carriageway. The subject land is served by all essential services including electricity, telephone, water and sewer.

SUPPORTING DOCUMENTATION

The Planning Proposal was prepared in accordance with the Department of Planning *A Guide to Preparing Planning Proposal*, and was supported by mapping, photographs, environmental assessment, Statements of Consistency, Noise Impact Assessment and Traffic Information.

CONSULTATION

A number of public authorities were consulted as a result of the Gateway Determination conditions and the issues raised have been examined.

A number of public submissions were received as a result of the consultation process and numerous issues raised both for and against the proposal.

All submissions have been summarised, separated out into major areas of concern, and are considered by Council as follows:

The Planning Process

Some of the submissions were concerned in regard to the notification processes operating behind the Planning Proposal considerations by Council. Council however, has made every attempt to undertake its obligations in regard to the notification process in an appropriate manner. The application was notified for the statutory period, the time being ultimately extended to accommodate circumstances relating to time constraints on members of the public. Council has placed before the public any information that can legally be issued which would allow the general public to make informed decisions in regard to this project.

Mention was made of the funding which had been sourced by the developer for infrastructure works on and in the vicinity of the site. The grant funding which was sourced from the State government was specific in its application, and is to be applied to infrastructure which would include the rail siding, the bridge works and electrical installations.

The public were concerned in regard to the planning proposal process, and Council's responsibilities in regard to the management of landuse conflict. In response, planning proposals are the preferred State government process recommended to consider the intended effect of a proposed LEP rezoning, which sets out the justification for making the change. It is in the public interest for Council to work with a rezoning which accommodates all future potential for the site, rather than continue with piecemeal approvals which do not address the greater good, and Council is currently addressing all its responsibilities as required by the NSW State government's *A Guide to Planning Proposals*. The development is to be dealt with holistically through the rezoning process, with a master plan for the site being an integral part. Thus, the developer is considering the master plan to permit the expansion of the current activities, which would incorporate an environmental buffer as an integral part.

The community is concerned that existing development on the site is not complying with the conditions imposed on current consents. As a result of the

current rezoning process and any subsequent development consents issued for the site, Council's development control protocols would ensure that commencement of new development would be in accordance with the consents issued. Similarly a review of the existing consents is being undertaken to ensure that existing development is being carried out appropriately.

Transport and Traffic

The community is concerned in regard to existing traffic congestion in Adelaide Street, Burns Street and the Newbridge Road, speed limits, and the impact on pedestrians, elderly residents, children, horse riders, and cyclists, particularly during peak periods. A Traffic Study was submitted by the developer as part of the Planning Process which has examined current traffic conditions and future predictions for Adelaide Street and the intersection of the Highway with Burns Street. It determined that no works were required to cater for the development, and that the existing construction standards would provide a reasonable level of service.

The notion of a bypass was raised, along with the existing rail crossing on Adelaide Street and the impacts of logging trucks on local roads, and these may be factors for consideration within a wider transport study in the consideration of traffic and transport in the Blayney Shire in the future, but is not considered relevant specifically to this Planning Proposal.

The issues of maintenance and upgrading of roads to cater for the development would be met through a number of measures which include State government funding and developer contributions for service provision, along with works already set down within Council's current and future works programs.

The Traffic Study was referred to the **Roads and Maritime Services** who have responded that they have no objections to the proposal, and have made certain requests in regard to the future development of the site. These relate to:

- Traffic movements into and out of the development are to be in a forward direction.
- The movement of B-doubles into and around the site, and on all local roads and intersections.
- Provision of a structural engineer's assessment on the Newbridge Road bridge to ensure that the bridge can cater for the increase in heavy vehicles.
- All related costs are to be at no cost to RMS.
- A Road Occupancy Licence is required for works within 3m of the Highway, which incorporates the preparation of a Traffic Management Plan.

Council's Director of Engineering has also reviewed the road, traffic and servicing aspects of the rezoning and has commented as follows:

- Traffic – Council hold data that is comparable with the data provided by the proponent's Traffic Study, which indicates that 12% of traffic movements on the Newbridge Road are from heavy vehicles. Council

concurs with the comments provided by RMS in regard to B-double movements on and off the site.

- In particular the Burns Street/Highway intersection has seen an increase in heavy vehicle movement since Sealink commenced.
- Roads – With an increase in heavy vehicle movement expected in the heavy vehicle industry in general, the SE NSW Road Freight Study 2010 suggests that the movement is away from smaller heavy vehicles to B-doubles, thus offsetting increased vehicle movements over time, with improved traffic mass loadings.

The current route from the Highway to the Sealink site is a gazetted B-double route, providing the legal mechanism supporting increased heavy vehicle movements.

In regard to the existing bad bends on the road, Council is to investigate opportunities with the developer for an improved alignment, providing for improved sight distance for the current speed zone.

In the past, insufficient grant funding from the State govt has not allowed Council to address all necessary construction works on Newbridge Road, and this did include assistance under the natural disaster relief funding. Further geotechnical investigation should be undertaken along the road to identify structural integrity and deficiencies in the existing road pavement in light of the stormwater impacts on the road in the past.

Improved guard railing along the route is also to be examined.

- Bridges – the westernmost bridge on the Newbridge Road has been strengthened in recent years. However, it is identified for replacement via funding from the NSW Govt and Council. Works to date include geotechnical investigations, and commencement of a hydraulic study and design plans.

The easternmost bridge requires attention, and requires a structural integrity report to be prepared and provided to Council and the RMS prior to further development on the site.

Country Rail Network, on behalf of Rail Corp, was consulted and their comments related to a preference for the land to be zoned in accordance with SEPP (Infrastructure), that all rail land should be zoned consistent with adjoining land. However in this case CRIA support the zoning of the rail siding ultimately as IN1 General Industrial, as it will allow for a range of other industrial uses to occur.

Landuse Conflict

The community were concerned that the existing industrial site and the current perceived landuse conflict would be exacerbated by the rezoning of further rural land for industrial purposes. Council's response is that the rezoning is being undertaken to reduce landuse conflict, by rezoning land in such a way as to minimize impact through appropriate measures such as provision of a

buffer area, together with the subsequent assessment process which is applied to future development proposals. Council has undertaken the planning proposal process to avoid the setting of precedent for the site. The consideration of zone objectives is mandatory and the creation of a site specific Development Control Plan could address matters such as a master plan, the treatment of the buffers, setbacks, earth mounding and landscaping, land fragmentation, choice of cladding colour schemes, bulk/scale of future buildings and hard stand areas, and setbacks from waterways.

Industrial development is already located to the north and to the east of the town and the community was concerned about the town being surrounded by industry. The scenic protection zone would be designed to be maintained as a buffer to the site to the east. Council is also currently undertaking riverine restoration works along the river at the edge of town boundary to the east, to remove willows and reinstate riparian areas with indigenous species, with a view to preserving the integrity of the riparian area and minimizing the visual impacts of views from the town towards the subject site.

The submissions in support of the development agreed with the rezoning of the whole site as both general industrial and rural landscape, as a holistic view of the site.

In respect of landuse conflict, the **NSW Office of Environment and Climate Change** offered comment such that they have no specific comments to make on the proposed rezoning at this stage.

The **Department of Primary Industries** commented that care should be taken under the new LEP to consider proposals that do not erode the intent of the zone, but had no other particular issues for the Planning Proposal.

NSW Office of Trade & Investment, Regional Infrastructure and Services, (Minerals and Land Use Assessment) responded with no particular objections to the proposal.

Heritage Significance

The submissions received expressed concern in regard to the various perceived impacts relating to the nearby heritage listed property, Athol. The development of the Sealink site would not lessen the significance of Athol within the context of the history of the Blayney Shire. It would be expected that the continuing high level of patronage of Athol by clientele would continue, given that the appreciation is for the house and gardens themselves, and the facilities provided, rather than views from the site. Patrons are usually there for a short period of time, focussing internally on the event at hand.

There are a number of measures however, which could be undertaken over time, through a Development Control Plan and future consents for the site, to reduce the visual impact of this site, such as vegetation buffer screening, mounding, choice of cladding colour schemes, and consideration of the bulk and scale of future buildings and hardstand areas. There would be ample opportunity to address these matters in the future, along with attention to more rigid development control on existing development consents.

In addition truck movements are and would continue to be limited to particular hours of operation, mainly outside the times at which Athol functions are held. The use of the rail siding, once upgraded, would act to remove a certain level of truck movement from the Newbridge Road. The proposed bridge works on that road together with Council's works program and attention to improving conditions on the Newbridge Road, would serve to minimize the impacts on Athol.

A previous Heritage Impact Assessment in 2007 assessing the impact of the industrial site on Athol concluded that the homestead was surrounded by mature trees which provided a high degree of visible protection. Further development of a DCP for the industry site would ensure protection for Athol and its setting.

The **Heritage Branch of the NSW Office of Environment and Heritage** has responded that they have no objections to the Planning Proposal, with the following provisos:

- The proposed rezoning constitutes a landuse that is inconsistent with the surrounding lands. However, the use of the buffer zoning would contribute to the retention of the existing rural outlook and landscape directly to the north ie. towards Athol.
- The substantial existing vegetation around Athol provides a visual buffer. However, the boundary of the RU2 Rural Landscape zone should be extended directly opposite the heritage item to further preserve the view corridors to and from Athol.
- They support the preparation of a site specific DCP to include controls to ensure sympathetic development.
- Future development on the site should be conditional upon the provision of suitable vegetation screening.

Economic Impacts

Submissions showed concern for the economic effects on the town of Blayney and its existing business centre, on tourism, and also on the heritage property, Athol.

The subject industrial landuse has been in existence for some years now, and competition with local business has produced no known adverse impact. Service industries have actually benefitted, which would in turn serve Athol. With the attributes of the Athol site being so well presented, documented and promoted it is unlikely that patronage would fall away.

In spite of the industry, tourism has continued to promote the rural landscape as a feature of the Blayney landscape, with no known detrimental effects.

Both the industrial site and Athol have the potential to contribute to the local economy through provision of employment, be it on a part time or permanent basis, with each form of employment being a legitimate source of income in

these times of job sharing and shift work. The proponent has specifically stated the opportunity for employment both now and in the future for their industry. Mine and rail terminal activities would dictate their own employment requirements.

Council's Planning Proposal report has addressed the social and economic issues, and the flow on effect to local businesses through service provision and infrastructure upgrades is well documented. This includes consideration of employment opportunities and transport logistics. The return of the site to effective agricultural production is unlikely due to the small land area.

The submissions in favour of the rezoning were appreciative of the creation of new jobs and opportunities for the future growth of Blayney.

Environment and Amenity

The community has expressed concern for a number of amenity issues relating to existing and future industrial activity on the Sealink site. These included noise, disturbance and nuisance, air quality, pollution, lack of services, flooding impacts, buffer width, landscaping, loss of amenity, inappropriate and unsympathetic to the rural character of the area, tourism, stormwater, erosion and sediment control, riverine and groundwater pollution, and flora and fauna impacts.

Any future development of the site would be subject to stringent controls in regard to amenity. It is Council's intention to review all previous consents on the site over time, with a view to achieving compliance. Along with the enforcement of existing conditions of consent through development control, many of these matters are valid for attention through conditions of consent for future development, which would address environmental measures, incorporating relevant comments offered by the State agencies.

Many of these issues can be addressed through a site specific Development Control Plan which would guide future development on the site.

In respect of noise, the Noise Impact Assessment provided by the proponent suggests that all existing noise levels are below acceptable noise goals as set down in NSW government guidelines. The information available to Council suggests that loading and unloading occurs on the site within the buildings due to the nature of the frozen goods, and that this minimizes noise impacts from reversing beepers and engines. Compressors are located on the northern and north eastern sides of the western building, adjacent to the railway line. Attention to development control by Council would address any discrepancies with existing conditions of consent in this regard.

In the protection of surface and ground water resources, development is required to remain at least 40m from a waterway, beyond the riparian area. The rezoning proposes a buffer of some 200m from the Belubula River, which more than accommodates this requirement.

Generally, the stringent safeguards provided by industry standards for all site works are designed to prevent adverse impacts on air and water quality. Such standards are usually reinforced through conditions of consent, and would be reflected in a Development Control Plan for the site.

In respect of landuse amenity, the **NSW Office of Environment and Climate Change** offered comment such that they have no specific comments to make on the proposed rezoning at this stage.

Council's Director of Engineering advises in regard to stormwater, that a detailed investigation is required on and off the site to investigate movement of stormwater through the locality, as well as the effect on receiving waters. Alternate flow mitigation measures that utilise absorption and improve water quality and the flow regime should be applied to future development works within the site.

In regard to sewer, the capacity of the existing delivery system should be assessed against future development proposals, waste and trade waste, in accordance with Council's Liquid Trade Waste Policy.

PUBLIC HEARING

At the request of a number of public submissions, a public hearing was conducted on 31 May 2012, facilitated by David Shaw of Bathurst Regional Council.

A number of members of the community addressed the meeting, reiterating the principal issues raised during the public notification period.

These included:

- Some stated that they were not against the proposal but felt it had to be done properly.
- Traffic on Adelaide Street was a concern in the vicinity of the Post Office corner, and the safety of pedestrians. Traffic lights may have to be considered, and traffic should be steadied. What would happen to the existing features at PO corner – posts, trees, the hotel patronage, etc
- Continuous noise and vibration was an issue in relation to the retirement village, especially in the early morning. The local paper suggested that this will increase.
- Heavy vehicles on Adelaide Street creating a mess along the edges. This would be exacerbated.
- A bypass should be considered by Council, which would pass east of Athol, so that traffic did not pass their site, avoiding low lying land.
- Road and issues and flooding are currently a problem and can restrict access. The blind bend is an issue. Past concerns expressed to Council have been ignored. The road needs realigning.
- How has the site been allowed to developed to this degree without a rezoning, a DCP or an EIS? It is the largest warehouse and cold storage

facility in Australia. There are no rights of appeal to previous development.

- Community engagement should be open and honest, as stated in Council's policy.
- How can the site have been allowed to develop to date without screening? Mounding has been removed and trees never planted. The 60kph zone was set and then changed to 80kph.
- Rubbish along Newbridge Road, and stormwater effects are issues.
- State govt should be guided to direct funding to jobs in Blayney instead of the city. Both Athol and Metziya are employment generating developments. Both contribute to the local economy.
- Athol contributes to local tourism with significant overflow effects and this would be threatened. Athol is also trying to compete with heavy vehicle noise going past their facility. The rezoning must consider increased danger on the road and the impact on Athol. Athol are disadvantaged by the development.
- 137 Newbridge Road is becoming an over developed site. More DAs will come. Local govt must act in a balanced way, for long term amenity, to avoid an undesirable precedent.
- The town approaches all contain industrial development. Not a good look.
- Metziya have been fined before for impacts on the river and there are concern for impacts on bores, wells and the river.
- Metziya have not complied with existing conditions of consent, and now they ask for more. Council has not enforced existing consents.
- The site has developed beyond the scope of the 1998 strategy. It was proposed for rural industry, but has gone beyond that.
- Noise issues in relation to the hours of operation, reversing beepers, speed limits. Noise echoes across the flat landscape.
- Land has been sold to Newcrest for the dewatering facility. This is actually prohibited.
- What we have here is irreversible, but it is an excellent facility, but there should be a master plan for the site, and a holistic view taken to establish criteria for future growth, access and impact.
- How does Council explain waiving the fees for Metziya, or the money spent on works relating to the site? Do other businesses get the same considerations?
- The buffer zone has actually been decreased from the 1998 LEP.
- The development of the SP2 zone may allow even more development.

CONCLUSION

In summary, the Planning Proposal seeks to rezone land which would allow for the efficient and effective continued operation of an industrial landuse in a rural zone, which also provides for the protection of scenic amenity for the

Blayney landscape and protection of the setting of the locally significant heritage property, Athol.

Through the future preparation of a Development Control Plan for the site, as well as attention to development control on existing consents and application of stringent conditions on future consents for the site, Council is of the opinion that all interests can be effectively addressed, including the environmental, economic, amenity and heritage issues as raised during the public exhibition period.

It is therefore appropriate that Council now refer the Planning Proposal to the NSW Office of Planning and Infrastructure to prepare the local environmental plan which would give effect to the Planning Proposal.

BUDGET IMPLICATIONS

There are no budget implications for Council associated with this report.

POLICY IMPLICATIONS

There are no policy implications for Council associated with this report.

Attachments

- 1 Attachments A & B 17 Pages
- 2 Public Submissions

COMMITTEE REPORTS
PRESENTED TO THE BLAYNEY SHIRE COUNCIL
MEETING HELD ON TUESDAY, 12 JUNE 2012



15) **MINUTES OF THE BLAYNEY SHIRE SHOWGROUND
COMMITTEE MEETING - 8 MAY 2012**
(Director Corporate Services)

RECOMMENDED:

1. That the Minutes of the Blayney Shire Showground Committee Meeting, held on 8 May 2012 be received and noted.
2. That members of the Showground Committee, P Davis, P Amos and Councillors Bell and Ewin, be part of a working party to work with Council to progress the Showground Pavilion project.

REPORT

The Blayney Shire Showground Committee held their meeting on Tuesday 8 May 2012, at the Council Chambers. A copy of the minutes from this meeting is provided as an attachment to this business paper.

BUDGET IMPLICATIONS

Nil effect.

POLICY CONSIDERATIONS

Nil effect.

Attachments

- 1 Showground Committee Meeting Minutes 2 Pages

16) **MINUTES OF THE BLAYNEY SHIRE ACCESS COMMITTEE
SPECIAL MEETING - 27 APRIL 2012**
(Director Corporate Services)

RECOMMENDED:

1. That the Minutes the minutes of the Blayney Shire Access Committee special meeting held 27 April 2012 be received and noted.
2. That Council investigates improving accessible parking in the Blayney business precinct.
3. That the Access Committee support the investigation by Council for an accessible parking space at Uralba ramp entrance and that Council seek more detail on this matter from the Uralba Committee.
4. That funding provided for access projects be committed to the Showground improvement project for access related improvements and that the access priorities be access to pavilions, signage and accessible parking.

REPORT

The Blayney Shire Access Committee held a special meeting on Thursday 27 April 2012, at the Council Chambers. A copy of the minutes from this meeting is provided as an attachment to this business paper.

BUDGET IMPLICATIONS

The report recommends funding (\$1,000) approved in the 2011/12 budget for Access Projects be committed to the Showground Improvement Project.

POLICY CONSIDERATIONS

Nil effect.

Attachments

1 Access Committee Meeting Minutes 1 Page

17) **MINUTES OF THE BLAYNEY SHIRE YOUTH COUNCIL
MEETING - 22 MARCH 2012**
(Director Corporate Services)

RECOMMENDED:

1. That the minutes of the Youth Council Meeting held on 22 March 2012 be received and noted.

REPORT

The Blayney Shire Youth Council held a meeting on Thursday 22 March 2012 at the Blayney High School. A copy of the minutes from this meeting is provided as an attachment to this business paper.

BUDGET IMPLICATIONS

Nil effect.

POLICY CONSIDERATIONS

Nil effect.

Attachments

1 Youth Council Minutes 1 Page

18) **MINUTES OF THE BLAYNEY SHIRE TOURISM COMMITTEE MEETING - 10 MAY 2012**
(Director Corporate Services)

RECOMMENDED:

1. That the Minutes of the Blayney Shire Tourism Committee meeting held 10 May 2012 be received and noted.
2. That Community Centre promotional material be prepared and be included in the July rates notices and distributed to clubs and motels.

REPORT

The Blayney Shire Tourism Committee held their meeting on Thursday 10 May 2012, at the Blayney Tourism & Community Information Centre. A copy of the minutes from this meeting is provided as an attachment to this business paper.

BUDGET IMPLICATIONS

Costs associated with development of promotional material will impact upon the 2012/13 Financial Plan.

POLICY IMPLICATIONS

Nil effect.

Attachments

1 Tourism Committee Meeting Minutes 2 Pages

19) **MINUTES OF THE BLAYNEY TRAFFIC COMMITTEE
MEETING - 20 APRIL 2012**
(Director Engineering)

RECOMMENDED:

1. That the Minutes of the Blayney Traffic Committee meeting, held on 20 April 2012, be received and noted.

Attachments

- 1 Minutes of the Blayney Traffic Committee Meeting 3 Pages