



INDEX OF REPORTS OF THE BLAYNEY SHIRE COUNCIL MEETING **HELD ON MONDAY 14 JULY 2014**

GENERAL MANAGER'S REPORTS

01 2013/2014 Works Update

Attachment 1: Works Completed During 2013/2014 Year 3

CORPORATE SERVICES REPORTS

03 Payment of Expenses and the Provision of Facilities to the Mayor and Councillors Policy

Attachment 1: Payment of Expenses and the Provision of Facilities to the Mayor and Councillors Policy 6

05 Review of Agency Information Guide

Attachment 1: Agency Information Guide 20

06 Central West Libraries 2014/15 Contribution

Attachment 1: Financial Summary of Blayney Library 2014/15 Contribution 32

07 Request for Refund of Waste Charges

Attachment 1: NSW LPI Notice of Sale/Transfer..... 33

Attachment 2: Schedule of Waste Management Charges 2004 to 2013 34

INFRASTRUCTURE SERVICES REPORTS

08 Trade Waste Agreement - Western White Linen

Attachment 1: Notice of Determination of Application to Discharge Liquid Trade Waste to the Sewerage System to be Issues to Western White Linen..... 35

Attachment 2: Proposed Liquid Trade Waste Services Agreement between Council and Western White Linen..... 41

09 Submission to Crown Lands Management Review

Attachment 1: Submission to NSW Trade and Investment - Crown Lands Review 50

PLANNING AND ENVIRONMENTAL SERVICES REPORTS

10 Request for Special Meeting

Attachment 1: Netwaste Letter Dated 16/06/2014 58

Blayney Shire Council



COMMITTEE REPORTS

- 11 Minutes of the Blayney Traffic Committee Meeting held on 20 June 2014**
Attachment 1: Traffic Committee Minutes 20/06/2014 60
- 12 Minutes of the Blayney Shire Towns and Villages Committee Meeting held 26/06/2014**
Attachment 1: Towns and Villages Committee Meeting Minutes 63
- 13 WBC Alliance Executive Officer Report**
Attachment 1: WBC Alliance Executive Officer Report 67

Works Completed During 2013/2014 Year

Civil Works

- Errowanbang Road Reconstruction
- Burnt Yards Road Reconstruction
- Hobbys Yards Road Reconstruction
- Orange Road Reconstruction at Nestle
- Culvert Repairs Mount Macquarie Road
- Naylor Street Bridge rehabilitation
- Garland Road Bridge replacement
- Newbridge Road Bridge replacement
- Heavy patching works on:
 - Neville Road
 - Mandurama Road
 - Newbridge Road
 - Moorilda Road
 - Burnt Yards Road
 - Barry Road
 - Hobbys Yards Road
 - Three Brothers Road
- Resealing undertaken on:
 - Mandurama Road
 - Neville Road
 - Carcoar Dam Road
 - Terminus Street and Cross Streets
 - Victoria Street
 - Pym Street
 - Blake Street
 - Palmer Street
- Community Centre carpark construction
- Pram Ramps installed on Orange Road and Binstead Street
- Hill Street footpath extension
- Ogilvy Street wetlands construction
- Revegetation works on Lucks Lane and Burnt Yards Road
- Showground playing field rejuvenation
- Community tree plantings
- Street tree planting in:
 - Piggott Place
 - Lovejoy Avenue
 - Meek Street
- Sewerage Treatment Plant VSD installation (CEEP2 funded)

- Community newsletters on roads and sewer policy documents

Policies:

- Adoption of Expenses and Provision of facilities to the Mayor and Councillors policy
- Adoption of Unreasonable and Unreasonably Persistent Customer policy
- Adoption of Pensioner and Hardship policy
- Adoption of Procurement of Goods & Services policy
- Adoption of Workplace Health & Safety policy
- Adoption of Risk Management policy

Planning and Environment:

- Finalisation assessment and review of Section 94 Contribution Plan
- Heritage Service Advisory
- Re-zoning of Beaufort Street, Blayney from community land to residential
- Nominated for Lachlan Catchment Management Authority for the E3 water catchment zone
- Completed Council administration building refurbishment.\

Finance:

- Financial Assistance Program – Rounds 1 and 2
- Preparation of Financial Statements for audit
- Long Term Financial Plan and 2014/15 Budget Preparation
- Finalisation and adoption of Council IP&R (Corporate) Plans
- Sale of Land for Unpaid Rates Auction

IT:

- Storage Area Network (SAN) Project – (For redundant and Recovery of data)
- Veeam Backup Software Implementation
- Centrepoint and CTW Network Link Upgrade
- New Council Website
- Sonicwall Firewall Upgrade for Council Admin
- Sonicwall Firewall at Depot for Disaster Recovery purposes
- Implementation of IT Vision Customer Request Management System (CRMS) and DIY modules
- Finalisation of Corporate Software implementation project (past years' data conversion)
- Powerbudget Software Integration with SynergySoft
- De-commission Bizeasset Asset Management and CRMS software

Corporate Services:

- Preparation of Community Newsletters for insertion with rate notice

- Finalise 2012/13 Annual Report for lodgement to DLG
- Call for Australia Day Award nominations
- Lodgement of Special Rate Variation application
- Lodgement of GIPA Annual Report
- Events Calendar prepared and distributed including placement on website
- Allocation of scholarships through Blayney Music Scholarship Program in conjunction with Mitchell Conservatorium and Orange Regional Conservatorium
- 2014 Youth Week activities (5)
- Issue of Bi-monthly Events Calendars
- Community consultation on Special Rate Variation
- Successful application for Special variation to General Income

Shared Services:

- WBC response to the Independent Review Panel – Twenty Steps Paper
- 2014 Youth Week activities (5)
- Issue of Bi-monthly Events Calendars

Centre Point:

- Energy Efficiency report and subsequent schedule of upgrading works completed.
- Stage 1 of CEEP Energy Efficiency funding completed.
- New gas boiler installed as part of Stage 2 of CEEP Energy Efficiency funding.

Waste Management:

- Obtained \$264,000 grant funding from the NSW Environmental Trust for Organics processing and funding.
- 2015 tender process commenced.
- Strategic Review and assessment of Landfill lives.

Other:

- Finalisation of Village Enhancement Plans
- Review of Sewer Strategic Business Plan
- Flood Study
- Implementation of Energy Efficiency (CEEP) Projects across Council buildings



Blayney Shire Council

Policy Register

Policy No 1A

Policy Title Payment of Expenses and the Provision of Facilities to the Mayor and Councillors Policy

Officer Responsible Director Corporate Services

Last Review Date 14/07/2014

Objectives

Section 252 (1) of the Local Government Act 1993 requires Council to adopt a policy concerning the payment of expenses incurred or to be incurred by, and the provision of facilities to, the mayor, the deputy mayor and other councillors in relation to discharging the functions of civic office.

Policy Statement

Blayney Shire Council



Payment of Expenses and the Provision of Facilities to the Mayor and Councillors Policy

1. OBJECTIVE OF POLICY

Section 252 (1) of the Local Government Act 1993 requires Council to adopt a policy concerning the payment of expenses incurred or to be incurred by, and the provision of facilities to, the mayor, the deputy mayor and other councillors (including Administrators) in relation to discharging the functions of civic office.

The purpose of this policy is to ensure that councillors receive adequate and reasonable expenses and facilities to enable them to carry out their civic duties and that there is accountability and transparency in the payment of expenses incurred, or to be incurred by Councillors (including Administrators). The overriding principle to be addressed in the development of this policy is that the provisions of the policy meet the expectations of the local community.

This policy does not deal with matters associated with the setting and payment of annual fees to the Mayor and Councillors, which are determined by the Local Government Remuneration Tribunal.

Any reference hereon in this policy to Councillors will encompass Administrators.

2. STATUS OF THE POLICY

This policy has been prepared in accordance with the "Guidelines for the Payment of Expenses and the Provision of Facilities for Mayors and Councillors in NSW" as issued by the Office of Local Government, Department of Premier and Cabinet dated 7 October 2009 (Circular 09-36).

3. PAYMENT OF EXPENSES

3.1. CONFERENCES AND SEMINARS

Requests for attending conferences shall be in writing outlining the benefits for Council. A written report shall be furnished to Council from the Councillor or staff accompanying the Councillor on the aspects of the conference relevant to council business and / or the community. No written report shall be required for the Local Government NSW Annual Conference.

Council will meet the following expenses for Councillors attending conferences and seminars which have been authorised by Council resolution or by the Mayor under delegated authority.

3.1.1.

Registration Fees

- i) Payment of registration fees for attendance at conference / seminar sessions.
- ii) Payment of official conference / seminar lunches and dinners, and associated tours where they are relevant to the business and interests of Council, if not covered by the registration cost.

3.1.2. Accommodation

Payment of accommodation costs on the following basis:

- i) Accommodation selected by the Council or General Manager on the basis of cost and convenience of location to the conference. A Councillor may choose accommodation at a different location but which is the same cost or less.
- ii) The number of accommodation days provided under this policy shall be limited to:
 - a. Registration day;
 - b. Each day on which official sessions of the conference / seminar are held, as well as the night preceding the conference / seminar where travelling schedules reasonably require such accommodation; and
 - c. Each day on which a Councillor is required to be accommodated en route to and from the conference / seminar.
- iii) Any additional accommodation costs incurred as a result of the attendance of partners and/or children shall be borne by the Councillor.

3.1.3. Car Parking Fees

Council shall meet the cost of the following car parking fees.

- i) Hotel / Motel parking – additional car parking fees not included in accommodation costs.
- ii) Airport parking – costs incurred in the parking of a Councillor's private vehicle at an airport for the duration of a conference / seminar, subject to the vehicle being parked in the most economical airport car park.

Reimbursement for parking expenses shall be made upon the production of appropriate receipts and tax invoices, and the completion of the required claim form. Claim for such expenses shall be made within two (2) months of the date of return from the conference / seminar.

The driver is personally liable for all traffic infringements and parking fines incurred while travelling in private or Council vehicles. Claims for reimbursement or payment of expenses shall be refused.

3.2. TRAINING AND PROFESSIONAL DEVELOPMENT

Council shall meet the expenses for Councillors attending training and professional development which have been authorised by Council resolution or by the Mayor under delegated authority, where the training or educational course is directly related to Councillors civic functions and responsibilities.

The specific expense items met by Council are the same as those applicable to "Conferences and Seminars", as listed at clause 3.1.

3.3. REIMBURSEMENT AND RECONCILIATION OF EXPENSES

Councillors seeking reimbursement of costs and expenses, incurred in accordance with the requirements of this Policy, shall only be approved upon the production of appropriate receipts and tax invoices, and the completion of the required claim form.

Claims for reimbursement of costs and expenses shall be made within two (2) months of the costs and/or expenses being incurred, unless otherwise specified within this policy.

3.4. CLAIM FORM

Provided as an attachment (Attachment A) to this Policy, is the prescribed Claim Form which shall be completed by any Councillor seeking reimbursement of their costs and expenses.

It is the responsibility of the Councillor to ensure that the Claim Form is submitted accurately and complete, and within the prescribed timeframe as required by this Policy.

Incomplete claim forms may result in costs and expenses not being reimbursed.

3.5. PAYMENTS IN ADVANCE

Councillors may request payment in advance in anticipation of expenses to be incurred in attending conferences, seminars and training away from home. Councillors may also request an advance payment for the cost of any other service or facility covered by this Policy. However, Councillors shall fully reconcile all expenses against the cost of the advance within fourteen (14) days of their return.

Note: No general allowance type payment shall be made under any circumstances.

3.6. PAYMENT OF EXPENSES FOR SPOUSES, PARTNERS AND ACCOMPANYING PERSONS

Where the business of Council includes an invitation to a Councillor's spouse, partner or accompanying person, Council shall meet all reasonable costs associated with the spouse, partner or accompanying person attending that function.

In circumstances where an invitation is not extended to a Councillor's spouse, partner or accompanying person, that spouse, partner or accompanying person may accompany the Councillor on the business of Council, at the expense of the Councillor.

Attendance at the Annual Shires Conference shall be regarded as business of the Council and, as permitted by the Office of Local Government Guidelines, registration and official conference dinner costs be met by Council.

An accompanying person is a person who has a close personal relationship with the councillor and/or provides carer support to the councillor.

3.7. INCIDENTAL EXPENSES

Claims for reimbursement of reasonable out-of-pocket or incidental expenses incurred by a Councillor whilst attending conferences, seminars or training courses shall only be approved upon presentation of receipts and the completion of the prescribed claim form. Payments of general expense allowances shall not be permitted under this policy.

Incidental expenses will be paid in accordance with the annual Taxation Determination issued by the Australian Taxation Office titled: *Income tax: what are the reasonable travel and overtime meal allowance expense amounts for the xxxx-xx income year?* Amounts claimed shall not exceed amounts specified in the Taxation Determination.

3.8. INSURANCE

Council shall effect an appropriate level of insurance for Councillors in the following areas:

- i) Public Liability – for matters arising out of a Councillor's performance of their civic duties and/or exercise of their Council functions.
- ii) Professional Indemnity – for matters arising out of a Councillor's performance of their civic duties and/or exercise of their Council functions.
- iii) Personal Accident – coverage of Councillor and/or spouse while on Council business.
- iv) Defamation – excluding Councillor to Councillor, Councillor to Staff and Staff to Councillor.
- v) Travel – for approved travel on Council business.

Council shall meet any excess applicable under a policy for:

- Councillor and Officers – in relation to a Councillor performing their civic duties or Council functions;
- Other Insurances – in specific instances when considered necessary by the General Manager (eg travel insurance).

3.9. LEGAL EXPENSES

Council may indemnify or reimburse the reasonable legal expenses of:-

- i) A Councillor defending an action arising from the performance in good faith of a function under the Local Government Act 1993 (refer Section 731), provided that the outcome of the legal proceedings is favourable to the Councillor.
- ii) A Councillor defending an action in defamation, provided that the outcome of the legal proceedings is favourable to the Councillor.
- iii) A Councillor involved in the event of:
 - An inquiry, investigation or hearing into a Councillor's conduct by any of the following:
 - o Independent Commission Against Corruption
 - o Office of the NSW Ombudsman
 - o Office of Local Government, Department of Premier and Cabinet
 - o NSW Police Force
 - o Director of Public Prosecutions
 - o Local Government Pecuniary Interest Tribunal
 - o Council's Conduct Review Committee / Reviewer

This is provided that the subject of the inquiry, investigation or hearing arises from the performance in good faith of a councillor's functions under the Local Government Act 1993 and the matter before the investigative or review body has proceeded past any initial assessment phase to a formal investigation or review. In the case of a conduct complaint made against a councillor, legal costs shall only be made available where a matter has been referred by the General Manager to the conduct reviewer/conduct review committee to make formal enquiries into that matter in accordance with the procedures in the Code of Conduct. In the case of a pecuniary interest or misbehaviour matter legal costs shall only be made available where a formal investigation has been commenced by the Office of Local Government.

In addition, legal costs shall only be provided where the investigative or review body makes a finding that is not substantially unfavourable to the councillor. This may include circumstances in which a matter does not proceed to a finding. In relation to a councillor's conduct, a finding by an investigative or review body that an inadvertent minor technical breach had occurred may not necessarily be considered a substantially unfavourable outcome.

Council shall not meet the legal costs of legal proceedings initiated by a Councillor under any circumstance.

Council shall not meet the legal costs of a councillor seeking advice in respect of possible defamation, or in seeking a non-litigious remedy for possible defamation.

Legal costs shall not be met for legal proceedings that do not involve a councillor performing their role as a councillor.

Council may lawfully obtain insurance cover against the risk of having to meet the reasonable legal costs of a councillor, or to reimburse those costs, provided that the costs or reimbursements are ones that it is authorised to meet.

Council may reimburse such Councillor, after the conclusion of the inquiry, investigation, hearing or proceeding, for all legal expenses properly and reasonable incurred, given the nature of the inquiry, investigation, hearing or proceeding, on a solicitor / client basis. Such determination shall be by resolution of Council.

3.10. CARER'S PROVISIONS

3.10.1. Carer's Expenses

Councillors who are the principal carer of a child or other elderly, disabled and/or sick immediate family member shall be entitled to reimbursement of carer's expenses up to a maximum of \$1,000 per annum for attendance at Council and Committee meetings and other official civic functions noted below, plus reasonable travel from their principal place of residence. Child care expenses may be claimed for children up to and including the age of 16 years. Reimbursement of carer's expenses shall be made after submission of receipts and tax invoices and completion of the prescribed claim form. Claims for such expenses shall be made within one (1) month of the expense being incurred. Official civic functions may include:

- Attendance at Ordinary and Extraordinary meetings of Council.
- Attendance at Council Committee meetings of which the Councillor is a member.
- Attendance at Ordinary, Committee and Sub-Committee meetings of an organisation where the Councillor has, by Council resolution, been duly elected as a Council delegate.
- Attendance at inspections, within or outside the area as authorised by Council resolution or by the Mayor under delegated authority.
- Attendance at official Council functions as authorised as Council business by a resolution of Council.
- Attendance at conferences or seminars approved by Council resolution or by the Mayor under delegated authority.

- Attendance at training or professional development approved by Council resolution or by the Mayor under delegated authority.
- Attendance at functions to which the Mayor has been invited, which are attended at the request of the Mayor.

Councillors shall provide suitable evidence to the General Manager that reimbursement is applicable, such as advice from a medical practitioner in the event of caring for an adult person.

3.10.2. Expenses and Facilities for Councillors with Disabilities

In addition to the provisions of 3.10.1, for any councillor with a disability, Council may resolve to provide reasonable additional facilities and expenses, in order to allow that Councillor to perform their civic duties.

4. CONSIDERATION OF SPECIFIC EXPENSES FOR MAYORS AND COUNCILLORS

4.1. GENERAL TRAVEL ARRANGEMENTS

All travel by Councillors shall be undertaken by utilising the most direct route and the most practicable and economical mode of transport subject to any personal medical considerations.

Note: The driver is personally responsible for all traffic infringements and parking fines incurred while travelling in private or council vehicles on Council business.

4.2. LOCAL TRAVEL ARRANGEMENTS AND EXPENSES

For the purposes of this Policy, Local Travel will include travel conducted within the following Local Government Areas:-

- Blayney
- Cowra
- Bathurst
- Orange
- Cabonne
- Wellington

For the purposes of this Policy, where Council Delegates attend meetings of the Lachlan Regional Transport Committee Inc, Local Travel will include travel conducted within, and transiting to, the Local Government Areas of the members to this Committee.

Travelling expenses within these Local Government Areas shall be paid to Councillors upon submission of the completed claim form for:

- Attendance at Council or Committee meetings;
- Undertaking approved business of the Council.

Councillors are encouraged to pool vehicles where practicable.

4.3. NON-LOCAL AND OTHER TRAVEL ARRANGEMENTS AND EXPENSES

Payment of travelling expenses for all other travel outside of the “local area” as defined above shall be submitted to Council for consideration, and shall only be paid if approved.

All non-local and other travel should be advised to the General Manager in advance for coordination of accommodation and travel arrangements (if required). Such advice shall be on a travel authority and submitted in time for approval by Council as attached to this policy. For risk minimisation Councillors are to pool vehicles where practicable. All travel by vehicle shall be by the following priority:

- a. Council vehicle (if available)
- b. Councillor vehicle
- c. Hire vehicle

Claims for expenses incurred shall be submitted on the approved claim form as attached to this Policy, and each claim shall clearly state the purpose of the travel.

4.4. TRAVELLING EXPENSES PER KILOMETRE RATE

Approved claims for payment of travelling expenses shall be fixed at the rate per kilometre for vehicles in excess of 3 litre capacity, as determined by the Australian Taxation Office, effective from the 1st July of that financial year.

4.5. OTHER EXPENSES

Councillor claims for payment of “Other Expenses” not specifically covered by this Policy shall be presented in a report to Council for consideration, and shall only be paid if approved.

5. PROVISION OF FACILITIES

5.1. GENERAL PRINCIPLES

The provision of facilities, equipment and services to the Mayor and Councillors shall be used by the Mayor and Councillors only for the purposes of fulfilling their civic duties and functions. However, Council acknowledges that infrequent private use of the facilities and equipment may occur.

Council facilities, equipment and services shall not be used to produce and disseminate election material, personalised pamphlets or newsletters (and the like) or material for any other political purpose.

5.2. TELEPHONE / ~~FACSIMILE~~ LINE

At Council's expense a separate telephone / ~~facsimile~~ direct line shall be connected to all Councillors' residences for Council business upon receipt of a written request from each respective Councillor. All costs associated with the operation of this line shall be paid by Council.

In circumstances where a Councillor elects not to have a separate telephone / ~~facsimile~~ line connected, and instead utilises their own private telephone / ~~facsimile~~ line, Council shall reimburse only the call costs identified by the Councillor as relating to council business. Claims for this reimbursement shall be accompanied by a copy of the telephone account for this line with each council business call highlighted.

5.3. ~~FACSIMILE MACHINES~~

~~At the expense of Council, each Councillor shall be provided with a facsimile machine.~~

~~Maintenance and the supply of toner consumables (toner & paper) for the Council provided facsimile machines shall be provided at Council's expense.~~

5.4. TECHNOLOGY EQUIPMENT

At the expense of Council, each Councillor shall be provided with Technology equipment, the provision of tablet technology (i.e., IPAD or similar). Such equipment will be provided with required applications for Councillors to undertake their duties. Any additional applications at Council expense must be made in writing with substantiation of need.

Council will not be responsible for purchase, update or replacement of applications not purchased through Council in the event of equipment failure.

5.5. APPAREL

At the expense of Council, each Councillor shall be provided with the following apparel each term:

- One (1) corporate blazer or jacket of Council;
- Two (2) ties or scarves;
- Two Corporate Polo shirts; and
- Protective clothing as deemed required by the General Manager.

Any apparel purchased under this section shall carry the Council logo.

5.6. OTHER FACILITIES

Councillors are to receive the benefit of:

- Provision and use of business cards and name badges;
- Postage of official correspondence - all mail is to be directed through the Council's own mailing systems;
- Meals/refreshments at Council, Committee, Sub-Committee Meetings and Working Parties, or at any other time deemed appropriate by the Mayor or General Manager whilst on Council business;

5.7. RETURN OF FACILITIES

Councillors shall return any equipment or other facilities to Council after the completion of their term of office, extended leave of absence or at the cessation of their civic duties.

Where a separate sim card / telephone / ~~facsimile line~~ had been established, this line shall be disconnected at Council's expense. However, should the Councillor wish to retain the use of this line, then at Council's expense, the line shall be transferred into the name of the Councillor.

Councillors will also have the option of purchasing the equipment previously allocated at an agreed fair market price or written down price value.

5.8. SECRETARIAL SUPPORT

Secretarial support facilities are available to the mayor during normal office hours, through the General Manager's ~~Executive Assistant~~.

ATTACHMENT A – CLAIM FORM

**BLAYNEY SHIRE COUNCIL
COUNCILLOR'S EXPENSES CLAIM FORM**

Council has adopted a Policy for payment of expenses and provision of facilities to the Mayor, Deputy Mayor and Councillors in relation to discharging the functions of civic office.

Name of Councillor: _____

TRAVEL

Date	Council Meeting/Committee/Other	Kilometres

ACCOMMODATION/ SUSTENANCE/ OUT OF POCKET EXPENSES

Please provide details and attach receipts

\$

SIGNATURE: _____ **DATE:** _____

Office Use Only

PAYMENT

TRAVEL (Kilometres) _____ @ \$ _____

OTHER _____

TOTAL

\$

=====

ATTACHMENT B – TRAVEL AUTHORITY

**BLAYNEY SHIRE COUNCIL
COUNCILLOR TRAVEL AUTHORITY
FOR NON-LOCAL AND OTHER TRAVEL**

Pursuant to the Payment of Expenses and the Provision of Facilities to the Mayor and Councillors Policy the following application is submitted:

Name of Councillor: _____

Purpose of Travel: _____

Date(s): _____ Time from / to: _____

Location: _____

Venue: _____

Mode of Transport: (please circle)

Air Council Vehicle Councillor Vehicle Hire Vehicle

Accommodation (if required):

Single Room: _____ Double Room: _____ Other: _____

Motel preference: _____

Please provide other relevant details (e.g. special requirements):

SIGNATURE: _____ **DATE:** _____

(Authority should be lodged with sufficient time for Council report for approval to be submitted.)

Office Use Only

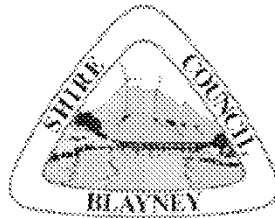
Council meeting date: _____ Minute No.: _____

Transport: _____ Order No.: _____

Motel: _____ Order No.: _____

	Date	Minute No.
First Adopted:	20/9/1999	592
Last Reviewed:	13/08/2001	388
	12/02/2007	7
	14/05/2007	07/094
	12/05/2008	08/105
	29/09/2008	08/231
	08/02/2010	1002/010
	09/05/2011	1105/007
	12/09/2011	1109/022
	10/12/2012	1212/005
	09/09/2013	1309/009
	14/07/2014	
Next Review:	13/07/2015	

BLAYNEY SHIRE COUNCIL



AGENCY INFORMATION GUIDE (*previously Publication Guide*)

Prepared in accordance with the provisions of Section 20 of the
Government Information (Public Access) Act 2009.

CONTENTS

STRUCTURE AND FUNCTIONS OF COUNCIL	3
Introduction	3
Organisational Structure	4
Council Functions	5
HOW COUNCIL FUNCTIONS AFFECT MEMBERS OF THE PUBLIC	6
HOW THE MEMBERS OF THE PUBLIC CAN PARTICIPATE IN COUNCIL'S POLICY DEVELOPMENT AND THE EXERCISE OF FUNCTIONS	7
INFORMATION HELD BY BLAYNEY SHIRE COUNCIL	8
1. Records	8
2. Policy Documents	8
3. General Information	8
HOW MEMBERS OF THE PUBLIC MAY ACCESS AND AMEND COUNCIL DOCUMENTS CONCERNING THEIR PERSONAL AFFAIRS	10
ACCESS TO INFORMATION BY THE COUNCIL	10
Open Access Information	11
Proactive Release of Information	11
Informal Access Requests	11
Formal Access Applications	11
PUBLIC OFFICER – RIGHT TO INFORMATION OFFICER	11
OFFICE OF THE INFORMATION COMMISSIONER	12

STRUCTURE AND FUNCTIONS OF COUNCIL

INTRODUCTION

Blayney Shire Council is constituted under the Local Government Act 1993 and was proclaimed in August 1978.

The Council is an undivided area, with seven (7) Councillors. The Mayor is elected each year by the Councillors from among their numbers.

The roles of the Councillors, as members of the body corporate are:

- to direct and control the affairs of the Council in accordance with the Local Government Act and other applicable legislation;
- to participate in the optimum allocation of the Council's resources for the benefit of the area;
- to play a key role in the creation and review of the Council's policies, objectives and criteria relating to the exercise of the Council's regulatory functions;
- to review the performance of the Council and its delivery of services, management plans and revenue policies of the Council;
- The role of a Councillor is, as an elected person:
 - to represent the interests of the residents and ratepayers;
 - to provide leadership and guidance to the community;
 - to facilitate communication between the community and the Council.

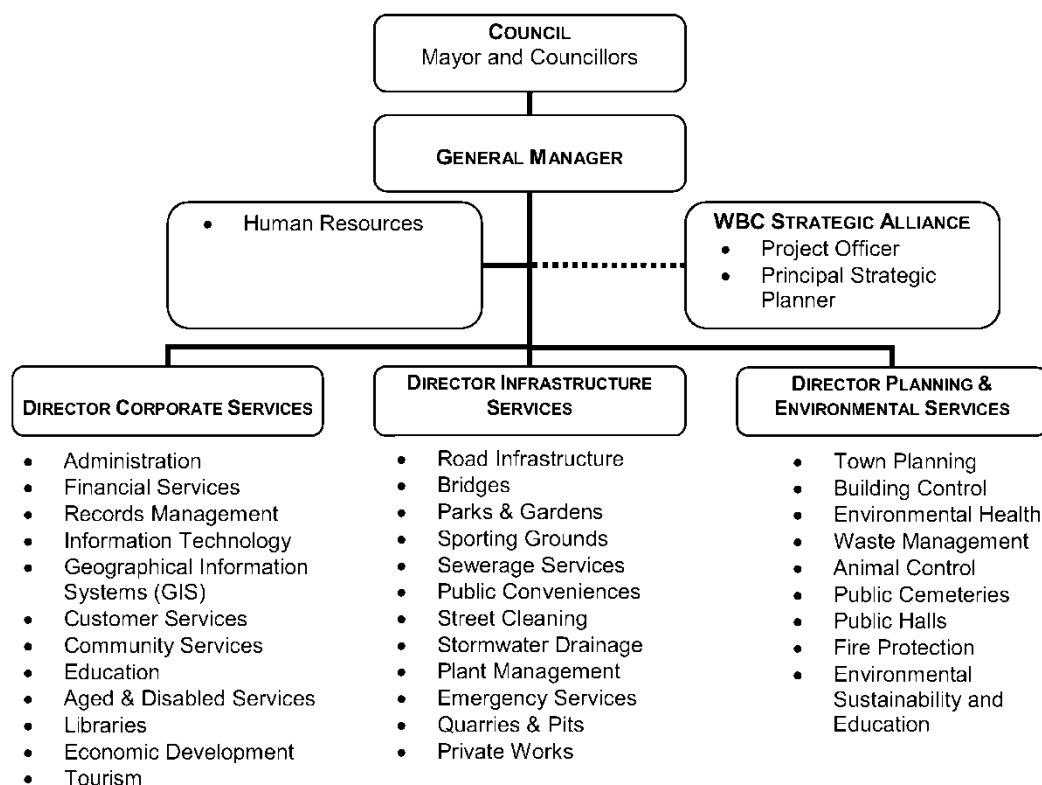
The Mayor presides at meetings of the Council, carries out the civic and ceremonial functions of the office, exercises, in cases of necessity, the decision making functions of the body politic, between its meetings and performs any other functions that the Council determines.

The Principal Officer of the Council is the General Manager. The General Manager is responsible for the efficient operation of the Council's organisation and for ensuring the implementation of Council decisions. The General Manager is also responsible for the day to day management of the Council, the exercise of any functions delegated by the Council, the appointment, direction and where necessary, the dismissal of staff, as well as the implementation of Council's Equal Employment Opportunity Management Plan.

To assist the General Manager in the exercise of these functions, there are three (3) Directorates of Council. These Directorates are Corporate Services, Planning and Environmental Services and Infrastructure Services. Each of these Directorates is headed by a Director.

ORGANISATIONAL STRUCTURE

The functional structure of the organisation is set out in the below diagram:

MANAGEMENT STRUCTURE – BLAYNEY SHIRE COUNCIL

COUNCIL FUNCTIONS

Council has functions conferred or imposed on it by the Local Government Act, 1993. These functions are:

SERVICE FUNCTIONS	REGULATORY FUNCTIONS	ANCILLARY FUNCTIONS	REVENUE FUNCTIONS	ADMINISTRATIVE FUNCTIONS	ENFORCEMENT FUNCTIONS
Including: * Provision of community health, recreation, education & information services * Environmental protection * Waste removal & disposal * Land & property, industry & tourism development & assistance * Civil Infrastructure Planning * Civil Infrastructure Maintenance & Construction	Including: * Approvals * Orders * Building Certificates	Including: * Resumption of land. * Powers of entry and inspection	Including: * Rates * Charges * Fees * Borrowings * Investments	Including: * Employment of staff * Management plans * Financial reporting * Annual reports	Including: * Proceedings for breaches of the Local Government Act & Regulations and other Acts & Regulations * Prosecution of offences * Recovery of rates and charges.

As well as the Local Government Act, Council has powers under a number of other Acts including:

Coastal Protection Act 1979

Community Land Development Act 1989

Companion Animals Act 1998

Contaminated Land Management Act 1997

Conveyancing Act 1919

Environmental Planning and Assessment Act 1979

Fire Brigades Act 1989

Fluoridation of Public Water Supplies Act 1957

Food Act 1989

Government Information (Public Access) Act 2009

Heritage Act 1977

Impounding Act 1993

Library Act 1939

Noxious Weeds Act 1993

Privacy & Personal Information Protection Act 1998

Protection of the Environment Operations Act 1997

Public Health Act 2010

Recreation Vehicles Act 1983

Roads Act 1993

State Emergency & Rescue Management Act 1989

State Emergency Service Act 1989

Strata Schemes (Freehold Development) Act 1973

Strata Schemes (Leasehold Development) Act 1986

Strata Schemes Management Act 1996

Swimming Pools Act 1992

Unclaimed Money Act 1995

HOW COUNCIL FUNCTIONS AFFECT MEMBERS OF THE PUBLIC

As a service organisation, the majority of the activities of Blayney Shire Council have an impact on the public. The following is an outline of how the broad functions of Council affect the public.

Service functions affect the public as Council provides services and facilities to the public. These include provision of human services such as child care services and libraries, halls and community centres, recreation facilities, infrastructure and the removal of garbage.

Regulatory functions place restrictions on developments and buildings to ensure that they meet certain requirements affecting the amenity of the community and not endanger the lives and safety of any person. Members of the public must be aware of, and comply with, such regulations.

Ancillary functions affect only some members of the public. These functions include, for example, the resumption of land or the power for Council to enter onto a person's land. In these circumstances, only the owner of the property would be affected.

Revenue functions affect the public directly in that revenue from rates and other charges paid by the public is used to fund services and facilities provided to the community.

Administrative functions do not necessarily affect the public directly but have an indirect impact on the community through the efficiency and effectiveness of the service provided.

Enforcement functions only affect those members of the public who are in breach of certain legislation. This includes matters such as the non payment of rates and charges and unregistered dogs.

Community planning and development functions affect areas such as cultural development, social planning and community profile and involves:

- Advocating and planning for the needs of our community. This includes initiating partnerships; participating on regional, State or Commonwealth working parties; and preparation and implementation of the Community Plan.
- Providing support to community and sporting organisations through provision of grants, training and information.
- Facilitating opportunities for people to participate in the life of the community through the conduct of a range of community events such as Australia Day Awards and Youth Week, as well as promoting events of others.

HOW THE MEMBERS OF THE PUBLIC CAN PARTICIPATE IN COUNCIL'S POLICY DEVELOPMENT AND THE EXERCISE OF FUNCTIONS

Councils in New South Wales are elected every four years. The next elections are to be held in September 2016.

At each election, voters elect seven Councillors for a four year term. The Mayor is elected each year by the Councillors from among their numbers. All residents of the area who are on the electoral roll are eligible to vote. Property owners who live outside of the area and rate paying lessees can also vote, but must register their intention to vote on the non residential roll. Voting is compulsory.

Residents are able to raise issues with, and make representations to, the elected Councillors. The Councillors, if they agree with the issue or representation, may pursue the matter on the resident's behalf thus allowing members of the public to influence the development of policy.

Members of the public are able to attend Council meetings (second Monday of each month – except January) in the Council Chamber, 41 Church Street, Blayney.

The opportunity is offered to interested persons to address Council prior to meetings on any matters that are within its jurisdiction. A Public Forum Speaker Request Form must be completed and lodged on or before the 1st Monday of the month. Forms are available from Council's website link:

<http://www.blayney.nsw.gov.au/Your-Council/Council-Meetings-and-Committees/Public-Participation/Public-Participation>

Council also has the following Community Committees comprising and including members of the public:

- Blayney Shire Access Advisory Committee
- Blayney Shire Audit Committee
- Blayney Shire Council Australia Day Committee
- Blayney Shire Economic Development Committee
- Blayney Shire Financial Assistance Committee
- Blayney Shire Sports Council
- Blayney Shire Towns & Villages Committee
- Cemetery Forum

Community Committee meeting times are promoted on Council's website. Invitations for membership of committees are called after Council elections every four (4) years and as committee vacancies arise. Notification of vacancies are publicised on Council's website and in the local newspaper. Members of the public interested in being involved with any community committee should contact Council in the first instance to enquire of any vacancies.

INFORMATION HELD BY BLAYNEY SHIRE COUNCIL

Council holds a wide range of information, in both hard copy and electronic form in respect of the wide range of functions undertaken by it. That information is contained in:

1. Records – either Physical or electronic
2. Policy documents
3. General Information

1. RECORDS

Prior to 1996 Council had a "hard copy" records system, with material being held as physical records. Since then, Council's records have been maintained in electronic format, physical records being dispensed with, except for development/building/construction applications.

Council's records are not available on the website however this information may be made available either by informal release or via an access application, unless there is an overriding public interest against disclosure of the information, in accordance with the provisions of GIPA.

Members of the public who require an informal release or an access application can do so by contacting the Right to Information Officer at Council on telephone (02) 6368 2104.

2. POLICY DOCUMENTS

Council's policies are maintained in a policy register – access to which is available from Council's website using the following link:

<http://www.blayney.nsw.gov.au/Your-Council/Council-Policies>

3. GENERAL INFORMATION

The following list of general information held by Council has been divided into four sections as outlined by the Government Information (Public Access) Regulation 2009:-

1. Information about Council;
2. Plans and Policies;
3. Information about Development Applications;
4. Approvals, Orders and other Documents.

The Government Information (Public Access) Regulation 2009 requires that these documents held by Council, are to be made publicly available for inspection, free of charge. The public is entitled to inspect these documents either on Council's website (unless there is an unreasonable additional cost to Council to publish these documents on the website) or at the offices of the Council during ordinary office hours or at any other place as determined by the Council. Any current and previous documents of this type may be inspected by the public free of charge. Copies can be supplied for reasonable copying charges.

These documents are:

1. Information about Council

- The model code of conduct prescribed under section 440 (1) of the LGA
- Council's adopted Code of Conduct
- Code of Meeting Practice
- Annual Report
- Annual Financial Reports
- Auditor's Report
- Management Plan
- EEO Management Plan
- Payment of Expenses and the Provision of Facilities to the Mayor and Councillors Policy
- Annual Reports of Bodies Exercising Functions Delegated by Council
- Any Codes referred to in the Local Government Act
- Returns of the Interests of Councillors, Designated Persons and Delegates
- Agendas and Business Papers for any meeting of Council or any Committee of Council
- Minutes of any meeting of Council or any Committee of Council
- Departmental Representative Reports presented at a meeting of Council
- Land Register
- Register of Investments
- Register of Delegations
- Register of Graffiti removal works
- Register of current Declarations of Disclosures of Political donations
- Register of Voting on Planning Matters

2. Plans and Policies

- Local Policies adopted by Council concerning approvals and orders
- Plans of Management for Community Land
- Environmental Planning Instruments, Development Control Plans and Contribution Plans

3. Information about Development Applications

Development Applications and any associated documents received in relations to a proposed development:

- Home Warranty Insurance documents
- Construction Certificates
- Occupation Certificates
- Structural Certification Documents
- Town Planner Reports
- Submissions received on Development Applications
- Heritage Consultant Reports
- Tree Inspections Consultant Reports
- Acoustic Consultant Reports
- Land Contamination Consultant Reports

- Records of decisions on Development Applications including decisions on appeals
- Records describing general nature of documents that Council decides to exclude from public view including internal specifications and configurations, and commercially sensitive information

4. Approvals, Orders and Other Documents

- Applications for approvals under part 7 of the LGA
- Applications for approvals under any other Act and any associated documents received
- Records of approvals granted or refused, any variation from Council Policies with reasons for the variation, and decisions made on appeals concerning approvals
- Orders given under Part 2 of Chapter 7 of the LGA, and any reasons given under section 136 of the LGA
- Orders given under the Authority of any other Act
- Records of Building Certificates under the Environmental Planning and Assessment Act 1979
- Plans of land proposed to be compulsorily acquired by Council
- Compulsory Acquisition Notices
- Leases and Licenses for use of Public Land classified as Community Land

HOW MEMBERS OF THE PUBLIC MAY ACCESS AND AMEND COUNCIL DOCUMENTS CONCERNING THEIR PERSONAL AFFAIRS

As far as practicable, Council documents will be accessible by members of the public during office hours.

Persons interested in obtaining access to documents or who wish to seek an amendment to the Council's records concerning their personal affairs, should contact a Customer Service Officer. If you experience difficulty in obtaining documents or information you should contact Council's Public Officer.

ACCESS TO INFORMATION HELD BY THE COUNCIL

Blayney Shire Council is dedicated to good public decision making, transparency and accountability, and will provide access to information in accordance with the provisions of the GIPA Act.

Council has adopted a policy on access to information (Policy 2G: Access to Information), to facilitate public access to the information held by Council. This policy is publicly available from Council's policy register on Council's website using the following link:

<http://www.blayney.nsw.gov.au/Your-Council/Council-Policies>

In accordance with the GIPA Act, Council will make information available to the public in the following ways, unless there is an overriding public interest against disclosure of information:

OPEN ACCESS INFORMATION

Through the mandatory disclosure of open access information (see above, Information Held by Council) – where practicable, this information will be made available free of charge on Council's website. Where it is not practicable for Council to provide open access information on the website, the information will be made available free of charge in at least one other format.

To access information that is not currently available on Council's website, please contact Council's Right to Information Officer on (02) 6368 2104.

PROACTIVE RELEASE OF INFORMATION

Through the proactive release of as much information as possible – this information will be made available free of charge, or at the lowest reasonable cost.

INFORMAL ACCESS REQUESTS

In response to an informal request (without the need for a formal application, unless there are good reasons to require one) – this information will be made available free of charge, subject to any reasonable conditions that may be imposed by Council. Council may require a written record of an informal request to access information.

FORMAL ACCESS APPLICATIONS

In response to a formal access application (for information that Council does not provide proactively or informally) – application fees and processing charges apply as per the GIPA Act.

The GIPA Act sets out the procedure for making and dealing with formal access applications. An application for information that is not already available by other means must be made on the "Formal Access Application" form, which is available at the Council Chamber or on Council's website using the following link:

<http://www.blayney.nsw.gov.au/Your-Council/Access-to-Information>

A formal application is not a valid application unless it is accompanied by an application fee of \$30. The application fee counts as payment of the first hour of any processing charge that may be payable by the applicant. Processing charges for dealing with formal access applications are charged at a rate of \$30 per hour for each hour of processing time.

Enquiries regarding formal access applications should be made to Council's Right to Information Officer on (02) 6368 2104.

PUBLIC OFFICER – RIGHT TO INFORMATION OFFICER

The Director Corporate Services has been appointed as the Public Officer. Amongst other duties, the Public Officer may deal with requests from the public concerning the Council's affairs and has the responsibility of assisting people to gain access to public documents of the Council. The Director Corporate Services is also Council's Right to Information Officer and, as such, is responsible for determining applications for access to documents or for the amendment of records. If you have any difficulty in obtaining access to Council documents, you may wish to refer your enquiry to the Public Officer. Also, if you would like to amend a document of Council which you feel is incorrect it is necessary for you to make written application to the Public Officer (Right to Information Officer) in the first instance.

Enquiries should be addressed as follows:

General Manager
Blayney Shire Council
PO Box 62
BLAYNEY NSW 2799

Email: council@blayney.nsw.gov.au

INFORMATION AND PRIVACY COMMISSION

If you require any other advice or assistance about access to information you may contact the Information and Privacy Commission by telephone on 1800 472 679 (free call), in person at Level 11, 1 Castlereagh Street, Sydney 2000, in writing to GPO Box 7011 Sydney NSW 2001 or by email at ipcinfo@ipc.nsw.gov.au . Further information may also be obtained from website: www.ipc.nsw.gov.au

Adopted:	11/10/2010	Minute No. 1010/012
Date of Approval by IPC	09/12/2010	
Lasted Reviewed:	20/06/2011	1106/006
	10/12/2012	1212/003
	08/07/2013	1307/006
	09/07/2014	
Next Review:	10/07/2015	

CENTRAL WEST LIBRARIES BUDGET - BLAYNEY CONTRIBUTION				
	2014/15 Budget	2013/14 Budget	Variance \$	Variance %
Branch Expenses				
Employee costs	48,600	38,250	10,350	27.06%
Training	330	330	-	0.00%
I.T. expenses	5,500	5,500	-	
Equipment	350	-	350	
	54,780	44,080	10,700	
Other Expenses				
CWL Operating expenses (8.8%)	87,955	79,817	8,138	10.20%
Nett CWL Capital Costs (8.8%)	18,540	18,070	470	2.60%
	161,275	141,967	19,308	
Income & Non-cash Items				
Other Operating Revenues	- 3,420	- 5,320	1,900	-35.71%
Per Capita Grant	- 20,700	- 23,750	3,050	-12.84%
Add back: Depreciation	- 17,410	- 16,850	- 560	3.32%
	119,745	96,047	23,698	24.67%
Local Special Priority Grant	- 5,690			
	114,055	96,047	18,008	18.75%

LAND AND PROPERTY
INFORMATION NSWNOTICE OF SALE/TRANSFER REPORT
FOR RATING AUTHORITYDEALING NUMBER: AB189982 DEALING
CODE: TREGISTRATION DATE:
30/12/2004

TENANCY

JOINT TENANTS
JOINT TENANTS

E OF PROPERTY ADDRESS

74R CROUCH ST
NEVILLE NSW 2799ADDRESS OF TRANSFEREE'S
SOLICITOR/AGENTJ & M PROPERTY
DX 8012
PENRITH
TEL: 02 47212358

DETAILS OF LAND TRANSFERRED IN THIS DEALING/DEED

CONTRACT DATE: 18/11/2004
 SETTLEMENT DATE: 28/12/2004
 ACQUISITION DATE:
 PURCHASE PRICE:
 INTEREST IN PROPERTY: 100%
 NATURE OF PROPERTY: RESIDENCE
 PROPERTY WAS ACQUIRED BY: SALE
 TRANSFER INCLUDES LAND NOT IN THIS DEALING/DEED: NO
 CONTRACT INCLUDED ITEMS OTHER THAN FIXED NO
 IMPROVEMENTS:
 PROPERTY IS AFFECTED BY A PRIVATE LEASE: NO
 PROPERTY WAS TRANSFERRED: WITH VACANT POSSESSION
 TOTAL AREA OF PROPERTY TRANSFERRED: 860 Square Metres

DESCRIPTION OF LAND

PROP ID	PLAN TYPE	LOT NUM	SEC NUM	PLAN SUFFIX NUM	LOCALITY	COUNTY	PARISH	LGA
3150311	DP	7		152398		BATHURST	NEVILLE	BLAYNEY
3150311	DP	12		326206		BATHURST	NEVILLE	BLAYNEY
3150311	OP	12A		326206	NEVILLE	BATHURST	NEVILLE	BLAYNEY

SUPPLEMENTARY ADDRESS DETAILS FOR LAND (FROM VALNET)

PROP ID

PROPERTY ADDRESS

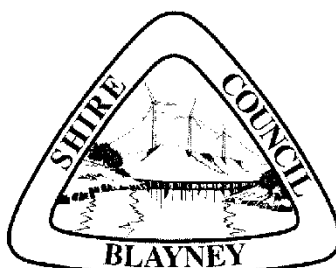
3150311

HISTORIC VALUATION NO

74 CROUCH ST, NEVILLE 2799,

https://six.nsw.gov.au/wps/myportal/tut/p/b1/jY_ZCoJAGEafpQeImYFZ7HKcbEPH... 25/06/2014

Domestic Waste Management Charges			
Year	Vacant Land Charge	Vacant Land Charge	Difference
	\$	\$	\$
2004/05 (half year)	80.10	10.13	69.98
2005/06	160.20	20.25	139.95
2006/07	166.60	21.00	145.60
2007/08	175.00	21.00	154.00
2008/09	180.00	25.00	155.00
2009/10	200.00	30.00	170.00
2010/11	240.00	40.00	200.00
2011/12	280.00	40.00	240.00
2012/13	300.00	40.00	260.00
			1,534.53



**Notice of Determination of
Application to Discharge Liquid Trade Waste to the Sewerage
System
Issued Under Section 68
Local Government Act, 1993**

Application No.	Approval No.: TW 01/2014
Issued to:	Ian Hobby
Property Address:	190 Marshalls Lane, Milthorpe
Applicant:	Western White Linen
Trade Waste Activity:	Commercial Laundry
Description of Development:	Disposal of liquid trade waste into Council's sewerage system
Pretreatment:	Cooling pit, Balancing pit and Lint screens
Concurrence Classification	C Charging Category: 3
Consent to Operate from:	dd/mm/yyyy

General conditions of approval

Name and business address of Applicant: Western White Linen – 190 Marshalls Lane, Blayney, NSW

Type of Business: Commercial Laundry

Ian Hobby (the applicant) has applied to Council to discharge certain waste from the premises to Council's sewerage system. Council has granted approval subject to the conditions set out below:

1. a. The Applicant must comply with all applicable Acts, regulations, by laws, proclamations and orders and with any lawful direction or orders given by or for the

Council or any other competent authority.

(Reason: Requirement to comply with all applicable government legislation)

- b. The work that will be carried out under the General Conditions of Approval shall be implemented and operated in compliance with the *Work Health & Safety Act 2011* and Plumbing Code of Australia, Australian Standards AS3500, Part 2, Sanitary Plumbing and Drainage and Council requirements.

(Reason: Government requirement for compliance with applicable standards and legislation)

- c. If a liquid trade waste agreement is applicable to this approval then this approval will commence from the date a liquid trade waste agreement is signed.

(Reason: Requirement for legal considerations)

- d. Term of the Approval

Commencement date: dd/mm/yyyy

Duration: Five (5) years

This approval has a duration period as specified above except where the approval is terminated by the Council or the applicant. Conditions may however be varied during this period.

(Reason: Pursuant to section 103 of the Local Government Act)

- e. Hours during which discharge is permitted:

Monday to Friday 0700 to 1800

Saturday 0700 to 1700

Sunday Nil

(Reason: NSW Office of Water (NOW) and Council requirement to ensure acceptance capacity of the sewerage system and for auditing purposes)

2. The maximum daily discharge shall not exceed 60 kL/d

The expected average daily discharge 40 kL/d

The maximum instantaneous discharge rate shall not exceed 15 L/s.

(Reason: Requirement pursuant to Clause 32 of the Local Government (General) Regulation 2005)

3. The pH of the liquid trade waste shall be maintained within the range of 7.0 to 9.0 at all times.

(Reason: Extremes of pH can adversely affect biological treatment processes and may cause the release of toxic gases in sewer. Low pH causes corrosion of sewer structures)

4. The temperature of the liquid trade waste shall not exceed 38°C at any time.

(Reason: NOW and Council requirement for protection of the sewerage system and safety of workers)

5. Detergent, if used, shall be biodegradable (The concentration of detergents shall not exceed 50 mg/L (as MBAS)).

(Reason: Protection of the environment and to ensure treatability of the waste)

6. The composition of the liquid trade waste shall comply with that approved. A new application shall be made if the quantity and/or quality of the liquid trade waste are to

be varied.

(Reason: Requirement pursuant to Clause 32 of the Local Government (General) Regulation 2005)

7. The equipment for the treatment of the liquid trade waste is to be kept clean and maintained in an efficient condition to the satisfaction of the Council and must not be modified without the approval in writing of the Council.
(Reason: NOW and Council requirement to ensure compliance with the conditions of approval)
8. An inspection point suitable for taking representative samples shall be provided immediately prior to the point where the liquid trade waste enters the sewerage system and/or mixes with domestic sewage from the premises.
(Reason: NOW and Council requirement to permit sampling and compliance auditing of liquid trade waste)
9. If, in the opinion of the Council, the liquid trade waste being discharged does not comply with the conditions contained herewith or is adversely affecting the performance of the sewage treatment plant, the sewerage system, or the ecological system in the waters, land or area receiving sewage treatment works effluent, the company shall forthwith, on receipt of notice in writing from Council to this effect, take remedial action by modifying the characteristics of the liquid trade waste, reducing the amount of the liquid trade waste or ceasing to discharge the liquid trade waste as directed by notice from Council.
(Reason: NOW and Council requirement for compliance with the conditions of approval, protection of the sewerage system and the environment)
10. Except as already provided for by the rest of the conditions contained in this letter, the following substances shall not be included in the liquid trade waste:
 - organochlorine weedicides, fungicides, pesticides, herbicides and substances of a similar nature and/or wastes arising from the preparation of these substances
 - organophosphorus pesticides and/or waste arising from the preparation of these substances
 - any substances liable to produce noxious or poisonous vapours in the sewerage system
 - organic solvents and mineral oil
 - any flammable or explosive substances
 - discharges from 'Bulk Fuel Depots'
 - chromate from cooling towers
 - natural or synthetic resins, plastic monomers, synthetic adhesives, rubber and plastic emulsions
 - roof, rain, surface, seepage or ground water, unless specifically permitted (clause 137A of the *Local Government (General) Regulation 2005*)
 - solid matter
 - any substance assessed as not suitable to be discharged to the sewerage system

- waste liquids that contain pollutants at concentrations which inhibit the sewage treatment process – refer *Australian Sewage Quality Management Guidelines, June 2012, WSAA*
- any other substances listed in a relevant regulation.

(Reason: Statutory provision in Local Government Act Section 638 and NOW and Council requirement for protection of the sewerage system, safety of workers and the environment)

11. All liquid trade waste pre-treatment systems and any substance which could adversely affect the sewerage system, the environment or safety of people must be contained in bunded areas so that any leaks, spillages, and/or overflows cannot drain by gravity to the sewerage and/or stormwater systems. Wastewater collected within the bunded area shall not be directly discharged into the sewerage systems without appropriate pre-treatment.

(Reason: NOW and Council requirement for protection of the sewerage system and safety of workers and pursuant to Section 89 (3a) of the Local Government Act 1993 for protection of the environment)

12. Spills and leaks should be cleaned up using dry cleaning methods.

(Reason: NOW and Council requirement for protection and prevention of overloading of the sewerage system, safety of workers and pursuant to Section 89 (3a) of the Local Government Act 1993 for protection of the environment)

13. Measures shall be taken to prevent the contamination and ingress of stormwater into the sewerage system. Areas where stormwater may become contaminated should be bunded and roofed over.

(Reason: NOW and Council requirement to prevent overflows and overloading of the sewerage system)

14. The wastewater shall pass through a cooling pit before being discharged into the sewerage system. The pit shall be sized to cool down the wastewater to 38°C or less.

(Reason: NOW and Council requirement for protection of the sewerage system and safety of workers)

15. The discharge of dry cleaning fluid into the sewer is not permitted. Any floor drain must be protected by bunding to prevent dry cleaning fluid entering the sewerage system.

(Reason: NOW and Council requirement to protect the sewerage system, worker health and safety and the environment)

16. The pH of the liquid trade waste shall be checked and corrected, if necessary, before discharge to the sewerage system. The pH shall be recorded and records shall be kept. The pH probe shall be maintained and calibrated in accordance with the manufacturer's recommendations.

(Reason: NOW and Council requirement to protect the sewerage system and worker health and safety)

17. Lint screens to be provided (washing machine internal screens are acceptable).

(Reason: NOW and Council requirement to prevent blockages in the sewerage system)

18. Recommended maintenance schedule for the pre-treatment devices shall be submitted to the Council prior to commencement of the discharge into the sewerage system.

(Reason: NOW and Council requirement to ensure maximum effectiveness of the pre-treatment system)

19. Only 'Quick Break' detergents shall be used in the washing operation.
(Reason: NOW and Council requirement to ensure maximum effectiveness of the pre-treatment system)
20. Measures shall be taken to prevent spillage of chemicals, oil, diesel, and any other product used. Any spillage, if occurring, shall be recovered/removed by using dry cleaning methods and not be discharged into the sewerage system.
(Reason: NOW and Council requirement to protect the sewerage system and worker health and safety)
21. A contingency plan and a due diligence program are to be submitted to Council within three (3) months and six (6) months respectively of commencement of the approval from Council.
(Reason: NOW and Council requirement to ensure that adequate contingency measures are in place to address potentially hazardous situation)
22. A suitable method of restricting the flow rate to the figure stated in condition 2 shall be provided by the applicant.
(Reason: NOW and Council requirement to prevent overflows and overloading of the sewerage system)
23. Flow measurement of the total discharge shall be provided and the daily flow shall be recorded.
(Reason: NOW and Council requirement for due diligence, compliance auditing, monitoring and sampling purposes)
24. The suspended solids concentration shall not exceed 300 mg/L at any time.
(Reason: NOW and Council requirement to limit loading on the sewerage system)
25. No visible colour when the waste is diluted to the equivalent dilution afforded by domestic sewage flow.
(Reason: Aesthetic impairment of receiving water. Impairment of light penetration through receiving water, affecting aquatic processes)
26. The concentration of the following substances shall not exceed:

Total Phosphorus as (P)	20 mg/L
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(Reason: NOW and Council requirement for protection of the environment)
27. The applicant is responsible for ensuring representative samples of the effluent are collected every three (3) months and tested with respect to pH, Total Phosphorus (P), Total Suspended Solids (TSS) and MBAS.
(Reason: Requirement pursuant to Section 89 (3a) of the Local Government Act 1993 and Council requirement for protection of the environment, worker health & safety and to ensure treatability of the waste)
28. The sample analysis tests shall be carried out only by laboratories that hold National Association of Testing Authorities (NATA) registration for the class of test(s) or specific test(s) specified in the trade waste approval or by a laboratory acceptable to the NSW Office of Water. Tests shall be carried out by using analytical methods indicated in the *Australian Sewage Quality Management Guidelines, June 2012*, WSAA. The results of the chemical analysis shall be forwarded to the Council for review as soon as available from the laboratory. The analysis records are to be retained by the discharger for the specified period of three (3) years.
(Reason: NOW and Council requirement to ensure the integrity of any sampling analysis results are not compromised and due diligence concerns are satisfied)

29. A log book recording temperature and pH of the discharge during the peak period shall be maintained each day. The log book is to be made available to Council and/or NSW Office of Water upon request.

(Reason: NOW and Council requirement to protect the sewerage system, environment and health and safety of workers)

Right of Review:	Section 100 of the Local Government Act, 1993 confers the right for an applicant to request the Council to review its determination within 28 days after the date of determination. Any request for review is required to be accompanied by a fee as set by Council.
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Right of Appeal:	Section 176 of the Local Government Act, 1993 confers the right for an applicant who is dissatisfied with the determination of Council to appeal to the Land and Environment Court within twelve (12) months after the date of determination.
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Signed:	On behalf of the consent authority:
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Signature:

Name:	Grant Baker DIRECTOR INFRASTRUCTURE SERVICES
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Date:

Liquid Trade Waste Services Agreement

Between

1. Blayney Shire Council

and

2. Western White Linen

Recitals

- A. The Council is the owner and operator of a sewerage system within the Blayney Shire area.
- B. The Applicant has made application to the Council to discharge liquid trade waste from the Premises into the Council's sewerage system.
- C. The application has been approved by the Council on certain conditions ("the Approval"), including the condition that the Council and the Applicant enter into this Agreement.
- D. The Director General of the Department of Trade and Investment, Regional Infrastructure and Services has concurred in the Approval in accordance with clause 28 of the *Local Government (General) Regulation 2005*.
- E. The Approval does not operate until this Agreement has been executed by both parties.
- F. The parties enter this Agreement in consideration of the mutual promises contained herein.

Operative Part

1. Definitions and interpretation

1.1 In this Agreement, unless the context otherwise requires:

"Act" means the *Local Government Act 1993* (NSW).

"Annexure" means the annexure to this Agreement.

"Annual Management Plan" means the annual management plan of the Council, as adopted by the Council from time to time.

"Applicant" means the entity named as such in the Annexure.

"Approval" means the approval described in Recital C.

"Council" means the council named as such in the Annexure.

"Liquid Trade Waste Services" mean the making available by the Council of its sewerage system for connection to the Premises, for the purpose of discharge by the Applicant of its liquid trade waste.

"Premises" means the premises described in the Annexure.

1.2 Unless the context otherwise requires:

- (a) A reference to this Agreement is a reference to this Agreement, including the Annexure, as amended from time to time in accordance with its terms
- (b) A reference to the discharge of liquid trade waste means the discharge of liquid trade waste by the Applicant from the Premises to the Council's sewerage system
- (c) A reference to any legislation is a reference to such legislation as amended from time to time
- (d) Where the Applicant is comprised of more than one person, each obligation of the Applicant will bind those persons jointly and severally and will be enforceable against them jointly and severally.

2. Liquid Trade Waste Services

The Council will provide the Liquid Trade Waste Services to the Applicant on the terms of this Agreement.

3. Additional conditions for discharge of liquid trade waste

- 3.1 The Applicant may discharge liquid trade waste to the Council's sewerage system in accordance with the Approval and subject to this Agreement.
- 3.2 The Applicant must comply with all applicable Acts, regulations, by laws, proclamations and orders and with any lawful direction or order given by or for the Council or any other competent authority.
- 3.3 The Applicant must not discharge liquid trade waste contrary to this Agreement or the Approval or in any manner which may have an adverse effect on any person or property (including the sewerage system and the ecological system in the waters, land or area receiving sewage treatment works effluent or biosolids), or which may cause the Council to be in breach of any applicable Act, regulation, by law, proclamation or order or of any lawful direction given by or for any competent authority.
- 3.4 The Applicant must at its own cost monitor its discharges in accordance with the requirements set out in the Approval and must maintain records of such monitoring for inspection by the Council for such period as may be specified in the Approval.
- 3.5 The Council will carry out routine sampling and testing of the waste stream.
- 3.6 Where any flow-metering device is installed, the Applicant must at its own cost cause the device to be calibrated at least annually by a person or company approved by the Council. The Applicant must obtain a calibration certificate and provide a copy of the certificate to the Council within one month of receiving it.
- 3.7 If the Applicant is required to cease discharging liquid trade waste for any period, then the Applicant must cease discharging such waste for the period specified.

- 3.8 Where the Applicant ceases to discharge waste in the circumstances prescribed in clause 3.7, the Council may, at its discretion, elect to refund part of the annual trade waste fee on a pro rata basis, calculated according to the period of suspension.
- 3.9 If this Agreement is terminated, the Applicant must immediately cease to discharge liquid trade waste.

4. Fees and charges

- 4.1 In accordance with the section 560 of the *Local Government Act 1993*, Council will levy all water supply, sewerage and liquid trade waste fees and charges on the owner of the property.
- 4.2 In consideration of provision of the Liquid Trade Waste Services, the fees and charges as specified in the Council's Annual Management Plan and notified by Council to the owner and the Applicant must be paid to the Council, including fees for sampling and testing by Council in accordance with the Approval.
- 4.3 Fees and charges payable will include both non-residential sewerage charges and liquid trade waste fees and charges.
- 4.4 All monies payable to the Council must be paid within the time specified in the notice of charge.

5. Term

- 5.1 This Agreement will commence from the date it is signed on behalf of the Council, and will continue until the Applicant's Approval is revoked or the Applicant permanently ceases to discharge liquid trade waste pursuant to the Approval, whichever is the earlier. Upon such revocation or permanent cessation of the approved activity this Agreement shall automatically terminate by operation of this clause.
- 5.2 Termination of this Agreement is without prejudice to any accrued rights or obligations of either Party.

6. Powers of the Council

- 6.1 The Council may enter the Premises at a reasonable hour in the daytime or at any hour during which business is in progress or is usually carried on at the Premises for the purpose of conducting any inspection, examination, testing, monitoring or sampling to determine whether the Applicant is complying with the conditions of this Agreement.
- 6.2 The Applicant acknowledges that the Council has statutory powers available to it under the *Local Government Act 1993* and other Acts to issue orders and directions to the Applicant in relation to the discharge of liquid trade waste. The Applicant undertakes to comply with each such order or direction that may be notified by the Council to the Applicant within the time specified for compliance in that order or direction.
- 6.3 The Applicant releases the Council from any liability to the Applicant for any loss or damage due to the disruption of the Applicant's business arising out of the exercise of Council's rights pursuant to this clause.

7. Information supplied by the Applicant

- 7.1 The Applicant warrants that all information in its application for approval is true, complete and accurate to the best of its knowledge.

7.2 The Applicant must immediately notify the Council in writing of any error or omission in that information or any change to the information of which the Applicant becomes aware.

7.3 The Applicant must not provide any false or misleading information to the Council.

8. Indemnity

8.1 The Applicant indemnifies the Council from and against any claims, losses or expense (including legal costs on a solicitor and client basis) which the Council pays, suffers, incurs or is liable for as a result of:

- (a) any unlawful, negligent, reckless or deliberately wrongful act or omission of the Applicant or its personnel or agents in connection with the discharge of liquid trade waste, including (without limitation) such acts or omissions which cause damage to property, personal injury or death
- (b) a breach of this Agreement by the Applicant.

8.2 The Applicant's liability to indemnify the Council shall be reduced proportionally to the extent that any unlawful, negligent, reckless or deliberately wrongful act or omission of the Council caused or contributed to the liability or loss.

9. Insurance

The Applicant must effect and maintain for the term of this Agreement a public risk policy of insurance in the minimum of the sum specified in the Annexure and must, upon request by the Council, produce evidence of such insurance to the Council.

10. Bond

10.1 The Applicant must pay to the Council a bond in the sum specified in the Annexure.

10.2 The Council may at any time and without prior notice to the Applicant have recourse to the bond for the recovery of any sum due and owing by the Applicant to the Council.

10.3 Where the applicant fails to cease discharging trade waste as prescribed in clause 3.7, the Council may require the applicant to forfeit 50% of the bond.

10.4 The Council must return the bond to the Applicant, less any amount deducted by the Council under this clause, upon termination of this Agreement.

11. No assignment

The Applicant may not assign or otherwise transfer its rights and/or obligations under this Agreement.

12. Notices

12.1 A notice under this Agreement must be:

- (a) in writing, directed to the representative of the other party as specified in the Annexure
- (b) forwarded to the address, facsimile number or the email address of that representative as specified in the Annexure or the address last notified by the intended recipient to the sender.

12.2 A notice under this Agreement will be deemed to be served:

- (a) in the case of delivery in person - when delivered to the recipient's address for service and a signature received as evidence of delivery
- (b) in the case of delivery by post - within three business days of posting
- (c) in the case of delivery by facsimile – at the time of dispatch if the sender receives a transmission report which confirms that the facsimile was sent in its entirety to the facsimile number of the recipient
- (d) in the case of delivery by email, on receipt of confirmation by the recipient that the recipient has received the email.

12.3 Notwithstanding the preceding clause 12.2, if delivery or receipt of a communication is on a day which is not a business day in the place to which the communication is sent or is later than 5 pm (local time in that place) it will be deemed to have been duly given or made at 9 am (local time at that place) on the next business day in that place.

13. Variation

13.1 If the Applicant's Approval to discharge liquid trade waste from the Premises is varied, this Agreement shall be deemed to be varied in accordance with the variation made to that approval or to the fees, by operation of this clause.

13.2 In addition to automatic variation under clause 13.1, this Agreement may be varied by written agreement of the parties, provided that a variation to this Agreement that is inconsistent with:

- (a) the Approval, including rights granted under, and conditions attached to, the Approval
- (b) any applicable legislation; or
- (c) Council's Annual Management Plan in respect of applicable fees and charges, shall have no force or effect.

14. Severability

If any part of this Agreement is prohibited, void, voidable, illegal or unenforceable, then that part is severed from this Agreement but without affecting the continued operation, so far as possible, of the remainder of this Agreement.

15. Applicable law

- 15.1 This Agreement is governed by, and must be construed in accordance with, the laws in force in the State of New South Wales.
- 15.2 Each party submits to the exclusive jurisdiction of the courts exercising jurisdiction in the State of New South Wales and the courts of appeal there from.

16. Rights cumulative

The rights and remedies provided under this Agreement are in addition to, and not exclusive of, any other rights or remedies provided by law.

Executed as an agreement

Execution by the Council:

THE COMMON SEAL OF)
) (Corporate Seal)
..... was affixed this)
)
.....day of 20.....)
)
in the presence of:)
)
.....)
General Manager) [signature of General Manager]
)
and)
)
.....)
[print name of witness])

Executed by the Applicant (corporate entity):

.....
.....
[signature of witness]

)
)
The **COMMON SEAL** of.....)
)
.....PTY LIMITED)
)
was affixed thisday of)
)
.....20..... in the)
)
presence of:)
)
.....)
[name of Director]) [signature of Director]
)
.....)
[name of Director/Secretary]) [signature of Director/Secretary]
)

Executed by the Applicant (individual):

Signed by:

[name of Applicant]

This.....day of.....20.....

in the presence of:

.....

[print name of witness]

.....

[signature of Applicant]

)

)

)

.....

[signature of witness]

)

Annexure

A. The Council

1. Full Name of Council _____
2. ABN _____
3. Address _____

4. Telephone _____
5. Emergency Contact _____
Telephone _____

B. The Applicant

1. Full Name of Applicant _____
2. ABN _____
3. Business or Trading Name _____
4. Address _____

5. Telephone _____
6. Emergency Contact _____
Telephone _____

C. The Premises

1. Lot and DP Number: Lot(S) _____ DP _____
2. Location _____

3. Description _____
4. Nature of Business _____

D. Notices

- Applicant's Representative _____
- Postal Address _____

- Facsimile _____
- Email _____
- Council's Representative _____
- Postal address _____

- Facsimile _____
- Email address _____

E. PUBLIC LIABILITY INSURANCE

Minimum cover: \$ _____

F. BOND \$ _____

16 June 2014

Our Ref: IL/7395

Executive General Manager
Crown Lands Management Review
PO Box 2185
DANGAR NSW 2309

Email: crownlands.whitepaper@trade.nsw.gov.au

Attn: Ms Alison Stone

Crown Lands Legislation White Paper

Dear Ms Stone

Reference is made to your correspondence of April 2014 seeking input to the White Paper in relation to the above matter.

Council thanks you for the opportunity to provide input to this important state planning document. It considers the current discussion being held across NSW as an important step toward improving issues associated with the Crown estate, most notably the opportunity to simplify Crown Lands processes and eliminate duplication of legislation.

Council also notes the opportunity provided to attend LG NSW briefing session in Dubbo.

As a member of the Central NSW Councils (CENTROC), Council commends to you the work undertaken by that organisation and requests that you consult with CENTROC, as there is extensive knowledge and experience within its membership available to provide further advice.

About Blayney Shire

Blayney Shire has an area of 1,524.7 square kilometers and is located in the Central Tablelands of New South Wales, approximately three hours by road from the center of Sydney. The principal town in the Shire is Blayney, situated some 37km southwest of Bathurst and approximately 244km by road from Sydney. It is the center of a district, which stretches east to Bathurst, southwest to Cowra and north to Orange. Blayney Shire is comprised of a number of villages including Millthorpe; Carcoar; Mandurama; Lyndhurst; Neville; Newbridge; Hobbys Yards and Barry. The Shire sits at an altitude of 850 metros above sea level.

At the 2011 census the Shire had a population of 6,985 persons equally distributed between men and women. As the table shows the Shire has a relatively young population and even distribution across the age groups. The median age was 40 years compared to 37 for Australia. Of all occupied

properties at the time of the 2011 census 72% were family households similar to that for Australia.

Council owns and maintains 751 kilometres of road throughout the Shire. Transport is a key issue and the Shire is serviced by the Mid-Western Highway that links Bathurst (35km) in the east with Marsden to the west, and services the larger regional centre of Cowra (69km) south of Blayney. Blayney is also linked to Orange via a road to the north-west. Other roads provide connections to Canberra via Goulbourn and Forbes via Canowindra. In addition to road linkages there is also rail. The Main Western Railway traverses the Shire providing a daily commuter service between Dubbo and Sydney stopping at Blayney. At Blayney there is also a link to the main southern line at Demondrille via Cowra.

Blayney Shire is predominately rural in nature, supporting primary industries such as dairying, beef, lamb, wool, viticulture, orchards, potatoes, canola and other grains. Mining is also a key industry and the area supports other industrial activities such as manufacturing, transportation and food processing.

Proposed Legislation

The development of one single piece of legislation is a positive step. Council considers the existing pieces of legislation as due for review, and provides an opportunity for duplication, conflict and inconsistency to be addressed.

The opportunity to improve/streamline administrative processes for the Crown, Local Government and the community is considered an important aspect of the review and must be ensured in order for benefits to be achieved.

The White Paper proposes transfer of responsibility from the Crown Lands Act to the Local Government Act, which in its current form cannot be accommodated. The reported outcomes from the proposed Crown Lands legislation would require new or amended Local Government legislation.

Consideration: Council requests advice on when this new/amended LG legislation would be expected to be provided?

The first object of the proposed Act, is stated as saying:

"To provide for the management of Crown Land for the benefit of the people of NSW"

Consideration: In providing transparency, would it not be important to also state that it is in the interests of benefiting the Crown? The White paper emphasises the benefits to the community and Local Government, but does not refer to the Crown. The Crown must surely need to achieve a benefit, and this should be communicated.

Consideration: The objects do not make any provision for allocation or reservation of Crown Land for a public purpose. The focus would appear to be

on management and disposal, despite the "Powers" suggesting the Minister will be able to grant an interest over a Crown Reserve.

Improved Management Arrangements for Crown reserves

Local Government is currently awaiting the outcomes of numerous reviews in the sector, including the Local Government and Planning reviews.

Although the Local Government Review Panel has effectively completed its work and the Planning Bill 2013 has been passed with amendments, Local Government remains uncertain of the timing of any changes.

Consideration: Changes to Crown Lands legislation will have to be subject to the release of final details of other work currently underway in the sector, otherwise the ultimate outcome will not be realised.

The proposed new management arrangements would appear to be a positive step, including more local management of locally controlled lands. However Council remains concerned of the burden this "may" place on Local Government in terms of additional resources (staff and funding) that would be required to handle the work load. Notably in small Councils, such as Blayney.

As recognised in the FAQ on this topic, Local Government already manages land regarded as "local land", however there are extensive tracts of land that this is not the case, and should Local Government be burdened with this, it may well consider this, cost shifting by the NSW Government.

Consideration: As part of the pilot, and then within each LGA, a review of the land stock must be undertaken in consultation with the local Council as a priority.

Consideration: Councils must be allowed the opportunity to consider the transfer of land as either operational or community land, and it not simply be determined by the NSW Government.

Consideration: It is essential that there be no forced transfer of land to local Council's.

Consideration: It would appear from the White Paper that the subject land remains Crown Land, and despite being managed under Local Government legislation, will continue to be subject to Crown Lands legislation. This needs to be clarified.

Crown consent is currently required for Development Application's (DA) on Crown land, including that controlled by Council or a trust. Will this requirement remain?

Consideration: Given that Council's are required to process DA's in 40 days, Where the Crown is the owner or an adjoining owner, faster response times by the Crown are essential.

Under the current provisions of the Local Government Act, land classified as Community Land cannot be dealt with by way of lease, disposed of, or used contrary to the “core objectives” for that parcel.

Until such time as the proposed changes to manage Crown Land under the Local Government Act are articulated, Council is unable to provide any comment on whether they will provide efficiencies.

The Reserve Trust system, when it was properly resourced and supported by State Government provided an effective and efficient system.

Consideration: Where a council becomes the management authority the “ownership” by the local community is lost, as the community expects/assumes Council has the resources to manage/maintain the subject land. This is a clear indication of State Government devolving its responsibilities to Local Government without any indication of the provision of additional resources.

Other streamlining measures

Land assessment may be time consuming and not currently aligned to broader planning principles, however even waiving it, if the proposed action is in the public interest, and consideration of the Crown land management principles is made, some type of assessment/judgement still needs to be undertaken.

The assessment of land provisions were specifically introduced to provide transparency and accountability.

Consideration: Who is to undertake this assessment? The new land manager, i.e.: the Council?

The cost of community engagement as part of this process is another example of State Government devolving its responsibilities, to Local Government without any indication of the provision of additional resources.

In relation to landowners consent, it is usually more substantial development that requires owners consent.

Consideration: If Council is accepted as the owner, why cannot Council consent to the development?

Consideration: The uses identified as minor may well be exempt development, this should be clarified.

Council acknowledges that notification should be a focus. Community engagement is important and effective, where the community wishes to engage. Where development on Crown land will fall under the Local Government Act, there is currently a consultation process in place.

Simple notification by way of an online portal is not considered active communication, and the community must be actively engaged to ensure proper consultation, opinion and direction is a part of the decision making process.

Better provisions for tenures and rent

The issuing of tenures over public land is not adequately provided for in current Local Government legislation, with Crown Land specifically excluded.

The inability to classify Crown land, and the complicated nature and limitations of the Local Government Act do not currently identify this as an easier, less complex or more efficient option. This may be considered another example of State Government devolving its responsibilities, to Local Government without any indication of the provision of additional resources.

In general terms, the current retention of Crown land (i.e.: Crown roads) is based upon historical circumstances, dating back to the early days of colonisation.

The proposed enshrinement of market rent in the legislation, is noted, however it is imperative that this commercial driver does not result in statutory minimum rents creating hardship.

Consideration: Statutory minimum rents and future increases must be carefully considered so that lessees do not suffer financial hardship and approach Council's for financial support.

The five (5) year transitional arrangements are considered unreasonable. Lessees have already had to accept a substantial rise over a three (3) to four (4) years period.

Consideration: Are rises justified if management is being simplified?

Tenures over Crown land are currently bounded by the Crown Lands Act, as well as the Conveyancing and Real Property Acts. Council acknowledges that this is inappropriate and at times onerous.

Council considers that the sale of Crown land is already provided for, and most of the suggested provisions for tenures and rents are already in place, however acknowledges the need to address duplication and inconsistency.

It is noted that there are equity conditions proposed to reduce the market value for sale of the subject land to lessees.

Consideration: These equity conditions must not be prohibitive to the point where the sale price for the land remains high.

Stronger enforcement provisions

Council acknowledges that compliance sharing with other agencies is a worthy aspect for consideration.

Consideration: The review must consider the danger of misinterpretation, the hierarchy of decision making, and resourcing.

Consideration: If Council becomes the land manager would they also have the powers of license control, enforcement, compliance and auditing? This once again raises the concern of resources.

The powers provided for under the Crown Lands By-Laws are only applicable to those reserves specifically gazetted. Otherwise the authority for compliance is very limited.

Consideration: The application of such provisions for all public reserves would provide benefits to reserve management authorities.

Minor legislation

The repeal of minor legislation is considered appropriate to rationalise the legislative framework that the community must operate within.

Consideration: The abolition of minor legislation must not occur until viable alternatives are established, that do not place an additional burden on the community or the new management body.

The White Paper refers to replacement legislation for the Public Reserves Management Fund (PRMF) Act. However is not referred to any further.

In line with other State Government reforms, the proposal to evolve Crown Lands into a Public Trading Enterprise raises concern about the management and allocation of grant funding for public reserves, particularly where Councils are managers.

Consideration: Councils taking over Crown reserve responsibility requires the ability for continuing and "enhanced" access to funding from the PRMF.

The PRMF has enabled funding to be relocated from income generating operations such as caravan parks in high tourism areas to those operations in areas in need of further funding

Consideration: Removal of, or restricting access to the PRMF program may have detrimental effects on smaller community reserves and trusts.

Councils as reserve trust managers, traditionally receive a lesser priority for funding under the PRMF program, in lieu of reserve trusts with fewer opportunities for income generation.

Consideration: The proposals outlined in the White Paper would indicate Councils taking over responsibility for more reserves, however there appears no commitment that access to PRMF funding will be ensured.

The initial Crown Lands Management Review document recommends that the Roads Act be amended so that the Minister is no longer a roads authority.

Consideration: Will responsibility for all roads used to provide a legal right of access to the general public, rest with other roads authorities? i.e. Roads and Maritime Services and in even more instances the relevant Local Government Authority.

Council has received advice that procedures are being developed to enable Councils to undertake their own advertising and investigation for Crown Road and Council Public Road closures.

Consideration: This is viewed as another example of State Government devolving its responsibilities, to Local Government without any indication of the provision of additional resources.

Consideration: Should this be devolved to Local Government, sales based upon market value must be allowed, and access to the income as part of any sale should be recovered and retained by the Council.

Consideration: This may present an opportunity to expedite the consolidation of the roads network, removing unnecessary paper roads and support the viability of the formed road network, especially when considering the ever increasing infrastructure gap that exists across NSW and the nation.

The White Paper makes no reference to insurance responsibilities with the proposed transfer of reserve management responsibility. The Treasury Managed Fund (TMF) guidelines in the Crown Lands Reserve Handbook explicitly exclude Councils from insurance coverage.

Consideration: The direct responsibility for additional land stocks, has the potential to create a significant additional insurance cost burden on Councils.

Council questions

- With the changes proposed, how will native vegetation be protected?
- Would there be a need to compensate NSW Government if Local Government sells or "asset recycles" the subject land and realises a capital income?
- How will the Public Reserves Management Fund Act provisions allow for access to funds on lands that will ultimately become free hold?
- What will happen to land that is not identified as State or locally significant under the review?

Conclusion

Council considers the White Paper a very broad starting point for a very complex change in legislation and land management. The review may appear to be clear, but it has far reaching consequences, and every sector of the community stands to be affected by these changes.

Council acknowledges that the opportunity for business development in the local government area, must be a key aspect of the proposal, and Council's must seek to re-use assets for better outcomes, that ultimately reduce the financial burden on Local Government. In order for this to occur, changes must be made to current legislation, but not without provisions to protect it, and strengthen its ability to become financially sustainable over the long term.

As would be expected, the concern for local government is the transfer of vast amounts of Crown land into local government ownership/control with no suggestion of how it is to be funded, staffed and managed. Considering the limited resources of local government, its current reliance in many areas on State and Federal funding, and the increasing reduction of this funding in relative terms, this has the potential to impact significantly.

For the individual, land rent is likely to rise again, and burdens placed on landowners, particularly on small holdings where a farming income is not an option to support the use of the land for agriculture. For community groups the advantage may be dealing with a local authority rather than the State Government.

Council thanks you for the opportunity to be involved in the discussion on the NSW Crown Lands Review.

Should you have any other queries please contact Council's Director Infrastructure Services, Mr Grant Baker on (02) 6368 2104 during business hours.

Yours faithfully

Grant S. Baker
Director Infrastructure Services
For General Manager



16 June 2014

Mr Glenn Wilcox
General Manager
Blayney Shire Council
PO Box 62
BLAYNEY NSW 2799

Sent via email: Mark Dicker – mdicker@blayney.nsw.gov.au

Dear Glenn,

SUBJECT: NetWaste Regional Waste Services Tender

NetWaste is currently coordinating a regional tender process on behalf of eight (8) member Councils for a range of domestic waste services, including waste, recycling and organics. The process is being managed by Impact Environmental Consulting (IEC) with the participating Councils being:

Bathurst Regional Council
Blayney Shire Council
Blue Mountains City Council
Cabonne Council

Forbes Shire Council
Orange City Council
Parkes Shire Council
Wellington Council

The tender period closes Wednesday 18 June, with evaluation of the submissions occurring in June/July. Consideration of the tenders by Councils is expected in August 2014.

The purpose of this letter is to seek participating Councils consideration to deliberate the tender offers on a common date. Given the number of Councils involved, the potential value of resulting contracts and the sensitivity of the commercial nature of these tenders, NetWaste believes that a co-ordinated Council consideration would be more efficient, have less risk on confidentiality breaches and be more consistent with a regional approach that we are seeking to achieve.

Blue Mountains City, Cabonne, Orange City and Parkes Shire Councils all have Ordinary Council meetings scheduled to be held 19 August 2014. It is therefore proposed that this be the common meeting date.

The existing Domestic Waste and Recycling Contract involving five (5) of the aforementioned Councils has resulted in significant economic, environmental and social benefits for the region. It is hoped the current tender process shall result in an expanded beneficial joint arrangement including the potential inclusion of organics collection and processing.

NetWaste · PO Box 35 · ORANGE · NSW · 2800

CONTACT: Kristy Cosier · NetWaste Projects Coordinator · 0439131470 · projects@netwaste.org.au

Should your Council not be able to comply with this common meeting date request we then ask that the meeting that is scheduled is as closely after the 19th August as possible.

Your consideration of this request is appreciated at your earliest convenience with written advice via email to projects@netwaste.org.au.

If you wish to discuss this matter further please contact me on 68612371 or Kristy Cosier, NetWaste Projects Coordinator on mobile 0439131470 or via email at projects@netwaste.org.au

Yours sincerely,



Steven Campbell
NetWaste Executive Officer

NetWaste · PO Box 35 · ORANGE · NSW · 2800
CONTACT: Kristy Cosier · NetWaste Projects Coordinator · 0439131470 · projects@netwaste.org.au

MINUTES OF THE BLAYNEY TRAFFIC COMMITTEE MEETING
HELD ON FRIDAY 20 JUNE 2014
AT THE BLAYNEY SHIRE COMMUNITY CENTRE

Meeting commenced at 10.15am

PRESENT

Cr Kevin Radburn (Chair), Jackie Barry (Roads and Maritime Services), Reg Rendall (Paul Toole Representative), Wes Bush (NSW Police) and Geoff Paton (Blayney Shire Council).

APOLOGIES

Peter Foran (NSW Police), Iris Dorsett (Road Safety Officer)

CONFIRMATION OF MINUTES

RESOLVED: That the minutes of the previous Traffic Committee Meeting held on Friday 11 April 2014 be confirmed to be a true and accurate record of that meeting. (Jackie Barry/Kevin Radburn)

TRAFFIC REGISTER

Update provided and information noted.

CORRESPONDENCE

Traffic Concerns from Blayney Town Committee

RESOLVED:

That the LTC endorse the following recommendations (Wes Bush/Jackie Barry).

1. Pedestrian Crossing – Carcoar St

The LTC recommend that Council consult with RMS Safety Around Schools Project Officer and continue to explore longer term solutions and consider line marking and signage in the short term.

2. 40 Kph – Adelaide St

That the LTC does not support a 40 Kph zone for Adelaide Street.

3. Limit Exhaust Braking – Orange Rd, Newbridge Rd & Hobbys Yards Rd

That the LTC endorses the installation of Limit Exhaust Braking Signs following further investigation and consultation with RMS on State Roads.

4. Disabled Parking – Adelaide St

That the LTC recommend Council investigate a new compliant Accessible Parking Space in a more relevant location on Adelaide Street.

5. Long Vehicle Parking – Adelaide St

That the LTC write to the Blayney Town Committee and advise that the issue was previously considered by the LTC and the view of the committee is not changed.

6. Concrete blisters – Adelaide St light poles

That the LTC advise Council that this is not considered an appropriate treatment and Council consider painting or reflective banding on the poles.

7. Stock Transport effluent

That the LTC notes this advice and suggests Council advise the EPA.

8. Roadside Signage

That the LTC notes this advice.

GENERAL BUSINESS

Access from mid-block laneways

RESOLVED: That the LTC endorses Councils' investigation of converting narrow lane ways to one way, when planning issues arise. (Reg Rendall/Jackie Barry)

Signage – Lyndhurst side roads

RESOLVED: The LTC advises that following completion of the Speed Zone Review for the 80km/h zone through Lyndhurst on SH6, Council will review side streets off the highway, including signage. (Jackie Barry/Wes Bush).

Footpath – Martha Street

Noted. LTC suggests Council advise that Council is reviewing the Blayney Pedestrian Access Mobility Plan (PAMP) which will be looking at the whole footpath and Cycleway network.

Heavy Vehicles and Speed – Binstead Street

RESOLVED: that the LTC:

1. Advise the NSW Police of speeding issues in Binstead Street,
2. Recommend Council write to the complainant outlining the actual speed and heavy vehicle usage profile observed in the most recent Traffic Counts, and
3. Council consider improving signage from Carcoar Street. (Reg Rendall/Wes Bush)

50km/h Zone – Newbridge

RESOLVED: that the LTC recommend Council:

1. Replace the existing 50km/h Ahead (red ringed) signs to compliant 'black ringed' advisory signs and bring into line with standard,
2. Replace existing 50km/h regulatory signs with larger 'b' size signs,
3. Clear vegetation obscuring the Newbridge Village sign and properties on left, and\
4. If site distance not required 240M for property entrance on right between the advisory and regulatory signs include concealed driveway ahead sign. (Reg Rendall/Jackie Barry)

B2B Petition Against Road Closures

RESOLVED: that the LTC recommend Council advise the B2B Committee to:

1. Increase community consultation, particularly in Trunkey Creek, and
2. Formalise vehicle escort arrangements in the TMP/TCP from Trunkey Creek to Triangle Flat Road. (Reg Rendall/Wes Bush)

Alpine Classic

RESOLVED: that the LTC recommend Council approve the Alpine Classic with conditions from last year. (Wes Bush/Jackie Barry).

Driveway Access – Caltex Service Station

RESOLVED: that the LTC recommend Council write to the business owner and advise Council have had concerns raised with them and suggest they consider installing one way flow with marked entry and exit. Council would be happy to discuss any options with the business owner. (Wes Bush/Reg Rendall).

Speed Zone Review – 80 km/h Zone - Lyndhurst

RESOLVED: that the LTC supports the proposal to extend the 80 km/h zone in both directions (200M to south / 100M to north). Council will provide formal comment upon receipt of report (Reg Rendall/Wes Bush).

INFORMAL MATTERS**Monthly Road Safety Reports – March 2014, April 2014 and May 2014**

Reports were noted.

NEXT MEETING

The next meeting of the Blayney Shire Traffic Committee will be held on Friday 20 June 2014.

MEETING CLOSE

The meeting closed at 12.40am.

**MINUTES OF THE BLAYNEY SHIRE TOWNS AND VILLAGES
COMMITTEE MEETING
HELD ON THURSDAY 26 JUNE 2014
AT THE BLAYNEY SHIRE COMMUNITY CENTRE**

Meeting commenced at 6.00pm

PRESENT

Judy Belecky, Loretta Kervin, Cathy Griffiths, Wayne Moore, Narelle Riley, Elizabeth Russ, Richard Bloomfield, Anton Franze and Cr Allan Ewin.

APOLOGIES

RECOMMENDED: That the apologies received from Sally Ryan, Alvaro Marques, Cecily Waters and Glenn Wilcox be accepted. (Elizabeth Russ / Cathy Griffiths)

CONFIRMATION OF MINUTES

RECOMMENDED: The minutes of the previous meeting held on 13 March 2014 were confirmed to be a true and accurate record of that meeting (Cathy Griffiths / Elizabeth Russ).

MATTERS ARISING

Advice received by Newbridge Progress Association that there is little likelihood that repairs will be made to footbridge at Newbridge Railway Station. Correspondence has been sent by Newbridge Progress Association to John Holland Rail, following advice that it is under review in 2015, that timetable for review be revised and the opportunity for the work to be progressed.

Question from the floor: Is the Newbridge Railway Station Heritage Listed?

RECOMMENDED: That Council pursue necessary avenues for funding for restoration of Newbridge Railway Station Footbridge. (Wayne Moore / Judy Belecky).

Re: Draft Displays on Footpath Policy – No update to report. Any update including proposed legislation on this matter to be emailed to committee members.

DECLARATIONS OF INTEREST

Nil.

VILLAGE PLANS

A report was provided to members:

- Council's Operational Plan including financial plan has been approved;
- Village Plans Adopted;
- Panel of staff tasked with responsibility on progressing planned works.
- Reporting to be provided back committee and community;

It was requested that reporting of proposed works and timing be provided.

WORKSHOP FOR DEVELOPMENT OF EVENTS STRATEGY

- Report circularised for outcome of meeting held (attached).
- Follow up meeting proposed for 5.30pm 12 August 2014.

RECOMMENDED: That the report on event coordination meeting be noted.
(Richard Bloomfield / Elizabeth Russ)

COMMUNITY NOTICEBOARD / COMMUNITY GARDENS

- Discussion of Noticeboards in each village was discussed. This matter has been identified in Village Plans of some villages.
- Design / Location would need to be approved through Council.
- Opportunity for villages to apply for funding through Financial Assistance Program, as Newbridge has done recently.
- Discussion on suggestion from Blayney Health Council on a Community Gardens concept. Consensus was Blayney Health Council or Blayney Garden Club progress concept and seek Council support if required.

TOURISM SIGNAGE RENEWAL PROJECT

- Funds in the amount of \$154,000 have been set aside for the above purpose.
- Work will commence and consultation through Council and Village Committees will be undertaken.
- Part of the project will be the review of tourism signage in the Shire to remove duplication.

RECOMMENDED: That the report on Tourism Signage Renewal Project meeting be noted.
(Cathy Griffiths / Elizabeth Russ)

GENERAL BUSINESS

Nil

FUTURE AGENDA ITEMS

- Troop train re-enactment: 2015 WWI Re-enactment (Investigate with timing of the Cooee March from Gilgandra and Sydney – April 12 to 25 2015).

NEXT MEETING

The next meeting of the Blayney Shire Towns and Villages Committee will be held on Thursday 11 September 2014 commencing at 6.00pm.

MEETING CLOSE

The meeting closed at 7.09pm.



Event Coordination Meeting | Community Update

A well-attended Community Meeting was recently held to workshop ways to better identify and communicate up-coming events and activities.

The Meeting agreed that many benefits would flow from better coordination and promotion of future events:

- Better selection of dates, to ensure activities do not clash by falling on the same day or over the same weekend. By spreading events, we can ensure there is something interesting occurring each weekend or in each of our villages.
- PROMOTION is essential for the success of any event. It's therefore CRITICAL that details of EVERY event is advised as soon as they are known. When known, event details can be distributed to the media, listed on several websites and added to Facebook and other Social Media channels.

Coming events will be included in a monthly flyer sent to VIC's and widely distributed via an electronic Newsletter - which includes regional media (both press and radio).

- With sufficient notice, consideration can also be given to other forms of promotion and the potential for funding or other support.

Recommendations of the Meeting

During the meeting, several ways to better communication and therefore better promote coming events were identified.

CRITICAL to the success of any coordinated event strategy, is the prompt notification of ALL upcoming events by the event planner.

1. All Tourism Operators, Community Groups, Business Operators and Village Committees are asked to 'submit' details of their coming events.
2. As soon as details are known, all new events should be advised by one of the following:
 - e-mailing events@blayney.nsw.gov.au
 - phoning Council on (02) 6368 2104 (option 3) or
 - submitting details on-line via Council's website (Search for Event Notification)
3. Sporting Groups and Clubs are asked to provide details of their larger competitions and/or club events.

4. Cafes and Restaurants are asked to provide details of their special promotions, new menus, themed dinners or special opening hours.
5. A MONTHLY, hard copy 'Flyer' listing all notified events will be distributed to Visitor Information Centres and other Tourism establishments.
6. An e-mailed WHAT'S ON NEWSLETTER will be distributed MONTHLY to all registered Business Operators, Tourism Operators, Sporting and Community Groups and the media (press and radio).
7. All notified events will be posted on several websites including the Tourism Website, Council's website and several other tourism related sites, and appropriate posts will be made to a number of Facebook, Twitter and other Social Media sites.

Next Meeting

It was agreed that a follow-up meeting be held on Tuesday, 12th August at 5:30pm in the Blayney Shire Community Centre.

The meeting will consider potential new events to be added to the annual calendar and provide an initial demonstration of the new Blayney Tourism site for iPhones, iPads and other smart devices!



WBC Alliance Report for Council meeting July 2014

(Prepared by the Executive Manager, WBC Alliance)

Following from the recent decision of the Board to defer any further work on the shared services project the key activity of the Alliance over the last month has focussed on reviewing the Alliance operations and working on a new Delivery Plan, to be presented to the WBC Board on 3rd September.

This work includes:

- Identifying and agreeing on the key priorities for the next 2 years
- Engaging with management groups to establish self-directed teams responsible for working together on initiatives that either improve the efficiency of current service delivery or meeting gaps in service delivery
- Reviewing the goals and objectives of the Alliance (this will be a discussion for the WBC Board as it is time to reconsider the purpose and overall direction of the Alliance)
- Firming up the Memorandum of Understanding and shared engagement documentation to more clearly outline the conditions of membership and funding

Department of Planning Funding:

As reported last month Blayney and Cabonne received funding from Department of Planning for the implementation of an electronic DA tracker and housing code portal. The councils are working together on this with Tenterfield and Gilgandra Councils. WE are currently seeking quotations from suitably qualified software developers to undertake this work for us. I am Project Leader for this.

Supplier Tender:

Cabonne is currently lead council on coordinating the bi-annual tender for supplier list. This combined approach saves money on the tender coordination process but also can draw a wider range of suppliers that can be used across the region.

WBC Executive Manager Report to July 2014 Council Meeting

Wellington Key Projects:

I am providing high level project coordination and support to the General Manager and Directors for the three major projects underway there:

- Review of the Finance system
- Review of the Long Term Financial Plan
- Development of Asset management plans
- Review and improvement of the IPR framework and documentation

I am facilitating a Finance System User Group workshop on 9 July.

RECOMMENDATION

THAT the information be noted.