



15 March 2016

Dear Councillor,

Your attendance is requested at an Ordinary Council Meeting of the Blayney Shire Council to be held in the Chambers, Blayney Shire Community Centre on Monday, 21 March 2016 at 6.00 pm for consideration of the following business -

- (1) Acknowledgement of Country
- (2) Recording of Meeting Statement
- (3) Apologies for non-attendance
- (4) Disclosures of Interest
- (5) Public Forum
- (6) Mayoral Minute
- (7) Notices of Motion
- (8) Confirmation of Minutes - Ordinary Council Meeting held on 15.02.16
- (9) Matters arising from Minutes
- (10) Reports of Staff
 - (a) Executive Services
 - (b) Corporate Services
 - (c) Infrastructure Services
 - (d) Planning and Environmental Services
- (11) Delegates Reports
- (12) Questions from Councillors
- (13) Closed Meeting

Yours faithfully

Grant Baker
Acting General Manager

5.30PM PRESENTATION FROM CENTRAL NSW BUSINESS ENTERPRISE CENTRE (BRUCE BUCHANAN)

Meeting Calendar 2016

March

Time	Date	Meeting	Location
6.00 pm	21 March 2016	Council Meeting	Community Centre
5.30 pm	23 March 2016	Financial Assistance Committee	Community Centre
	25 March 2016	Good Friday	
	28 March 2016	Easter Monday	
6.00 pm	17 March 2016	Towns and Villages	Community Centre

April

Time	Date	Meeting	Location
6.30pm	4 April 2016	Cultural Centre Working Group	Community Centre
10.00 am	15 April 2016	Traffic Committee	Community Centre
6.00 pm	18 April 2016	Council Meeting	Community Centre
	25 April 2016	ANZAC Day	

May

Time	Date	Meeting	Location
6.30pm	3 May 2016	Cultural Centre Working Group	Community Centre
5.00 pm	12 May 2016	Cemetery Forum	Community Centre
6.00 pm	12 May 2016	Access Committee	Community Centre
6.00 pm	16 May 2016	Council Meeting	Community Centre
4.00 pm	17 May 2016	LEMC	Community Centre
5.30 pm	19 May 2016	Sports Council	Community Centre

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HELD ON MONDAY 21 MARCH 2016

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01) MINUTES OF THE PREVIOUS MEETING HELD ON MONDAY 15 FEBRUARY 2016

Department: Executive Services

Author: General Manager

CSP Link: 6.3 A well-run Council organisation.

File No: GO.ME.3

Recommendation:

That the Minutes of the Ordinary Council Meeting held on 15 February 2016, being minute numbers 1602/001 to 1602/034 be confirmed.

MINUTES OF THE BLAYNEY SHIRE COUNCIL ORDINARY MEETING HELD IN THE CHAMBERS, BLAYNEY SHIRE COUNCIL COMMUNITY CENTRE, ON 15 FEBRUARY 2016, COMMENCING AT 6.00 PM

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

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

ACKNOWLEDGEMENT OF COUNTRY

A MINUTES SILENCE

A minutes silence was held to pay respect for the passing of former Councillor Eric Thompson who served as a Councillor from 1965 to 1991. Eric was President of both Lyndhurst Shire Council (1965 to 1977) and Blayney Shire Council (1977 to 1981).

RECORDING OF MEETING STATEMENT

APOLOGIES

1602/001 RESOLVED:
That the apology, tendered on behalf of Cr Braddon OAM, be accepted. (Oates/Ewin)

DISCLOSURES OF INTEREST

Nil

PUBLIC FORUM

Cyril Smith – Sale of Treated Effluent to Regis Resources Ltd

Brenda van Pelt – Agenda Item No. 7 - Carcoar School of Arts Reserve Trust

Vince Harris – Agenda Item No. 27 – Development Application 165/2015 – Erection of a Dwelling – Lot 40 DP263360, 37 Graham Lane, Millthorpe

CONFIRMATION OF MINUTES**MINUTES OF THE PREVIOUS MEETING**

1602/002

RESOLVED:

That the Minutes of the Ordinary Council Meeting held on 21 December 2015, being minute numbers 1512/001 to 1512/030 be confirmed. (Kingham/Somervaille)

MATTERS ARISING FROM THE MINUTES

Nil

EXECUTIVE SERVICES REPORTS**APPLICATION FOR LEAVE OF ABSENCE**

1602/003

RESOLVED:

That the application of a Leave of Absence for Councillor Braddon from 1 February 2016, for an initial period of 3 months be granted. (Radburn/Kingham)

COUNCIL RESOLUTION REPORT

1602/004

RESOLVED:

That Council notes the Resolution Report from July 2014 to January 2016. (Oates/Somervaille)

WORK HEALTH AND SAFETY QUARTERLY REPORT

1602/005

RESOLVED:

That the Work Health and Safety Report for the quarter October to December 2015 be noted. (Ewin/Somervaille)

MERGER PROPOSAL BLAYNEY SHIRE, CABONNE AND ORANGE CITY COUNCILS

1602/006

RESOLVED:

Noting Council's preference to remain stand-alone;

1. That Council authorise the Mayor to finalise the response to the NSW Minister for Local Government's council merger proposal for Blayney Shire, Cabonne and Orange City Councils, should a merger proceed.
2. That the response from Blayney Shire Council to the merger proposal detail the concerns of the community for elected representation and the retention of local autonomy

and identity; in addition to the fundamental principles which it believes are critical to be taken into consideration and reflected in the planning and implementation of any recommended merger. (Radburn/Oates)

LOCAL GOVERNMENT ACT PROPOSED AMENDMENTS

PHASE 1

1602/007

RESOLVED:

That the report on the Local Government Act Proposed Amendments Phase 1 be noted. (Ferguson/Kingham)

CARCOAR SCHOOL OF ARTS RESERVE TRUST

1602/008

RESOLVED:

That Council consider assuming the ownership of the Carcoar School of Arts building for the purpose of community land subject to the provision of the following investigation:

1. Insurance
2. Legal costs
3. Building condition report and cost of any repairs
4. Council decision making during merger proposal guidelines
5. Any other matters. (Ferguson/Kingham)

MINUTES OF THE CULTURAL CENTRE WORKING GROUP MEETING

1602/009

RESOLVED:

That the minutes of the Cultural Centre Working Group Meeting, held on Tuesday 2 February 2016, be received. (Oates/Kingham)

CORPORATE SERVICES REPORTS

REPORT OF COUNCIL INVESTMENTS AS AT 31 DECEMBER 2015

1602/010

RESOLVED:

1. That the report indicating Council's investment position as at 31 December 2015 be received.
2. That the certification of the Responsible Accounting Officer be received and the report be adopted. (Kingham/Radburn)

REPORT OF COUNCIL INVESTMENTS AS AT 31 JANUARY 2016

1602/011

RESOLVED:

1. That the report indicating Council's investment position as at 31 January 2016 be received.
2. That the certification of the Responsible Accounting Officer be received and the report be adopted. (Radburn/Somerville)

QUARTERLY BUDGET REVIEW STATEMENT - DECEMBER 2015**1602/012 RESOLVED:**

1. That the Quarterly Budget Review Statement for the quarter ending 30 December 2015 be received.
2. That the supplementary votes proposed in the Quarterly Budget Review Statement be adopted resulting in adjustments of \$419k for Net Operating Result from Continuing Operations and \$(430)k for Capital Expenditure. (Oates/Ewin)

FINALISATION OF 2008/09 SPECIAL RATE VARIATION**1602/013 RESOLVED:**

1. That Council inform the OLG of its intention to conclude the 2008/09 Special Rate Variation 2 years earlier than planned following finalisation of the Community Centre project within financial projections;
2. That Council reduce its general income in 2016/17 rating year by \$275,415 plus the equivalent cumulative proportion of this increase from any general variation increases or any special variation increases approved for the 2008/09 to 2015/16 rating years inclusive. (Radburn/Ewin)

SIX MONTHLY DELIVERY PROGRAM REVIEW - DECEMBER 2015**1602/014 RESOLVED:**

That the six-monthly review, as at 31 December 2015, of Council's 2014/15 – 2017/18 Delivery Program be received. (Radburn/Oates)

ADOPTION OF DISPOSAL OF ASSETS POLICY**1602/015 RESOLVED:**

That the draft Disposal of Assets policy be adopted and included in Council's policy register. (Oates/Somerville)

ADOPTION OF USE OF PARKS AND PUBLIC OPEN SPACE BY FITNESS INSTRUCTORS AND GROUP TRAINERS POLICY**1602/016 RESOLVED:**

That the draft Use of Parks and Open Space by Fitness Instructors and Group Trainers policy be adopted and included in Council's policy register. (Ewin/Oates)

ADOPTION OF REVISED COUNCIL CODE OF CONDUCT**1602/017 RESOLVED:**

That the revised Council Code of Conduct be adopted and included in Council's policy register. (Somerville/Ewin)

- 1602/018** **RISK MANAGEMENT POLICY**
RESOLVED:
 That the draft Risk Management policy be placed on public exhibition for a period not less than 28 days. (Somerville/Oates)

COMMUNITY BANNER POLES POLICY AMENDMENT

MOTION:

That the Community Banner Poles Policy, as amended, be adopted and included in Council's policy register.

(Radburn/Somerville)

An AMENDMENT was MOVED

1. That the Community Banner Poles Policy, as amended, be adopted and included in Council's policy register; and
2. That Council remove 6.1 from the Policy and replace with delegation for the General Manager to change the specifications for the banners if and when required.
 (Somerville/Oates)

The Amendment, on being put, was WON

The Amendment became the RESOLUTION

- 1602/019** **RESOLVED:**
1. That the Community Banner Poles Policy, as amended, be adopted and included in Council's policy register; and
 2. That Council remove 6.1 from the Policy and replace with delegation for the General Manager to change the specifications for the banners if and when required.
 (Somerville/Oates)

2016 BLAYNEY MUSIC SCHOLARSHIP PROGRAM

RECIPIENTS

- 1602/020** **RESOLVED:**
 That the report on the 2016 Music Scholarship program recipients be received. (Radburn/Ewin)

COMPLIANCE AND REPORTING ACTIVITIES - JANUARY

- 1602/021** **RESOLVED:**
 That the report on Compliance and Reporting Activities for January 2016 be received. (Somerville/Ewin)

AMENDMENTS TO DELEGATIONS REGISTER

- 1602/022** **RESOLVED:**
 That the proposed amendments to Council's Register of Delegations, as detailed within this report, be adopted.
 (Oates/Ewin)

INFRASTRUCTURE SERVICES REPORTS

DIRECTOR INFRASTRUCTURE SERVICES MONTHLY REPORT

- 1602/023** **RESOLVED:**
 That the Director of Infrastructure Services Monthly report for

February 2016 be received and noted. (Radburn/Kingham)

FELLTIMBER ROAD - BRIDGE REPLACEMENT

1602/024 RESOLVED:

That Council approve funding of \$165,000 from the Bridge Replacement Program to match the \$165,000 from the Federal Government's Bridges Renewal Programme (Round 2), for the replacement of the bridge over Coombing Creek on Felltimber road. (Ewin/Kingham)

PROPOSED ROAD NAMING - DAVIS ROAD, BROWNS CREEK

1602/025 RESOLVED:

That Council note the report on the proposed naming of the unnamed road at 580 Browns Creek Road and:

- a. That it be included on Council's asset register as a Council Public Road with a length of 1,050m, and;
- b. That the recommended name, Davis Road be placed on public exhibition for a period of not less than 28 days and the public and relevant authorities be invited to make submissions. (Oates/Ewin)

MINUTES OF THE BLAYNEY TRAFFIC COMMITTEE MEETING HELD 11 DECEMBER 2015

1602/026 RESOLVED:

That Council accept the Minutes of the Blayney Traffic Committee Meeting, held on Friday 11 December 2015 and resolve to adopt the recommendations 2 to 7 as follows:

1. That Council request Roads and Maritime Services to investigate action required in relation to signage on the Mid Western Highway near Lucks Lane.
2. That Council request Roads and Maritime Services to investigate and take appropriate action in relation to the safety of vehicles turning into the property Knocknarney on the Millthorpe Road.
3. That Council supports the Newcrest Orange Challenge 2016 to be held Sunday, 20 March 2016 subject to the following conditions:
 - a. Council to receive a certified and signed Traffic Control Plans.
 - b. Development and implementation of a Traffic Management Plan (including Traffic Control Plans). All implementation and Traffic Control Works and Plans are to be completed by persons qualified to do so.
 - c. Approval is to be obtained from the Roads and Maritime Services Traffic Operations Manager.
 - d. Approval is to be obtained from NSW Police.
 - e. Council is to be provided with a copy of a \$20M Public Liability Insurance Policy indicating Blayney

- Shire Council's interests, with the date and location of the event.
- f. The Event Organiser is to notify all Emergency Services of the event including Blayney Hospital.
 - g. The Event Organiser is to notify all business proprietors and residents affected by the event at least 7 days prior to the event.
 - h. The Event Organiser is to comply with the requirements of the "Guide to Traffic and Transport Management for Special Events" (Version 3.4), 2 August 2006, for a class 1 event.
 - i. The Event Organiser is to comply with the requirements of the "Guide for Bicycle Road Races" NSW 1 January 2004.
 - j. Approval is to be obtained from Cabonne and Orange Council's.
 - k. Advice is to be provided to RMS through the Traffic Management Plan (TMP) of alternate routes.
 - l. A formally nominated Controller/Liaison person for start of all events, shall be located at a designated place at all times.
4. That Council supports the 2016 NAB Blayney to Bathurst (B2B) Cycling Festival to be held Sunday, 10 April 2016 subject to the following conditions:
The Event Organiser is to comply with the following:
- a. That Council receive certified and signed Traffic Control Plans.
 - b. Development and implementation of a Traffic Management Plan (including Traffic Control Plans). All implementation and Traffic Control Works and Plans are to be completed by persons qualified to do so.
 - c. Approval is to be obtained from the Roads and Maritime Services Traffic Operations Manager.
 - d. Approval is to be obtained from NSW Police.
 - e. Council is to be provided with a copy of a \$20M Public Liability Insurance Policy indicating Blayney Shire Council's interests, with the date and location of the event.
 - f. The Event Organiser is to notify all Emergency Services of the event including Blayney Hospital.
 - g. The Event Organiser is to notify all business proprietors and residents affected by the event at least 7 days prior to the event.
 - h. The Event Organiser is to comply with the requirements of the "Guide to Traffic and Transport Management for Special Events" (Version 3.4), 2 August 2006, for a class 1 event.
 - i. The Event Organiser is to comply with the

- requirements of the “Guide for Bicycle Road Races” NSW 1 January 2004.
- j. A parking plan for the start area is developed (which must ensure no parking in front of fire stations).
 - k. There shall be no parking on any footpaths.
 - l. Advice is to be provided to RMS through the Traffic Management Plan (TMP) of alternate routes.
 - m. There shall be additional VMS placed alerting motorists to closed roads ahead at Crookwell.
 - n. A formally nominated Controller/Liaison person for start of all events, shall be located at a designated place at all times.
5. That Council supports the Australia Day Fair to be held at Carcoar on Tuesday, 26 January 2016 subject to:
 - a. Council seeking clarification on current public liability insurance and noting that Council provides Traffic Control.
 6. That Council and the Roads and Maritime Services Safety Around Schools Officer investigate and review the parking requirements on Adelaide Street in front of St Joseph’s Primary School and present a diagram of any proposal to the next Local Traffic Committee meeting.
 7. That Council write to the truck owner with regards to restricting public access along Lane/Marsden Streets Blayney and advise them of – Road Rules 2014 – Rule 200. Blayney Police have been advised of the trucks parking in residential areas. (Radburn/Somerville)

PLANNING AND ENVIRONMENTAL SERVICES REPORTS

STRATEGIC PLANNING PROJECTS

1602/027

RESOLVED:

1. That Council prepare a Planning Proposal to amend the Blayney Local Environmental Plan 2012 for Rural and Large Lot Residential Areas, including;
 - a) Insertion of a new standard instrument boundary adjustment clause,
 - b) A minor wording amendment to Clause 4.2A,
 - c) To extend the period of time specified in Clause 4.2A (4) of the Blayney Local Environmental Plan 2012 from 3 to 5 years,
 - d) To transfer all land which is zoned 1(c) Rural Small Holdings under the Blayney Local Environmental Plan 1998 in the vicinity of Forest Reefs Road Millthorpe to R5 Large Lot Residential under the Blayney Local Environmental Plan 2012 with a Minimum Lot Size of 2 Hectares,

- e) To transfer all land which is zoned 1(c) Rural Small Holdings under the Blayney Local Environmental Plan 1998 in the vicinity of Browns Creek Road Blayney to R5 Large Lot Residential under the Blayney Local Environmental Plan 2012 with a Minimum Lot Size of 20 Hectares,
2. That Council continue with the Employment Lands Study, including an industry engagement evening with key stakeholders in March 2016.
3. That Council proceed to prepare a Planning Proposal to rezone the area described “Blayney West” from RU2 Rural Landscape to appropriate residential zoned land.
4. That Council proceed to develop a comprehensive Development Control Plan for the Blayney Shire LGA prior to January 2017. (Oates/Ewin)

DEVELOPMENT APPLICATION 165/2015 – ERECTION OF DWELLING – LOT 40 DP 263360, 37 GRAHAM LANE, MILLTHORPE

RECOMMENDATION:

That Council refuse Development Application 165/2015 for a proposed dwelling on Lot 40 DP 263360, 37 Graham Lane, Millthorpe, because:

- Council is not satisfied that the applicant has adequately addressed the matters set down under Clause 4.6 (3) of the Blayney LEP 2012; and
- The proposal is not in the public interest because it is inconsistent with the objectives within the RU1 zone, and inconsistent with the objectives of the 100ha standard.

The reasons for refusal are set down as follows:

- a) The proposal does not align with Council’s structured and planned strategic approach to the location of lifestyle allotments under the Rural and Industrial Land Use Strategy 2008.
- b) The development has the potential to create a precedent for the establishment of lifestyle blocks in this locality with no strategic rationale undertaken.
- c) The development has the potential to create a precedent for the establishment of lifestyle blocks within the entire RU1 Primary Production zone of the Blayney Shire Local Government Area with; no strategic rationale, is inconsistent with the State Environmental Planning Policy (Rural Lands) 2008, is inconsistent with the objectives of the Blayney LEP 2012, is inconsistent with the RU1 zone objectives and inconsistent with the 100ha development standard objectives.
- d) The development is proposed in isolation, with no strategic analysis of supply and demand for rural residential allotments, and no analysis of the environmental impacts of soil capability and service provision in the context of future development of the surrounding lots.

- e) The development has the potential to create landuse conflict with adjoining agricultural landuses, having regard for current and future agricultural activities, and the efficient and effective operation of agricultural land.
- f) The proposal has the potential to have an adverse visual impact on the locality, with no indication of possible mitigation measures.

An AMENDMENT was MOVED

That Council defer this item at the request of the owner for further review. (Ferguson/Ewin)

The Amendment, on being put, was WON

The Amendment became the RESOLUTION

1602/028

RESOLVED:

That Council defer this item to next months meeting at the request of the owner for further review. (Ferguson/Ewin)

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

FOR	AGAINST
Councillor Ewin	
Councillor Oates	
Councillor Kingham	
Councillor Somervaille	
Councillor Ferguson	
Councillor Radburn	
Total (6)	Total (0)

DELEGATES REPORTS

WBC ALLIANCE EXECUTIVE OFFICER REPORT

1602/029

RESOLVED:

That the report from the WBC Alliance Executive Officer for February 2016 be received. (Radburn/Somervaille)

CLOSED MEETING

1602/030

RESOLVED:

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

TENDER 21/2015 BRIDGE GEOTECHNICAL INVESTIGATION

This matter is considered to be confidential under Section 10A(2) (di) of the Local Government Act, as it deals with commercial information of a confidential nature that would, if disclosed (i) prejudice the commercial position of the person who supplied it.

LAND ACQUISITION FOR ROAD RE-ALIGNMENT BETWEEN 860 AND 1150 ERROWANBANG ROAD - ROWETH

This matter is considered to be confidential under Section 10A(2)

(c) of the Local Government Act, as it deals with information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

GENERAL MANAGER YEARLY PERFORMANCE REPORT

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

CONFIDENTIAL MEETING REPORTS

TENDER 21/2015 BRIDGE GEOTECHNICAL INVESTIGATION

1602/031 RESOLVED:

That Council accept the tender from Macquarie Geotech Pty Ltd for a total value of \$47,720 (exc. GST) for the delivery of geotechnical testing for Council's bridge replacement program. (Kingham/Oates)

LAND ACQUISITION FOR ROAD RE-ALIGNMENT BETWEEN 860 AND 1150 ERROWANBANG ROAD - ROWETH

1602/032 RESOLVED:

1. That Council approve the acquisition of Land for the purpose of road re-alignment, being part of Lot 162 DP 750358 as required for road realignment safety improvements along the Errowanbang Road and the land be classified as public road, as detailed in the Director of Infrastructure Services report.
2. That Council authorise the Mayor and General Manager to affix the Council Seal to associated transfer documents required to facilitate acquisition. (Oates/Ewin)

GENERAL MANAGER YEARLY PERFORMANCE REPORT

1602/033 RESOLVED:

That Council notes the recommendations of the General Manager's Performance Review Panel and congratulates her on a very successful year. (Ferguson/Ewin)

1602/034 RESOLVED:

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

AT THE RE-OPENING OF THE MEETING TO THE PUBLIC, THE MAYOR ANNOUNCED THE OUTCOMES OF RESOLUTION NUMBERS 1602/031 TO 1602/033.

There being no further business, the meeting concluded at 7.26pm.

The Minute Numbers 1602/001 to 1602/034 were confirmed on 21 March 2016 and are a full and accurate record of proceedings of the Ordinary Meeting held on 15 February 2016.

Cr S Ferguson
MAYOR

Mrs R Ryan
GENERAL MANAGER

02) MINUTES OF THE CULTURAL CENTRE WORKING GROUP MEETING HELD ON MONDAY 29 FEBRUARY 2016

Department: Executive Services

Author: General Manager

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

File No: ED.LI.2

Recommendation:

1. That the minutes of the Cultural Centre Working Group Meeting, held on Monday 29 February 2016, be received.
2. That an investigation and feasibility of a refurbishment of the Cottage be undertaken with the view of including a commercial Coffee Shop operator and current Visitor Information services as Stage 1 of the Cultural Centre project.

Minutes:**MINUTES OF THE CULTURAL CENTRE WORKING GROUP MEETING HELD ON MONDAY 29 FEBRUARY 2016 AT THE BLAYNEY SHIRE COMMUNITY CENTRE**

Meeting commenced at 6.35pm.

PRESENT

Cr Scott Ferguson (Chair), Rebecca Ryan (General Manager), Tom Williams, Betty Williams, Penny May, Elizabeth Russ, Gwenda Stanbridge, Margaret Paton, Ian Tooke and Jan Richards.

APOLOGIES

Cr Allan Ewin and Loretta Kervin.

DISCLOSURES OF INTEREST

Nil

MINUTES FROM PREVIOUS MEETING – 2 FEBRUARY 2016

Recommended that the minutes from the previous Cultural Centre Working Group Meeting held on 2 February 2016 be adopted, noting 'Viv Kable Collection' (page 2) should read 'Family History Group'.

(Margaret Paton/Gwenda Stanbridge)

PRESENTATION ON TRENDS IN PUBLIC LIBRARIES (JAN RICHARDS)

- Model program for Public Libraries impressive spaces
- Café with a view

- Doesn't look like a library
- Display cases that fit into shelving
- Open all hours
- Vibrant
- More like a shopping centre
- Pop up library
- Shelves on wheels/castors – moved for events
- Gardens
- Flexible spaces
- Games chess, table tennis
- Modular furniture
- Bringing together heritage and modern libraries
- Furniture like home
- Top shelf all face out
- At eye level
- Radio station
- Craft and activities program
- Portable, movable, small desks
- Self check out
- Children focus
- Music labs, Piano
- Use of glass to delineate and deliver/sell messages
- Kitchens, cooking classes
- Glass and curtain – softens and keeps private
- Social spaces
- Books displayed in genre
- Funky furniture
- Good lighting
- Hosting of dinners
- Dress ups
- Storytime

CULTURE CENTRE LAYOUT IDEAS (IAN TOOKE)

Presentation of some layout ideas to consider;

- How much could the library incorporate other space and multipurpose?
- Local area catchment
- Assumes part of a regional library space.
 - Access of vehicles to Community Centre need to allow through traffic.
 - 725m² library = 39m long x 24m wide.

HERITAGE ADVISOR ADVICE ON COTTAGE

- Report presented
- Location – options narrowing down to either behind Cottage or where current library is

QUESTIONS

Qualifications of Libraries.

- Librarian – degree in Librarianship
- Or degree in related field and a Diploma
- Library Technician – Tafe/Uni
- Assistants – HSC

Accessibility

- Shelving standards to meet accessibility
- Gallery spaces.

Library Funding

- \$200K
- Estimation of price based on current scale would be \$2M

GENERAL BUSINESS

- Interest by commercial operator to operate coffee shop from Cottage
- Stage 1 Plan - VIC / Cottage, Cottage / Coffee Shop, Commercial kitchen
- Stage 2 – Library / Art Gallery
- Asbestos report due

Cottage

- Is it going to be worthwhile?
- Building assessment of possibilities

RECOMMENDED: That an investigation and feasibility of a refurbishment of the Cottage be undertaken, with the view of including a commercial Coffee Shop operator and current Visitor Information services as Stage 1 of the Cultural Centre project.

(Elizabeth Russ/Margaret Paton).

NEXT MEETING

Next meeting will be held Monday 4 April 2016

MEETING CLOSE

There being no further business the meeting closed at 8.10pm.

Enclosures (following report)

Nil

Attachments (separate document)

Nil

03) REPORT OF COUNCIL INVESTMENTS AS AT 29 FEBRUARY 2016

Department: Corporate Services

Author: Chief Financial Officer

CSP Link: 6.3 A well-run Council organisation.

File No: FM.IN.1

Recommendation:

1. That the report indicating Council’s investment position as at 29 February 2016 be received.
2. That the certification of the Responsible Accounting Officer be received and the report be adopted.

Reason for Report:

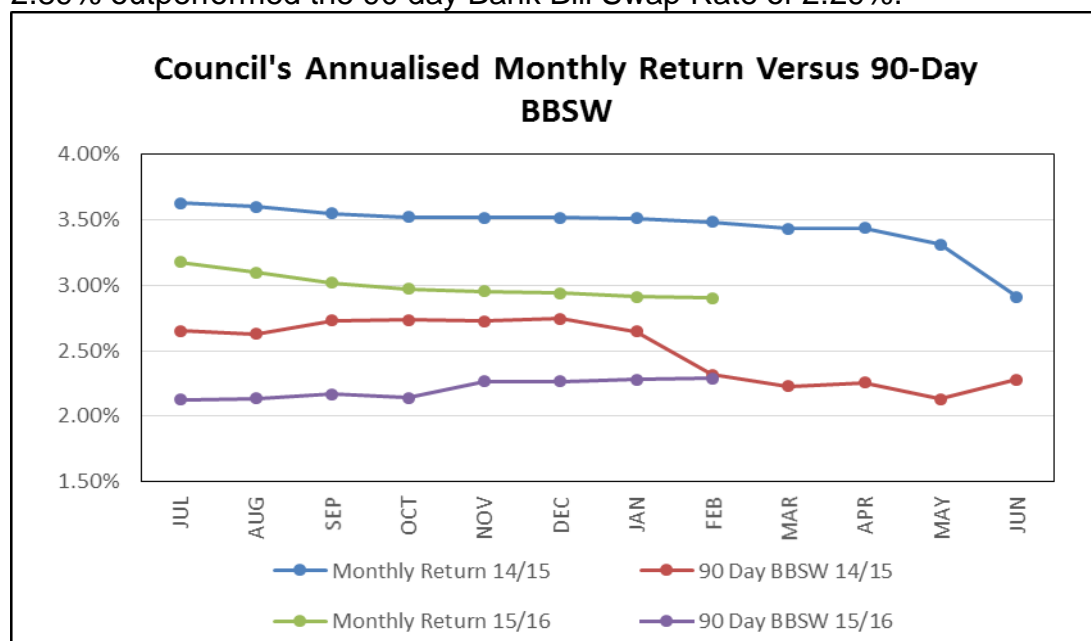
For Council to endorse the Report of Council Investments as at 29 February 2016.

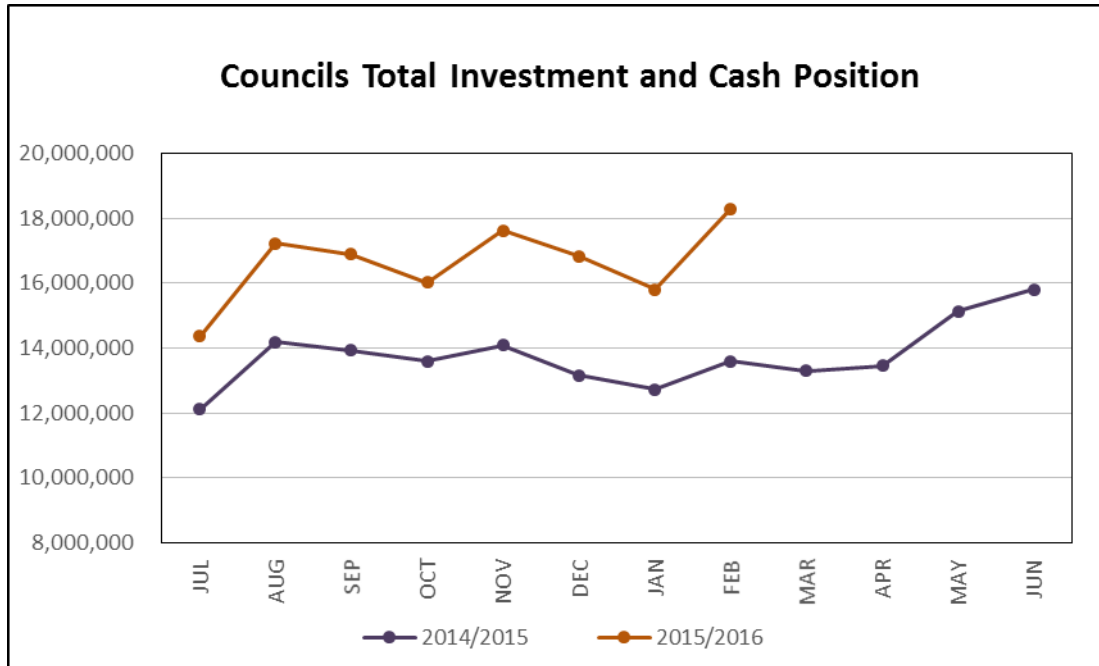
Report:

This report provides details of Council’s Investment Portfolio as at 29 February 2016.

Council’s total investment and cash position as at 29 February 2016 is \$18,294,986. Investments earned interest of \$35,829 for the month of February 2016.

Council’s monthly net return on Term Deposits annualised for February of 2.89% outperformed the 90 day Bank Bill Swap Rate of 2.29%.





REGISTER OF INVESTMENTS AND CASH AS AT 29 FEBRUARY 2016				
Institution	Rating	Maturity	Amount \$	Interest Rate
AMP Bank	A1/A+	6/01/2017	500,000	2.85%
AMP Bank	A1/A+	10/05/2016	500,000	2.75%
AMP Bank	A1/A+	31/05/2016	500,000	2.75%
AMP Bank	A1/A+	26/04/2016	500,000	2.80%
AMP Bank	A1/A+	16/08/2016	500,000	2.90%
Bank of Queensland	A2/A-	5/07/2016	500,000	3.05%
Bank of Queensland	A2/A-	26/07/2016	500,000	3.00%
Bank of Queensland	A2/A-	2/08/2016	500,000	3.05%
Bank of Queensland	A2/A-	15/08/2016	500,000	3.05%
Bankwest	A1+/AA-	5/04/2016	500,000	2.85%
Bankwest	A1+/AA-	3/05/2016	500,000	3.00%
Bankwest	A1+/AA-	15/03/2016	500,000	2.90%
Bankwest	A1+/AA-	14/02/2017	500,000	2.85%
Bankwest	A1+/AA-	14/06/2016	500,000	2.95%
Bendigo & Adelaide Bank	A2/A-	22/11/2016	500,000	2.80%
Bendigo & Adelaide Bank	A2/A-	14/06/2016	500,000	2.85%
IMB	A2/BBB	1/09/2016	500,000	2.80%
Macquarie Bank	A1/A	30/05/2016	500,000	2.70%
Macquarie Bank	A1/A	9/08/2016	500,000	2.80%
ME Bank	A2/BBB+	1/03/2016	500,000	2.75%
ME Bank	A2/BBB+	19/07/2016	500,000	2.95%
ME Bank	A2/BBB+	20/12/2016	500,000	3.00%
ME Bank	A2/BBB+	8/03/2016	500,000	2.85%
NAB	A1+/AA-	5/04/2016	500,000	2.96%
NAB	A1+/AA-	29/11/2016	500,000	2.92%
NAB	A1+/AA-	25/05/2016	500,000	2.96%
NAB	A1+/AA-	29/03/2016	500,000	3.00%
Westpac	A1+/AA-	15/03/2016	500,000	2.68%
Westpac	A1+/AA-	28/06/2016	500,000	2.88%
Wide Bay Australia	A2/BBB	8/03/2016	500,000	3.01%
Total Investments			15,000,000	2.89%
Benchmarks:				
	BBSW 90 Day Index			2.29%
	RBA Cash Rate			2.00%
Commonwealth Bank - At Call Account			153,024	1.90%
Commonwealth Bank Balance - General			3,141,961	1.85%
TOTAL INVESTMENTS & CASH			18,294,986	

* % Interest rates as at 29/02/2016

Summary of Investment Movements - February		
Financial Institution	Invst/(Recall) Amount \$	Commentary
Bank of Queensland	(508,917.81)	Term Deposit Matured 02/02/2016
Bank of Queensland	500,000.00	Term Deposit Reinvested 02/02/2016
Macquarie Bank	(511,095.89)	Term Deposit Matured 09/02/2016
Macquarie Bank	500,000.00	Term Deposit Reinvested 09/02/2016
Bankwest	(503,575.34)	Term Deposit Matured 16/02/2016
Bankwest	500,000.00	Term Deposit Reinvested 16/02/2016
Bankwest	(506,942.47)	Term Deposit Matured 16/02/2016
Bankwest	500,000.00	Term Deposit Reinvested 16/02/2016
Bank of Queensland	(507,066.44)	Term Deposit Matured 16/02/2016
Bank of Queensland	500,000.00	Term Deposit Reinvested 16/02/2016
Bank of Queensland	(506,673.97)	Term Deposit Matured 23/02/2016
Bank of Queensland	500,000.00	Term Deposit Reinvested 23/02/2016

CERTIFICATION – RESPONSIBLE ACCOUNTING OFFICER

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

Issues:

Nil

Budget Implications:

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

Enclosures (following report)

Nil

Attachments (separate document)

Nil

04) ADOPTION OF AUDIT COMMITTEE AND INTERNAL AUDIT CHARTERS

Department: Corporate Services

Author: Director Corporate Services

CSP Link: 6.3 A well-run Council organisation.

File No: FM.AU.1

Recommendation:

That the Audit Committee and Internal Audit Charters be adopted.

Reason for Report:

For Council to approve amendments to the Audit Committee and Internal Audit Charters.

Report:

The Audit Committee has undertaken a review of the Audit Committee Charter and the Internal Audit Charter. These Charters were last reviewed and adopted in 2011 and 2012 respectively and warranted revision in light of their age.

The Audit Committee Charter outlines the objective of the Audit Committee is to provide independent oversight and assistance to the Blayney Shire Council on risk management, control, governance, and external accountability responsibilities.

The Internal Audit Charter represents a formal written document that defines the Internal Auditor's purpose, authority and responsibility within Blayney Shire Council. The Charter establishes:

- The Internal Audit role within Council and recognises the importance of such an independent and objective service to Council
- The authority to access all records, personnel, and other information relevant to the performance of internal audits
- The scope of the Internal Auditing activities

The Audit Committee endorsed the tabling of these charters at its meeting held 22 October 2015 and was identified at the meeting held 17 February 2016 as having been overlooked.

Copies of the charters are attached for reference. Amendments have been marked and underlined for ease of reference and are considered minor in nature.

Issues:

Nil.

Budget Implications:

Costs associated with Audit Committee meetings and associated service reviews are provided for in Council's budget.

Enclosures (following report)

- | | | |
|---|-------------------------|---------|
| 1 | Audit Committee Charter | 6 Pages |
| 2 | Internal Audit Charter | 8 Pages |

Attachments (separate document)

Nil



BLAYNEY SHIRE AUDIT COMMITTEE CHARTER

Objective

The objective of the Audit Committee (Committee) is to provide independent assurance oversight and assistance to the Blayney Shire Council on risk management, control, governance, and external accountability responsibilities.

Authority

The Council authorises the Committee, within the scope of its role and responsibilities, to:

- Obtain any information it needs from any employee or external party (subject to their legal obligations to protect information).
- Discuss any matters with the external auditor or other external parties (subject to confidentiality considerations).
- Request the attendance of any employee or councillor at Committee meetings.
- Obtain external legal or other professional advice considered necessary to meet its responsibilities.

Composition and Tenure

Members (voting)

- One Councillor (excluding the Mayor)
- Two independent external members as follows:
 - I. A community representative with demonstrated knowledge / experience in the field of Internal Audit; and
 - II. A Director of Corporate Services (or their delegate) from one of the WBC Alliance partners.

Attendee (non-voting)

- General Manager
- Director Corporate Services as the appointed Secretariat of the Audit Committee
- Risk Officer
- Chief Financial Officer

Invitees (non-voting) for specific Agenda items

- Representatives of the external auditor.
- Other officers may attend by invitation as requested by the Committee.

The independent external member will be appointed for the term of council, after which they will be eligible for extension or re-appointment following a formal review of their performance.

The Chair shall be an independent member of the Audit Committee.

The members of the Committee, taken collectively, will have a broad range of skills and experience relevant to the operations of Blayney Shire Council. At least one member of the Committee shall have accounting or related financial management experience, with understanding of accounting and auditing standards in a public sector environment.

Role and Responsibilities

The Committee has no executive powers, except those expressly provided by the Council. In carrying out its responsibilities, the Committee must at all times recognise that primary responsibility for management of Council rests with the Council and the General Manager as defined by the Local Government Act.

The responsibilities of the Committee may be revised or expanded by the Council from time to time. The Committee's responsibilities are:

Risk Management

- Review whether management has in place a current and comprehensive risk management framework, and associated procedures for effective identification and management of business and financial risks, including fraud.
- Review whether a sound and effective approach has been followed in developing strategic risk management plans for major projects or undertakings;
- Review the impact of the risk management framework on its control environment and insurance arrangements; and
- Review whether a sound and effective approach has been followed in establishing business continuity planning arrangements, including whether plans have been tested periodically.

Control framework

- Review whether management has adequate internal controls in place, including over external parties such as contractors and advisors;
- Review whether management has in place relevant policies and procedures, and that these are periodically reviewed and updated;
- Progressively review whether appropriate processes are in place to assess whether policies and procedures are complied with;
- Review whether appropriate policies and procedures are in place for the management and exercise of delegations; and
- Review whether management has taken steps to embed a culture which is committed to ethical and lawful behaviour.

External Accountability

- Satisfy itself the annual financial reports comply with applicable Australian Accounting Standards including all relative legislative requirements and supported by appropriate management sign-off on the statements and the adequacy of internal controls.
- Review the external audit opinion, including whether appropriate action has been taken in response to audit recommendations and adjustments.
- To consider contentious financial reporting matters in conjunction with Council's management and external auditors.
- Review the processes in place designed to ensure financial information included in the annual report is consistent with the signed financial statements.
- Satisfy itself there are appropriate mechanisms in place to review and implement, where appropriate, relevant State Government reports and recommendations.
- Satisfy itself there is a performance management framework linked to organisational objectives and outcomes.

Legislative Compliance

- Determine whether management has appropriately considered legal and compliance risks as part of risk assessment and management arrangements.
- Review the effectiveness of the system for monitoring compliance with relevant laws, regulations and associated government policies.

Internal Audit

- Act as a forum for communication between Council, General Manager, senior management, internal audit and external audit.
- Review the internal audit coverage and internal audit plan, ensure the plan has considered the risk management plan, and approve the plan.
- Consider the adequacy of internal audit resources to carry out its responsibilities, including completion of the approved internal audit plan.
- Review all audit reports and consider significant issues identified in audit reports and action taken on issues raised, including identification and dissemination of better practices.
- Monitor the implementation of internal audit recommendations by management.
- Periodically review the internal audit charter to ensure appropriate organisational structures, authority, access and reporting arrangements are in place.
- Periodically review the performance of internal audit.

External audit

- Act as a forum for communication between the Council, General Manager, senior management, internal audit and external audit.
- Provide input and feedback on the financial statement and performance audit coverage proposed by external audit, and provide feedback on the external audit services provided.
- Review all external plans and reports in respect of planned or completed external audits, and monitor the implementation of audit recommendations by management.
- Consider significant issues raised in relevant external audit reports and better practice guides, and ensure appropriate action is taken.

Responsibilities of Members

Members of the Committee are expected to:

- Understand the relevant legislative and regulatory requirements appropriate to Blayney Shire Council.
- Contribute the time needed to study and understand the papers provided.
- Apply good analytical skills, objectivity and good judgment.
- Express opinions frankly, ask questions that go to the fundamental core of issues, and pursue independent lines of enquiry.

Reporting

At the first Committee meeting after 30 June each year, the Internal Audit Committee will provide a report of:

- The performance of Internal Audit for the financial year as measured against agreed key performance indicators.
- The approved Internal Audit Plan of work for the previous financial year showing the current status of each audit.
- The Committee may, at any time, consider any other matter it deems of sufficient importance to do so. In addition, at any time an individual Committee member may request a meeting with the Chair of the Committee.

Meetings

The audit committee should meet with sufficient frequency to meet its responsibilities (or as required by Council), for the following reasons:

1. Create and adopt an audit schedule for the following 12 months
2. Review completed audits
3. Consider results and agree to action plans and monitor and review ongoing actions.
4. Report actions and update

The need for any additional meetings will be determined by the Chair of the Committee, though other Committee members may make requests to the Chair for additional meetings.

A forward meeting plan, including meeting dates and agenda items, will be agreed by the Committee each year. The forward meeting plan will cover all Committee responsibilities as detailed in this Audit Committee Charter.

Attendance at Meetings and Quorums

A quorum will consist of a majority of Committee members, including at least one independent member. Meetings can be held in person, by telephone, video or web conference.

A person/ team conducting the internal audit will be invited to attend each meeting unless requested not to do so by the Chair of the Committee. The Committee may also request the Director of Corporate Services or the Secretariat of the Audit Committee as appointed or any other employees to participate for certain agenda items, as well as the external auditor.

Secretariat

The Secretariat is the link between the Committee and the day to day operations and staff of the Council. They act as coordinator for the internal audit function. The Secretariat will ensure the agenda for each meeting and supporting papers are circulated, at least one week before the meeting, and ensure minutes of the meetings are prepared and maintained. Minutes shall be approved by the Chair and circulated to each member within three weeks of the meeting being held.

Conflicts of Interest

Committee members must declare any conflicts of interest at the start of each meeting or before discussion of a relevant agenda item or topic. Details of any conflicts of interest should be appropriately minuted.

Where members or invitees at Committee meetings are deemed to have a real or perceived conflict of interest, it may be appropriate they be excused from Committee deliberations on the issue where the conflict of interest may exist. The final arbiter of such a decision is the Chair of the Committee.

Induction

New members will receive relevant information and briefings on their appointment to assist them to meet their Committee responsibilities.

Assessment Arrangements

The Chair of the Committee will initiate a review of the performance of the Committee at least once every two years. The review will be conducted on a self-assessment basis (unless otherwise determined by the Chair), with appropriate input from management and any other relevant stakeholders, as determined by the Chair.

Review of Audit Committee Charter

At least once every two years the Audit Committee will review this Audit Committee Charter. The Audit Committee will approve any changes to this Audit Committee Charter.

Adopted:	Date: 09/05/2011	Minute: 1105/008
Lasted Reviewed:	Date: 14/11/2011	Minute: 1111/026
	Date: 21/03/2016	
Next Reviewed:	Date: 16/10/2017	



INTERNAL AUDIT CHARTER

1 Name

This Charter will be known as the Internal Audit Charter

2 Status

Established by authority of the Blayney Shire Council Audit Committee on 10 December 2012.

3 Introduction

The mission or purpose of internal auditing is best defined by the Institute of Internal Auditors Australia (IIA)¹:

Internal auditing is an independent, objective assurance and consulting activity designed to add value and improve an organisation's operations.

It helps an organization accomplish its objectives by bringing a systematic, disciplined approach to evaluate and improve the effectiveness of risk management, control, and governance processes.

4 Purpose of the Internal Audit Charter

The Internal Audit Charter is a formal written document that defines the Internal Auditor's purpose, authority and responsibility within Blayney Shire Council.

The Charter establishes:

- 4.1 The Internal Audit role within Council and recognises the importance of such an independent and objective service to Council
- 4.2 The authority to access all records, personnel, and other information relevant to the performance of internal audits
- 4.3 The scope of the Internal Auditing activities

5 Reporting Line of Internal Audit

- 5.1 The Internal Auditor reports administratively to the Audit Committee
- 5.2 The Internal Auditor's activities, program and the results of all Internal Audits are overseen and reviewed by the Audit Committee
- 5.3 The Internal Auditor meets with the Audit Committee Chair, other external independent representatives and External Auditor as needed

¹ The Institute of Internal Auditors: <http://www.iaa.org.au>

6 Role and Authority of Internal Audit

The Internal Auditor is authorized to direct a comprehensive program of internal audit work in the form of reviews, previews, consultancy advice, evaluations, appraisals, assessments and investigations of functions, processes, controls and governance frameworks in the context of the achievement of business objectives.

For this purpose, Internal Audit is authorized to have full, free and unrestricted access to all functions, property, personnel, records, information, accounts, files, monies and other documentation, as necessary for the conduct of their work.

6.1 Specifically, Blayney Shire Council's Internal Auditor is responsible for:

- a) The development/ co-ordination of a dynamic, comprehensive long-term (3 years) Internal Audit Plan, together with supporting programs, for the efficient and effective performance of the Internal Audit function
- b) The development of annual Internal Audit Plans derived from the long-term Plan
- c) Reviewing compliance with relevant legislation, Department of Local Government directives and other regulatory instruments
- d) Identifying, and assessing risks to the assets, activities and interests of Blayney Shire Council
- e) Investigating actual and potential lapses of control and incidents of risk over the financial and other operations and activities of Council
- f) Carrying out any assignment specifically directed by the Audit Committee
- g) Making recommendations for the improvement of control, the responses to risk, and the attainment of Council objectives

6.2 Council's Internal Auditor is not responsible for:

- a) Designing, installing and operating systems
- b) Drafting of policies and procedures
- c) Establishing and maintaining organizational controls – this responsibility rests with management
- d) Handling complaints from external sources in relation to Council or the conduct of its officers.
- e) Involvement in individual Tender Processing evaluations as these activities generally are considered operational responsibilities and may impair audit objectivity

6.3 Authority is vested in the Internal Auditor to enable the internal audit function to be performed efficiently, conveniently and to the satisfaction of the Internal Auditor, with every assistance from officers and employees of Blayney Shire Council and without any impediment.

For the purpose of performing any internal audit function, the Internal Auditor is authorised, without restriction:

- a) To have access to any office, depot, store or other premises or property owned or used by Blayney Shire Council in their operations and activities
- b) To have access to, and be presented with, any books, accounts, files, computer software, documents or papers pertaining to the operations or activities of Blayney Shire Council and to take copies thereof

- c) For the purpose of counting or inspection, to be presented with any moneys, certificates, value documents or other assets of Blayney Shire Council for which a memorandum shall be signed by the Internal Auditor acknowledging receipt
- d) To be supplied with all relevant information and explanations as requested and to be given every assistance in the performance of the duties entrusted

7 Code of Conduct

7.1 Internal Auditors are expected to adopt professional ethical standards in order to meet their responsibility to Blayney Shire Council. The Council expects that the Internal Auditor will apply and uphold the principles and rules of conduct as stated in The IIA's Code of Ethics² as outlined in 9.2 and 9.3.

7.2 Principles of Conduct

The principles that are relevant to the profession and practice of internal auditing are:

a) Integrity

The integrity of the Internal Auditor establishes trust and provides the basis for reliance on their judgement.

b) Objectivity

The Internal Auditor exhibits the highest level of professional objectivity in gathering, evaluating, and communicating information about the activity or process being examined. The Internal Auditor makes a balanced assessment of all the relevant circumstances and is not unduly influenced by their own interests or by others in forming judgements.

c) Confidentiality

The Internal Auditor respects the value and ownership of information received and does not disclose information without appropriate authority unless there is a legal or professional obligation to do so.

d) Competency

The Internal Auditor applies the knowledge, skills, and experience needed in the performance of internal auditing services.

7.3 Rules of Conduct

The rules of conduct that describe behaviour norms expected of internal auditors are:

a) Integrity:

The Internal Auditor shall

- i) Perform their work with honesty, diligence, and responsibility
- ii) Observe the law and make disclosures expected by the law and the profession
- iii) Not knowingly be a party to any illegal activity, or engage in acts that are discreditable to the profession of internal auditing or to the organisation
- iv) Respect and contribute to the legitimate and ethical objectives of the organisation

² Adopted by The IIA Board of Directors, June 17, 2000

b) Objectivity

The Internal auditor shall

- i) Not participate in any activity or relationship that may impair or be presumed to impair their unbiased assessment. This participation includes those activities or relationships that may be in conflict with the interests of the organisation
- ii) Not accept anything that may impair or be presumed to impair their professional judgement
- iii) Disclose all material facts known to them that, if not disclosed, may distort the reporting of activities under review

c) Confidentiality

The Internal auditor shall:

- i) Be prudent in the use and protection of information acquired in the course of their duties
- ii) Not use information for any personal gain or in any manner that would be contrary to the law or detrimental to the legitimate and ethical objectives of the organisation

d) Competency

The Internal auditor shall

- i) Engage only in those services for which they have the necessary knowledge, skills, and experience
- ii) Perform internal auditing services in accordance with the Standards for the Professional Practice of Internal Auditing³
- iii) Continually improve their proficiency and the effectiveness and quality of their services

8 Duties and Obligations

- 8.1 It is the duty of the Internal Auditor to carry out the internal audit functions in the most professional manner, maintaining independence from line management and not compromising impartial and unbiased judgment
- 8.2 At all times, confidentiality shall be preserved and discretion exercised by the Internal Auditor to ensure that information of a private, confidential or sensitive nature, known through the performance of the Internal Audit function, is not divulged, except where necessary in performance of that function
- 8.3 Due regard shall be had for the care, security and safekeeping of any books, accounts, files, documents, papers, or other items whilst in the possession of the Internal Auditor for the purpose of audit and these shall be returned to their customary holder as soon as possible.
- 8.4 Recognised professional standards, practices and procedures for internal audit shall be applied to all aspects of the internal audit function
- 8.5 At the beginning and during each internal audit engagement the Internal Auditor will liaise with the General Manager to discuss any issues pertaining to that engagement

- 8.6 The only exception to ~~42.5~~ 8.5 above is if a General Manager authorizes a surprise internal audit, and at the time of commencement of the internal audit, the internal auditor will report to the officer-in-charge of the Division, Directorate, Department, Section or Office
- 8.7 The Internal Auditor shall exhibit good conduct and a professional and courteous manner in performing the internal audit functions

9 Scope of Work

- 9.1 The scope of services provided by Internal Audit shall encompass:
- a) The examination and evaluation of the adequacy and effectiveness of systems of internal control, risk management, governance, and the status of ethical behaviour
 - b) Ascertaining conformity with the goals and objectives of Council
 - c) Assessment of the economic and efficient use of resources
 - d) The examination of compliance with policies, procedures, plans and legislation
 - e) Assessment of the reliability and integrity of information
 - f) Assessment of the safeguarding of assets
 - g) Any special investigations as directed by the Audit Committee
 - h) All activities of Council, whether financial or non-financial, manual or computerised
- 9.2 The scope of work may include
- a) **Assurance services** – objective examination of evidence for the purpose of providing an independent assessment on risk management, control, or governance processes for the organisation. Examples may include financial, performance, operational, compliance, system security, and due diligence engagements
 - b) **Consulting services** – advisory and related client service activities, the nature and scope of which are agreed with the client and which are intended to add value and improve an organisation's governance, risk management, and control processes without the internal auditor assuming management responsibility. Examples include counsel, advice, facilitation and training
- 9.3 Internal Audit Methodology

Internal Audit shall use the most appropriate methodology for each internal audit engagement, depending on the nature of the activity and the pre-determined parameters for the engagement.

Generally, internal audits will include:

- a) Planning
- b) Reviewing and assessing risks in the context of the audit objectives
- c) Examination and evaluation of information
- d) Communicating results
- e) Following up on implementation of audit recommendations

10 Planning Arrangements

The Internal Auditor uses a risk-based rolling program of internal audits to establish an annual Internal Audit Plan to reflect a program of audits over a 12 month period. This approach is designed to be timely, dynamic and flexible in order to meet the changing needs and priorities of Council.

10.1 Long-Term Internal Audit Plan

- a) The Internal Auditor will develop and co-ordinate a long-term Strategic Internal Audit Plan spanning a minimum period of 3 years
- b) This will be based on the outcome of a Risk Assessment conducted in consultation with the Council General Manager and Executive Management.
- c) The long-term Internal Audit Plan will be submitted to the Audit Committee for acceptance, discussion and possible reassessment of priorities and general approval.

10.2 Annual Internal Audit Plan

- a) At the commencement of each financial year, the Internal Auditor shall submit to the Audit Committee, for approval, a detailed Internal Audit Plan showing the areas and locations of internal audit work proposed for the ensuing year.
- b) The Annual Internal Audit Plan shall be consistent with and flow from the comprehensive long-term Internal Audit Plan and, where appropriate, shall include any planned special assignments and/ or requirements of the Audit Committee and senior executives.
- c) The Internal Auditor has discretionary authority to adjust the Internal Audit Plan as a result of receiving special requests from management to conduct reviews that are not on the plan, with these to be approved at the next meeting by the Chair of the Audit Committee.

11 Reporting Arrangements

11.1 At each Audit Committee meeting the Internal Auditor shall submit a report summarising all audit activities undertaken during the period, indicating:

- a) Status report on progress on the Internal Audit Plan
- b) Internal audit engagements completed or in progress
- c) Outcomes of each internal audit engagement undertaken
- d) Remedial action taken or in progress

11.2 On completion of each internal audit engagement, the Internal Auditor shall issue a report to its audit customers stakeholders detailing the objective and scope of the audit, and resulting issues based on the outcome of the audit.

The Internal Auditor shall seek from the responsible manager an agreed and endorsed action plan outlining action to be taken, along with an implementation timetable and person responsible. Responsible officers shall have a maximum of ten working days to provide written management responses and action plans in response to issues and recommendations contained in internal audit reports.

11.3 The Internal Auditor shall make available all internal audit reports to the Audit Committee. However, the work of Internal Audit is solely for the benefit of Blayney Shire Council and is not to be relied on or provided to any other person or organisation, except where this is formally authorised by the Audit Committee or the General Manager.

- 11.4 A final Internal Audit Report will be produced including Management Responses, for submission to the General Manager and to the Audit Committee.
- 11.5 In addition to the normal process of reporting on work undertaken by Internal Audit, the Internal Auditor shall draw to the attention of the Audit Committee all matters that, in the Internal Auditor's opinion, warrant reporting in this manner
- 11.6 The Audit Committee will consider any Internal Audit report and any recommendations contained therein. The Audit Committee will make recommendations to the General Manager in relation to the implementation of each recommendation. If the Audit Committee recommends to a General Manager that an Internal Audit recommendation will not be implemented, reasons will be included in the Audit Committee minutes. The Internal Auditor will be given the opportunity to respond to the Audit Committee if such a recommendation is not to be implemented.
- 11.7 If a General Manager determines not to implement an internal audit recommendation (as recommended by the Audit Committee) then the Audit Committee will report to council on the non-implementation of that recommendation as soon as practicable after the General Manager's determination.
- 11.8 Within six months of any internal audit report, the Internal Auditor will follow-up to determine the current status regarding implementation of internal audit recommendations (except where a decision was made by the Audit Committee not to implement)
- 11.9 A follow-up report will be provided to the Audit Committee at the end of each half-year on the status of all recommendations that should have been implemented
- 11.10 As soon as practical after the end of each financial year the Internal Auditor shall submit to the Audit Committee an Annual Report, summarising the internal audits undertaken during the year and the results of these internal audits. The report shall include reference to areas where weaknesses were consistently encountered; suggested remedial measures and any general observations or recommendations considered appropriate
- 11.11 After consideration by the Audit Committee, the Internal Auditor's Annual report shall be submitted to Council

12 Relationship with Council's External Auditors

- 12.1 The Internal Auditor shall liaise closely and co-operate with Council's External Auditors in the preparation of the Internal Audit work schedule and other audit matters so that the resources of the Internal Auditor shall be used to the best effect and not duplicate the work being done by the External Auditors
- 12.2 The Director Corporate Services will remain Council's primary contact with the External Auditors in relation to the interim, annual and other audits performed by council's External Auditors, in terms of general co-ordination and follow up of formal and informal External Audit recommendations
- 12.3 Internal Audit Plans, working papers, and reports shall be readily available to the Council's External Auditors
- 12.4 A meeting should be held at least every twelve months between the Internal Auditor, Director Corporate Services (as the representative of the Council) and Council's External Auditors for the purpose of discussing audit matters.

13 Quality Assurance and Professional Development

- 13.1 The Internal Auditor shall obtain and maintain membership of the appropriate professional organisation for Internal Auditors, namely the Institute of Internal Auditors Australia
- 13.2 The Internal Auditor shall establish a Quality Assurance Review (QAR) program that includes both ongoing and periodic internal reviews and meeting the mandatory requirement (IIA audit standard 1300) to undergo an external QAR a minimum of once every five years
- 13.3 The Internal Auditor shall engage in suitable in-house training on relevant computer software to ensure retention and updating of skills needed to effectively use relevant Council computer programs and software
- 13.4 The Internal Auditor shall become involved in the Local Government Internal Audit Network (LGIAN) and attend the quarterly Local Government Internal Audit Network meetings in an effort to share information, techniques and general knowledge with other internal auditors working for local councils

Adopted:	Date: 10/12/2012	Minute: 1212/010
Lasted Reviewed:	Date: 10/12/2012	Minute: 1212/010
	21/03/2016	
Next Reviewed:	Date: 16/10/2017	

05) ADOPTION OF RESTRICTED AND UNRESTRICTED CASH POLICY

Department: Corporate Services

Author: Director Corporate Services

CSP Link: 6.3 A well-run Council organisation.

File No: FM.PO.3

Recommendation:

That the draft Restricted and Unrestricted Cash policy be adopted and included in Council's policy register.

Reason for Report:

For Council to adopt a policy developed to formalise a framework for the administration of restricted and unrestricted cash.

Report:

Council at its meeting held 21 December 2015 resolved to place the Restricted and Unrestricted Cash policy on public exhibition.

The objective of the policy is to provide a framework for the establishment and management of cash restrictions.

At the closing date of the exhibition period Council received no objections.

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

Issues:

There are no issues foreseen by the endorsement of this policy.

Budget Implications:

Nil effect.

Enclosures (following report)

1 Restricted and Unrestricted Cash Policy

7 Pages

Attachments (separate document)

Nil



Blayney Shire Council

Policy Register

Policy No

Policy Title Restricted and Unrestricted Cash Policy

Officer Responsible Chief Financial Officer

Last Review Date 18/03/2016

Objectives

To provide a framework for the establishment and management of restricted and unrestricted cash.

Policy Statement

Blayney Shire Council



Restricted and unrestricted Cash Policy

Policy

1. BACKGROUND

Council has significant restricted cash set aside for future purposes. They appear in Council's balance sheet under "Cash, cash equivalents and investments". The funds are invested in accordance with Council's Investment Policy.

Over the term of the Long Term Financial Plan these restrictions are used to smooth out funding requirements for Council's programs outside the scope of normal operational activities. This allows for the equitable spread of the costs burden in establishing and maintaining Council's assets and services.

2. CLASSIFICATION OF RESTRICTED CASH

Restricted cash are funds set aside by Council for a purpose to meet future expenses. They are over and above the expenses provided for in the annual budget which are voted annually as part of the adoption of the Operational Plan.

Restricted Cash falls into three categories based on their use:

(a) External cash restrictions

These are funds received by Council where there is a legal obligation to use the funds for the purpose for which they were paid to Council. Under section 409(3) of the Local Government Act 1993 they are of three categories:

- (i) money received as a result of levying a special rate or charge for a particular purpose (e.g. proceeds of a special rate variation);
- (ii) money that is required by legislation to be set aside for a specific purpose (e.g. developer contributions); and
- (iii) money received from the government for a specific purpose (e.g. tied grants).

(b) Internal cash restrictions

These are funds set aside by resolution of Council for a particular purpose, where there is no legal or legislative requirement governing their use. If the purpose for which the cash restriction was established does not eventuate or Council changes its priorities, these funds may be reapplied for a different purpose by resolution of Council.

(c) Unrestricted cash

These are funds which are available to be used to cover unexpected or emergency expenses not provided for in the annual budget and not

covered by an available internal restriction. They are also available for:

- (i) bringing forward projects identified in the Long Term Financial Plan;
- (ii) renewing or replacing current Council assets; and
- (iii) reducing Council's asset backlog.

Any application of funds to be drawn from unrestricted cash for capital projects, where required, would need to comply with the Capital Expenditure Guidelines of the NSW Office of Local Government.

3. ESTABLISHMENT OF CASH RESTRICTIONS

(a) Current Restrictions

The purpose of each internal cash restriction is articulated in Schedule 1.

Audited externally and internally restricted cash balances can be found in the Annual Financial Statements, Note 6(c), included in the Annual Report available on Council's website

<http://www.blayney.nsw.gov.au/your-council/council-publications/annual-reports/annual-reports> .

(b) Future Restrictions

Additional internally restricted cash may be created by resolution of Council. The resolution must set out:

- (i) the name and purpose of the cash, which must be specific and relate to the then current Community Strategic Plan and Delivery Plan of Council; and
- (ii) the basis of calculating any transfer of funds to internally restricted cash.

4. INTEREST ON RESTRICTED CASH

Interest must be applied to external cash restrictions where required by legislation or otherwise, such as s94 developer charges. Interest is added to the balance in the relevant cash restriction. The rate of interest is equal to the average return on investments for the financial year.

If interest is paid on internally restricted cash, the interest is paid into the general fund.

5. BORROWINGS FROM RESTRICTED CASH

Council may borrow from internally restricted cash, [but not from externally restricted cash without consent from the Minister of Local Government]. Any

such borrowing must be authorised by resolution of Council and the full impact of the borrowing disclosed. Interest must be paid on any such borrowings.

6. TRANSFERS TO AND FROM RESTRICTED CASH

Funds may only be transferred into or transferred out of a cash restriction, by resolution of Council. The authority for such transfers may be given:

- (a) by specific resolution in the case of a particular project the subject of a Council resolution;
- (b) in the Quarterly Budget Review Statement, by virtue of the adoption of that statement by Council; or
- (c) by the adoption of the annual financial statements containing a schedule of restricted cash showing transfers in and out

A transfer contained in a Quarterly Budget Review Statement must show the restricted cash item audited opening balance, the amount transferred in or out and the estimated closing balance

7. REPORTING ON RESTRICTED CASH

The level of restricted cash shall be reported on in the Quarterly Budget Review Statement and annually in the Financial Statements.

Council must assess at least annually the adequacy of each internal cash restriction during the preparation of the Long Term Financial Plan and annual budget.

Schedule 1: Name and Purpose of Cash Restrictions held

NAME OF CASH RESTRICTION	PURPOSE OF RESTRICTION	Comment
Plant & Vehicle Replacement	To be able to internally fund replacement of plant and vehicles at the optimal time. Based on internal hire rates and actual operating expenditure, taking into consideration depreciation plus proceeds of sales less asset purchases.	
Employee leave entitlement	To fund leave payments in excess of salary provided for in operational plan – e.g. Employment Termination / Retirement with Council. Based on a formula calculated by reference to average age brackets of employees and total Employee Leave Entitlements.	
Asset Replacement	To fund expenditure on asset renewals.	Unspent annual capital budget Can consist of budget savings on completed works and budgeted projects not carried out. Annual allocation for netball courts since 2012
Blayney Town Works	To fund improvements to Blayney town. Previous applications include KGO lighting, Carrington Park lighting, Showground construction and Heritage Park.	
Cemeteries	Purpose is to spend on restoration of cemeteries.	
Election reserve	To set aside funds for council elections every 4 years. Based on an annual transfer of 25% of anticipated election cost.	
Environmental Projects	Funds then set aside in 2001/02 for development of an alternative recreation location on the river.	
Inala Reserve	To be self-funding with a yearly contribution to Council. Based on annual allocation equal to net income from rentals of Inala units.	

I.T. Reserve	To help fund future large I.T. expenditure e.g. new software system or hardware replacement as part of long term I.T. Strategy.	
Multipurpose (Centrepont Leisure) Centre	To help fund future large expenditure e.g. building renewals and upgrades.	CentrePoint had a 10 year loan. Once paid off, Council by Resolution sought to continue that loan repayment but as a transfer into reserve to fund renewals. Loan payments equated to \$90,000 less capital expenditure
Property Account	To fund works for real estate development Council's income producing properties plus buying and selling, maintenance and development. Based on net proceeds of sale of industrial and residential land.	
Quarry	To have funds available to remediate land following closure of Council quarries after exhaustion of gravel reserves.	
Land Fill remediation & Assets	To fund future tip remediation costs and assets as required.	
Village Enhancement Program	To fund works in Villages as outlined in Village Enhancement Plan.	

End of Policy

Adopted:	18/03/2016	
Last Reviewed:	18/03/2016	
Next Review:	21/11/2016	

06) ADOPTION OF RISK MANAGEMENT POLICY

Department: Corporate Services

Author: Director Corporate Services

CSP Link: 6.3 A well-run Council organisation.

File No: FM.PO.3

Recommendation:

That the draft Risk Management policy be adopted and included in Council's policy register.

Reason for Report:

Council has developed a policy for Risk Management following its review reflecting Council's maturing approach to Risk management.

Report:

Council at its meeting held 15 February 2016 resolved to place the Risk Management policy on public exhibition.

The objective of the policy is to clearly articulate the Council's commitment to the implementation of Risk Management throughout the organisation.

The closing date for public exhibition was 18 March 2016. As at the report preparation date no submissions on the draft policy were received. Should any be received by the scheduled closing date of the submission period, they will be tabled at the Council meeting.

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

Issues:

There are no issues foreseen by the endorsement of this policy.

Budget Implications:

Nil effect.

Enclosures (following report)

1 Risk Management Policy

3 Pages

Attachments (separate document)

Nil

Blayney Shire Council



Policy Register

Policy No 21

Policy Title Risk Management Policy

Officer Responsible Risk Officer

Last Review Date 18/03/2016

Objectives

This Policy will clearly state the Council's commitment to the implementation of Risk Management throughout the organisation.

Policy Statement

Blayney Shire Council



Risk Management Policy

Blayney Shire Council - Risk Management Policy

Policy Intent:

This Policy provides documented evidence of Council's commitment to implementing enterprise risk management as an integral part of operations and decision making. This is to ensure a consistent approach to risk management across Council in accordance with methodology established in AS/NZS ISO 31000:2009 Risk Management Principles and Guidelines, Blayney Shire Council Enterprise Risk Management Guideline and other applicable guidelines, procedures, standards and codes of practice.

Context:

Council's continued ability to achieve its strategic and operational objectives depends on understanding and responding to the challenges of uncertainty and change. This uncertainty generates risk, with the potential to be a source of both opportunities and threats. By understanding and managing risk Council can provide greater certainty and confidence for all Stakeholders. Enterprise risk management will be embedded into the policy development, strategic and operational planning and review and change management processes. Responsibility for risk management is shared across all levels of Council.

Objectives:

This Risk Management Policy is designed to:

- Facilitate open and transparent communication and consultation between Councillors, the Management Executive Group (MANEX), managers and employees in defining aspects related to the identification, analysis, evaluation and treatment of strategic and operational risks Council is exposed to;
- Enhance corporate governance by promoting a structured and systematic approach to Council's decision making processes;
- Maintain the highest possible integrity for services provided by the Council;
- Safeguard and enhance Council assets, including people, property and financial resources;
- Create an environment where all Council employees will assume responsibility for managing risk;
- Ensure allocation of resources and operational capabilities for managing risk;
- Provide staff with appropriate risk management training;
- Include risk management responsibilities in job descriptions and staff performance appraisals;
- Ensure Council can appropriately deal with risk;
- Demonstrate transparent and responsible risk management processes.

Council's Risk Management Policy covers, but is not limited to, the following areas of Council activity:

- People
- Property and Finance
- Information
- Reputation
- Environment
- Corporate Governance and Legal Compliance

Responsibilities:

The Council is responsible for the oversight of Risk Management, through the Management Executive Group (MANEX), and may obtain advice and guidance from appropriate sources within and outside Council.

The General Manager is responsible for the implementation and effective operation of Risk Management, and responding to and reporting on significant risks that may arise from time to time.

Directors are the risk owner for their Directorate and ensure that risks are identified and recorded in the Council Risk Register.

Managers are responsible for developing and implementing proposed actions on the Risk Register and ensuring actions are completed in the allocated time frame.

The Risk Officer will work with Directors and Managers to achieve effective operation of Risk Management within their respective departments and will submit reports to MANEX and the Audit Committee. Any significant risks that may arise will be reported directly to the General Manager. Risk management training consultation will be coordinated by the Risk Officer

Review:

This Policy will be reviewed within twelve months of the date of election of a new Council or as a result of any changes necessitating revision or variation of this Policy.

Relevant Documents include:

AS/NZS ISO 31000:2009 Risk management - Principles and guidelines
 SA/SNZ HB 436:2013 Risk management guidelines – Companion to AS/NZS ISO 31000:2009
 SA SNZ HB 89 - 2013 Risk management - Guidelines on risk assessment techniques
 Blayney Shire Council Enterprise Risk Management Guideline
 Work Health and Safety Act 2011
 Work Health and Safety Regulation 2011
 Local Government Act 1993
 Blayney Shire Council WHS Policy

Adopted:	09/09/2013	1309/012
Last Reviewed:	09/09/2013	1309/012
	21/03/2016	
Next Reviewed:	14/11/2016	

07) MINUTES OF THE BLAYNEY SHIRE AUDIT COMMITTEE MEETING HELD ON 17 FEBRUARY 2016

Department: Corporate Services

Author: Director Corporate Services

CSP Link: 6.3 A well-run Council organisation.

File No: FM.AU.1

Recommendation:

That the minutes of the Blayney Shire Audit Committee meeting held on 17 February 2016 be received.

Minutes:**MINUTES OF THE MEETING OF BLAYNEY SHIRE AUDIT COMMITTEE HELD IN THE COMMUNITY CENTRE WEDNESDAY 17 FEBRUARY 2016**

The meeting commenced at 9:03 am.

1. Present

Cr. Somerville	(Councillor)
Phil Burgett	(Independent)
Steve Kent	(Chair – Independent)
Jennie Robson	(Risk Officer)
Anton Franze	(Director Corporate Services – secretariat)
Rebecca Ryan	(General Manager)
David Mead	(Chief Financial Officer)

2. Apologies

Cr. Ferguson	(Councillor)
Cr. Ewin	(Councillor)

3. Declarations of Interest

Nil.

4. Adoption of Previous Minutes

Recommendation: That the minutes for the previous Audit Committee meeting held on 22 October 2015 were true and accurate records of that meeting.

Questions raised were:

- Update on Development Application Checklist review. Response was that it will be discussed in General Business.

- Were the Charters endorsed by the Committee adopted by Council?
Response was that they will be tabled before the March 2016 meeting.

5. Risk Management Update

Report provided by Risk Officer.

- Number of workshops held to assist populating risk register.
- Top Risks will be circularised to Audit Committee on a regular basis.
- Report also tabled from WBC Executive Officer on implementation of Risk Management framework.
- Copies of risk register to be circularised.
- Finalising register and risk plan are next priorities with Business Continuity Plan preparation scheduled to commence in February.
- The circulation of register and risk plan will assist with review and preparation of new strategic audit plan.

6. Business Continuity Plan

Staff workshops are being coordinated by WBC Executive Officer commencing 23 February 2016. A report on the progress of the Business Continuity Plan project will be tabled to the next meeting.

7. External Audit Management Letter

Discussion on matters noted.

8. Schedule of Audit recommendation

- Outstanding matter awaiting advice from Central Tablelands Water is anticipated to be finalised by the end of February 2016.
- Other pending matters anticipated to be resolved following development of Business Continuity Plan.

9. Insurance Health Check

Insurance health check to be circularised and report to be provided annually to Audit Committee on review of policies.

- Excesses
- Adequacy
- Coverage

10. Major developments / issues since last meeting

- Merger update on current status of merger.
- Local Government Act Review includes a number of amendments to the Local Government Act including making the Make Audit Committees mandatory and that it must sign off information in annual reports as factual.

11. Other Business

Questions arising from previous minutes:

- Update on DA Review. Action plan on DA's to be circulated to Committee.
- Response was that an action plan from the review will be circulated to Audit Committee members.

12. Meeting Dates

Next meeting is to be held 20 July 2016 at the Blayney Shire Community Centre.

Future meeting dates are as follows:

- 20 July 2015
- 19 October 2016

There being no further business the meeting closed at 10.19 am.

Issues:

Nil.

Budget Implications:

Costs associated with holding of Audit Committee meetings and associated service reviews are provided for in Council's 2015/16 budget for this purpose.

Enclosures (following report)

Nil

Attachments (separate document)

Nil

08) DIRECTOR INFRASTRUCTURE SERVICES MONTHLY REPORT

Department: Infrastructure Services

Author: Director Infrastructure Services

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

File No: GO.ME.1

Recommendation:

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

Reason for Report:

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

Report:

Topical Issues

Centroc Renewable Energy Innovation Project

Centroc and Office of Environment and Heritage (OEH) have contributed funds to the scoping of regional renewable energy projects.

In late 2015, an RFQ process was undertaken to find a suitably experienced organisation to assist Centroc member councils (and Dubbo City Council) to progress a regional scale renewable energy project to realise cost savings, environmental and other community benefits. The objective of the work is to attract innovation into the region and access Australian Renewable Energy Agency (ARENA) or other funding. Moreland Energy Foundation Limited (MEFL) was deemed the successful provider.

Over the past four months, Centroc and the Office of Environment and Heritage have coordinated two workshops (facilitated by MEFL) to progress the development of renewable energy projects and potentially develop a proposal for funding through the ARENA.

Workshop 1 was held in November and offered presentations and case studies, that then enabled attendees to consider project ideas that may form the basis for regional collaboration on the deployment of renewable energy projects across the region. Councils were then invited to input project ideas into the Centroc Multi Criteria Analysis (MCA) tool that is being used for project capture and prioritisation across separate asset classes (transport, water/sewer, community facilities). The MCA provides a strategic view of infrastructure investment opportunities that clearly aligned to economic imperatives of the region, and enables the region to proactively participate in broader State and Federal infrastructure planning. Also helping strengthen planning and funding processes.

Workshop 2 was held in early March, and provided Councils with more detailed information on specific project types that had been identified through the MCA process. Attendees then worked to bundle individual projects into potential regional priorities, before undertaking some broad concept investigation work, around the technology, how it could be financed, the level of innovation, and who are the stakeholders. The three main focus areas identified, included LED street lighting, solar system installs/solar with battery storage, and the establishment of electric vehicle charging stations.

MEFL are currently preparing a report of the outcomes and the undertaking of a detailed risk assessment.

This work will also be able to be used in conjunction with Council's energy efficiency audit to inform future decisions on projects that provide Council with reduced energy consumption, and alternative energy sources.

Floodplain Risk Management

The data capture of floor levels is underway and anticipated to be completed by late March. Councils Surveyors have been provided with an introductory letter, and the General Managers message covers the topic in the Blayney Chronicle.

This work may raise concerns from residents, if they believe it is only associated with traditional flooding of the river. As previously advised, with advanced data gathering technology available today, flood studies look at greater areas than just the immediate river floodplain, and now include developed areas and the impact from stormwater.

Kings Plains Road acquisition

Council has received notification from Crown Lands approving the closure of the old road alignment around the "dog leg" in the vicinity of "Drayshed Nursery". Council is now awaiting notification from NSW Land and Property Information. that the final plan of subdivision and related land transfers have been formalised.

Neville - Trunkey Road acquisition

In 2006, Council undertook the realignment of the intersection at Dowsetts Lane and Neville-Trunkey Road. The finalisation of this project (lodgment and registration of the survey plan and related land transfers) was never completed, and now that necessary approvals have been received, Council was recently advised that the survey plan is being investigated with NSW Land and Property Information for final registration.

Errowanbang Road

With investigations underway prior to tendering for replacement of timber bridges, Council has commenced engagement with land holders in the vicinity of the Dirt Hole Creek bridge. Negotiations have been held in an open and transparent manner, with landholders appreciative of Council's approach. Upon completion of negotiations and acceptance by all parties, separate reports will be provided to Council for approval.

Procurement of Traffic Control

Subject to separate report.

Funding ApplicationsNSW Government Fixing Country Roads - Round 2

Council recently submitted an Expression of Interest (EOI) for an additional \$1.5m in funding for the rehabilitation of Browns Creek Road from the Millthorpe Rd to the Australian Native Landscapes (ANL) entrance at Browns Creek. The additional funding would facilitate the widening of the road, whereas Council's own funding will only allow for the rehabilitation of the road. Council was advised that the project has been shortlisted and Council is now able to submit a full application to the NSW Government for this additional funding.

NSW Government Floodplain Management Program

Council is currently finalising an application for preparation of a floodplain risk management plan for the Village of Carcoar, with submissions closing on 17 March 2016.

Major Works

Major road construction and notes on current works are as follows:

- Hobbys Yards Road – REPAIR Program. Works are continuing on approximately 2km of rehabilitation and widening works, which is jointly funded with Roads and Maritime Services. Stabilisation works will be taking place on 10-12 March 2016 prior to final trimming and sealing. The project is running approximately 2 weeks ahead of schedule through the hard work of Council staff, and favourable weather conditions. With this gain in time Council has been able to bring forward its heavy patching works within Barry to complete it prior to the Easter break.
- Resealing Program - Council's sealing contractor is engaged to undertake resealing works between late March and early April. Reseals are planned on the following roads:
 - Panuara Road
 - Burnt Yards Road
 - Mandurama Streets
 - Browns Creek Road
 - Three Brothers Road
 - Gallymont Road
 - Belubula Way

Given the dropping price of oil, Council's reseal program will be able to be completed well within budget. Council officers are working with the

contractor to undertake further works, however it is dependent on their availability.

- Drainage works have been undertaken in the Village of Lyndhurst in conjunction with John Holland Group to minimise the stormwater impact to residents from stormwater discharging from railway land. An extension to the kerb and gutter along New Street has been completed as part of these works.
- Gravel resheeting and maintenance grading works have been curtailed due to the redirection of resources to the Hobbys Yards Road project.
- Shared pathway works – Work has been completed on providing the shared path from Osman Street around the Martha Street intersection to Adelaide Street. Design work is being finalised for the pedestrian blisters to provide a safe crossing location across the Mid Western Highway to Medway Street and the South Blayney footpath network.
- Blayney Bridge Program - Geotechnical investigations have commenced on the bridge program, with works expected to be completed by mid-May. To date drilling has been undertaken on Newbridge Road, Errowanbang Road, and Gallymont Road. Site visits have also commenced for the Review of Environmental Factors for the bridge program, with an expected completion date of mid-May. With both of these running concurrently, it is anticipated that Council will be able to invite tenders for the design and construction of these bridges by June

Major Contracts

Redmond Oval Canteen

- Budget \$144,536.36 (ex GST)
- Work continues on schedule, with brickwork, and roofing now complete.
- A minor variation has been approved to replace doors on the existing building with solid core external doors.
- Quotations for the kitchen fit out will be prepared in coming months, and a budget amendment made via the QBRS.

Redmond Oval Upgrade

- Budget \$500,000 (ex GST)
- Subject to separate report.

Showground Irrigation

- Budget \$ 112,000 (ex GST)
- A request for quotation for the first stage of the irrigation is now complete. 6 quotations were received and assessed to select a suitable contractor to provide the best value for money to Council. Local contractor TWS was the successful contractor and works are due to begin on the 14th of March.
- A 100kL storage tank has been installed in preparation for the irrigation works.

- User groups have been notified of the works and the expected duration which will impact on the use of the facilities. It is envisaged the works will be completed mid-April, subject to weather and / or latent conditions.

Showground Fencing

- Budget \$49,897 (ex GST)
- Project completed on budget and in time for the Blayney Show. Council received many positive reports for the fencing.

Active Movement Strategy

- Budget \$59,000 (ex GST)
- Council has now received the draft Active Movement Strategy and is in the process of reviewing the draft. Once any changes and corrections are made the Strategy will be presented to Council for endorsement and the works costed and programmed. It is expected that this document will provide invaluable support to Council in seeking RMS and other grant funding for the improvement of the Active Movement Networks of Blayney township and villages

Building Maintenance Works

- With the engagement of Councils Construction Carpenter, building maintenance works have been completed at both Barry and Hobby's Yards Halls, with painting of eaves and fascia boards, and replacement of damaged items of the same.
- Works on the Carrington Park Rotunda are nearing completion, with the works being undertaken in conjunction with Council's Heritage Advisor. Council staff have repaired rotted timbers on the Rotunda columns, replaced aging fluorescent lights with modern LED globes, and replacement of the damaged air vents shall be completed upon delivery of parts. Final painting works are expected to be completed prior to Easter.

Wastewater

Sewer Relining

- Budget \$210,000 (ex GST)
- The sewer relining contract is now complete and Council is awaiting the next major rain event to assess the success of the project.
- There were only 2 matters that required Council attention, however there were no official customer complaints received during the project.

Manhole Rehabilitation

- Budget \$105,063
- Council sewer staff have begun a process to inspect and identify repairs / rehabilitation requirements of the manholes within Blayney.
- Manholes 1 & 2 on the rising main from Millthorpe are in a state of disrepair and will be re-lined in the next two weeks. The damage has predominately been caused by H2S (commonly known as rotten egg)

gas. The lining product is designed to protect the structure of the manhole for 50 years.

Trade Waste

- Nestle Purina have submitted an application to discharge trade waste from the kennels on Browns Creek Road to Council's sewer network. The application has been assessed, and in accordance with Council's Liquid Trade Waste Policy was required to be sent to Department of Primary Industries to seek concurrence, as the application was assessed as Classification B triggering the requirement to be deferred for concurrence. Nestle have obtained a road opening permit to construct the rising main that will connect the kennels to the Council rising main from Millthorpe. Council have been advised that construction works are expected to get underway as soon as approvals are received.

Recreation and Environment

King George Oval

- Stainless steel rangehood, splashbacks and benches have been installed, with installation of the external flue to be installed in coming days.
- Installation of appliances as agreed with stakeholders include a deep fryer, and shared freezer and fridge for game days are anticipated in the coming week. Those appliances currently owned by individual stakeholders are to be relocated to relevant stakeholder storage.
- An issue with the display of team names on the electronic scoreboard has been raised and Council is currently awaiting delivery of a replacement controller card to rectify this.

Blayney Showground – Kitchen Upgrade

- \$15,000 Funding (50:50) - Blayney Showground Kitchen
- Council staff recently met with relevant stakeholders to identify user needs in order to prepare a draft layout that provides for stakeholder needs, improves workflow and provides for a Food Safety compliant kitchen.
- It is anticipated further funding will be required, and shall be subject to a future request to Council via the Operational Plan or Quarterly Budget Review Statement.

Asset Management

- Council Asset Staff have completed the Culvert Identification and Condition Assessment project. A total 1,392 Culverts were identified and assessed on rural roads. Urban culverts will be assessed as part of the Urban Stormwater system.
- Staff are working with the AssetFinda staff to include these assets in the Asset Management System.
- Council staff have developed the renewal costs for these culverts and Operations staff will be assessing the Culverts identified as being in condition 4 and 5.

- A further program of maintenance works will also be developed for all culverts with waterway obstructions.

AssetFinda Implementation

- Council Asset, Finance and IT staff have completed two days of training and are now working with AssetFinda to resolve issues with Road Centre Line data. Kerb and Gutter data has now been loaded, leaving only the Culvert data and corrections of the roads data.

Infrastructure Services Personnel

- Council has engaged two trainee Works Operators and is providing opportunities to experience various aspects of Council's work, subject to work loads and resourcing requirements.
- The Graduate Engineer role is being finalised with a view to advertising within the following month.

Heavy Plant and Fleet

- Council has taken delivery of the Hyundai HL740-9 Loader, which was approved for purchase at the October 2015 Meeting. This new loader is a clear improvement over the aging Case 721C that it replaces, and will enable Council to complete its works with less downtime.
- Additionally, Council has also taken delivery of 2 of 3 flail mowers that were ordered prior to Christmas, with a demo model currently being loaned from the supplier until they can deliver the 3rd unit.
- Procurement of light fleet continues and is anticipated to be completed by the end of April.

Issues:

Nil

Budget Implications:

Nil

Enclosures (following report)

Nil

Attachments (separate document)

Nil

09) TENDER FOR PROVISION OF TRAFFIC CONTROL SERVICES

Department: Infrastructure Services

Author: Manager Operations

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

File No: RD.TN.2

Recommendation:

1. That Council accept the tender from Midwest Traffic Management for Contract 726946 Provision of Traffic Control Services;
2. That Council authorise the signing and attachment of the Council Seal to the instrument of agreement, and other associated documents between Blayney Shire Council and Midwest Traffic Management.

Reason for Report:

Due to the estimated spend on traffic control contractors for both Cabonne Council and Blayney Shire Council in the coming 18 months, it was required that both Council's appoint a contractor through an open tender process.

To this end, Cabonne Council advertised for tenders for the Provision of Traffic Control Services for Cabonne and Blayney Shire Council's. The tender was based on Schedule of Rates pricing.

Report:

At the close of tenders on the 15 February 2016, Cabonne Council had received two (2) tenders from the following contractors:

- Macquarie Geotechnical
- Midwest Traffic Management

The tenders were assessed by representatives from both Council's on the following criteria:

- Conformity
- Evidence of capability
- Industry reputation
- Quality management systems of the tender
- Value for money

Both companies submitted quality management systems for analysis. Each submission fulfilled the requirements of the contract.

A reference check was undertaken to determine the respective companies industry performance and reputation. Midwest Traffic Management has been hired by Cabonne Council and Blayney Shire Council, and other neighbouring

councils. These services have been delivered to all clients with satisfactory results.

The unit rates submitted by Midwest Traffic Management are consistently lower than Macquarie Geotechnical, and based on the combination of value for money and good quality management system presented, it is recommended that Midwest Traffic Management be awarded Contract No: 726946 for the Provision of Traffic Control Services.

Issues:

The chosen contractor holds the current traffic control contract with Orange City Council. If the current merger proposal is enacted, then all three Council's will have a contract with the same service provider.

Budget Implications:

All works are to be completed within current project budget allocations.

Enclosures (following report)

Nil

Attachments (separate document)

Nil

10) PLANET FOOTPRINT - 2015-16 HALF YEAR RESULTS

Department: Infrastructure Services

Author: Director Infrastructure Services

CSP Link: 6.3 A well-run Council organisation.

File No: GO.ME.2, ET.LI.2

Recommendation:

That the 2015-16 Planet Footprint Half Year Performance Review for electricity consumption be received and noted.

Reason for Report:

In 2012 Council engaged Planet Footprint to monitor and report on Councils energy consumption, with the intent of better managing its assets and facilities energy demands.

This report provides information on Councils energy consumption performance for Q1-2 2015-16 Financial Year.

Report:

Planet Footprint captures Councils electricity consumption/billing data directly from utility providers and analyses the information to monitor, benchmark and report on electricity consumption, greenhouse gas emissions and anomalies.

Highlights from Quarters 1-2 include:

- Total electricity consumption was \$75,800, a decrease of 17% on the 2014/15 reporting period, or 345.1 MWh, up 5%% on the previous year.
- Overall costs decreased by \$15,646, and the changed consumption was worth \$2,386 at normalised prices.
- The average cost of electricity was \$0.220/kWh being a 26% decrease on the 2014/15 reporting period.

A summary of the data and performance is provided in the following charts:

Figure 1. identifies Councils largest consumers are the Blayney sewerage treatment works, Centrepoint Sport and Leisure, Council Chambers, Council works depot and the Blayney Shire Community Centre. These five facilities represent 84% of Councils total electricity consumption.

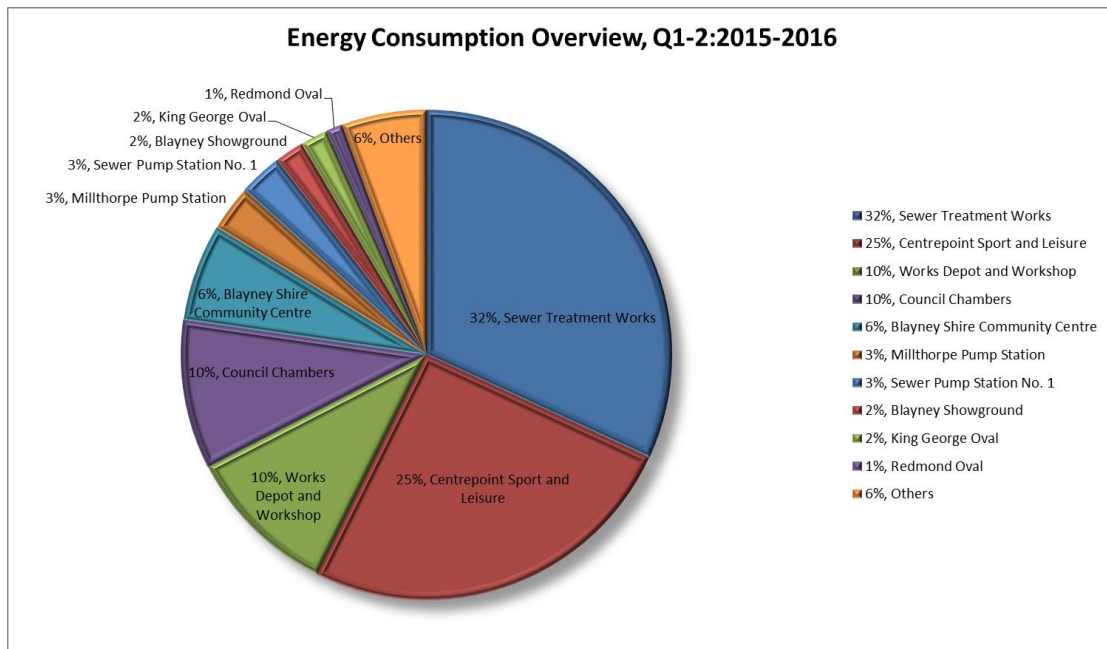


Figure 1. Consumption overview

Figure 2. provides a consumption and cost breakdown and comparative consumption with the previous period.

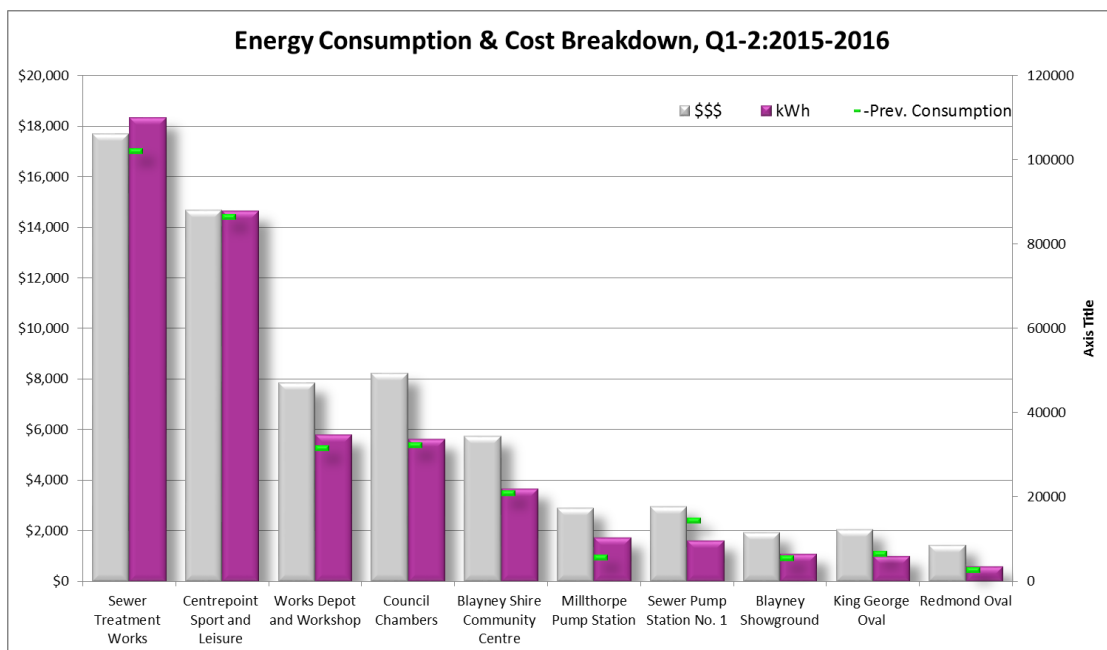


Figure 2. Consumption/Cost Breakdown

Figure 3. identifies the consumption/cost differences, for each facility. The notable changes are:

- Sewerage Treatment Works: + 7,889 kWh (-\$6,246)
- Centrepoint Sport and Leisure: + 1,394 kWh (-\$5,500)
- Works Depot and Workshop: + 3,261 kWh (+\$653)
- Sewer Pump Station No.1: - 4,417 kWh (-\$1,199)

- Millthorpe Pump Station: + 4,896 kWh (+\$703)

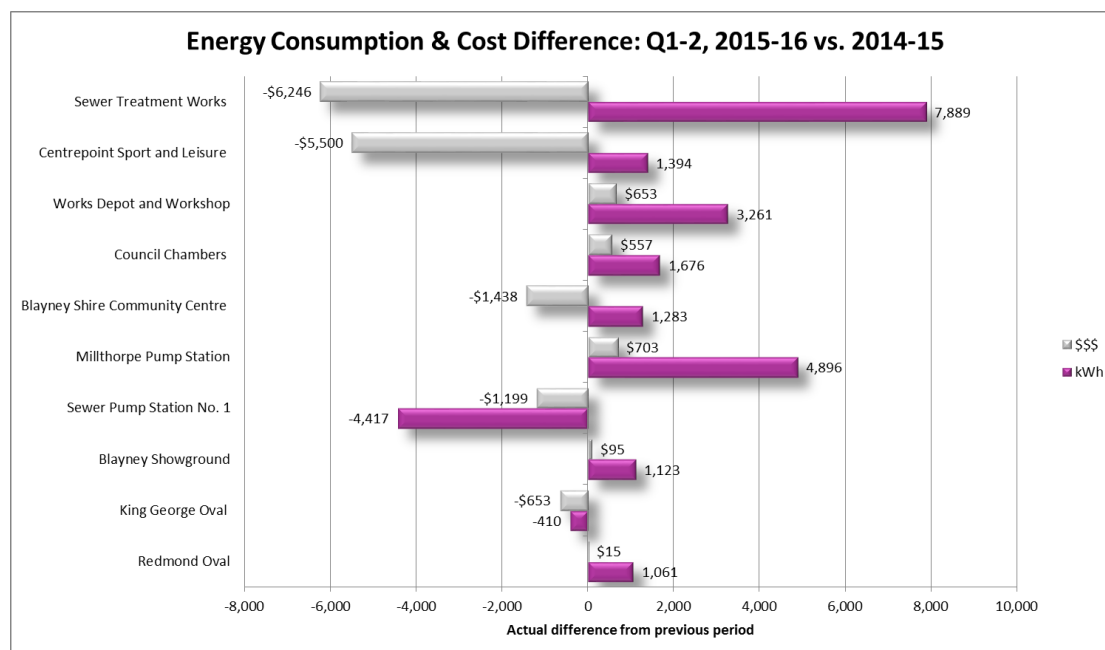


Figure 3. Difference in Consumption/Cost

- The ongoing dry conditions have resulted in a reduced level of infiltration into the reticulated network and hence reduced pumping costs. Following the completion of sewer relining works, and return to wetter conditions, Council looks forward to being able to identify a reduction in infiltration through a reduction in pumping costs at Pump Station No.1.

Future Energy Efficiency Works

Skillset has now completed energy audits of Council facilities and is currently preparing an energy efficiency report for Council. It is anticipated there will be opportunities for Council to reduce its energy consumption through various means including lighting refits, and identify opportunities for renewable energy generation, including Solar PV.

Issues:

The change of energy retailer and the use of contract meter readers has resulted in a lower level of service, with many bills being issued to Council with estimates. Reasons are being provided including the inability to access the meter (locked), cannot find the meter, and faulty meter. The billing is balanced/remedied following the quarterly read, and this issue is only raised to highlight an impact from changes in the energy retailer/distributor arrangements in recent times.

Budget Implications:

Nil

Enclosures (following report)

Nil

Attachments (separate document)

Nil

11) MINUTES OF THE BLAYNEY TRAFFIC COMMITTEE MEETING HELD ON FRIDAY 19 FEBRUARY 2016

Department: Infrastructure Services

Author: Manager Infrastructure

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

File No: TT.ME.1

Recommendation:

That Council accept the Minutes of the Blayney Traffic Committee Meeting, held on Friday 19 February 2016 and resolve to adopt the recommendations 2 to 7 as follows:

1. That Council support for the Newbridge Speed Review Report, be noted and note that Roads and Maritime Services require a written response from NSW Police supporting the report.
2. That Council inspect the signage currently on Bakers Road, Burnt Yards. Roads and Maritime Services recommends appropriate signage for gravel roads is “Drive to Conditions”, RMS do not speed limit gravel roads. Council to write to proponent.
3. That Council look at the criteria for black spot funding for Gap Road and respond to proponent. That Council and Roads and Maritime Services inspect the signage of Gap Road and remove any signage that refers to Gap Road as Platform Road.
4. That Council work with RSL/Anzac Day Committees in Blayney, Neville and Mandurama and ensure Traffic Control Plans provided by Council are put in place.
5. That Council liaise with owners of Hill & Crofts with a view to extending the Disabled Parking area to the kerb area in front of Hill & Croft, 98 Adelaide Street, Blayney and Disabled Parking Signs be erected either side of the parking area.
6. That Council liaise with Central Tablelands Water in regards to an appropriate area for Disabled Parking that aligns with the existing ramp access for CTW in Church Street with both Council and CTW contributing to the cost.
7. That Council advise RMS of the request received for reduced speed limit at 1129 Millthorpe Road, Millthorpe. Council to check previous Speed Zone Review report provided by RMS in regards to signage – “Driveway warning signs.” Council to advise proponent that signage on Millthorpe Road is provided by RMS and that the request has been forwarded to RMS for review.

MINUTES OF THE BLAYNEY TRAFFIC COMMITTEE MEETING
HELD ON FRIDAY 19 FEBRUARY 2016 AT BLAYNEY SHIRE
COUNCIL MEETING ROOM 2

Meeting commenced at 10.00am

PRESENT

Prue Britt (Roads & Maritime Services), Reg Rendall (Paul Toole Representative), Daniel Cooper (NSW Police), Sharon Grierson (Roads & Maritime Services), Iris Dorsett (Roads Safety Officer) Cr Kevin Radburn (Chair), Geoff Paton (Blayney Shire Council), Nikki Smith (Blayney Shire Council).

APOLOGIES

Peter Foran (NSW Police).

CONFIRMATION OF MINUTES

RESOLVED: That the minutes of the previous Traffic Committee Meeting held on Friday, 11 December 2015 be confirmed to be a true and accurate record of that meeting. (Reg Rendall/Prue Britt)

TRAFFIC REGISTER

Update provided and information noted.

CORRESPONDENCE

20160219:01 – Newbridge Speed Review Report

RECOMMENDED: That Council support for the Newbridge Speed Review Report, be noted and note that Roads and Maritime Services require a written response from NSW Police supporting the report. (Prue Britt/Cr Radburn)

20160219:02 – Speed – Bakers Road, Burnt Yards

RECOMMENDED: That Council inspect the signage currently on Bakers Road, Burnt Yards. Roads and Maritime Services recommends appropriate signage for gravel roads is “Drive to Conditions”, RMS do not speed limit gravel roads. Council to write to proponent. (Prue Britt/Reg Rendall)

Road Safety Officer advised education program for gravel roads is scheduled for 2017.

GENERAL BUSINESS

20160219:03 – Gap Road – Crash Data

RECOMMENDED: That Council look at the criteria for black spot funding for Gap Road and respond to proponent. That Council and Roads and Maritime Services inspect the signage of Gap Road and remove any signage that refers to Gap Road as Platform Road. (Cr Radburn/Reg Rendall)

20160219:04 – Anzac Day

RECOMMENDED: That Council work with RSL/Anzac Day Committees in Blayney, Neville and Mandurama and ensure Traffic Control Plans provided by Council are put in place. (Cr Radburn/Reg Rendall)

20160219:05 Disabled Parking – 98 Adelaide Street

RECOMMENDED: That Council liaise with owners of Hill & Crofts with a view to extending the Disabled Parking area to the kerb area in front of Hill & Croft, 98 Adelaide Street, Blayney and Disabled Parking Signs be erected either side of the parking area. (Prue Britt/Reg Rendall)

20160206: Disabled Parking – Church Street near Central Tablelands Water

RECOMMENDED: That Council liaise with Central Tablelands Water in regards to an appropriate area for Disabled Parking that aligns with the existing ramp access for CTW in Church Street with both Council and CTW contributing to the cost. (Cr Radburn/Reg Rendall)

20160219:07 – 1129 Millthorpe Road – Signage

RECOMMENDED: That Council advise RMS of the request received for reduced speed limit at 1129 Millthorpe Road, Millthorpe. Council to check previous Speed Zone Review report provided by RMS in regards to signage – “Driveway warning signs.” Council to advise proponent that signage on Millthorpe Road is provided by RMS and that the request has been forwarded to RMS for review. (Prue Britt/Cr Radburn)

INFORMAL MATTERS

20160219:08 - Monthly Road Safety Reports – December 2015.

Report noted.

20160219:09 - Chifley Local Area Command – Serious/Fatal Motor Vehicle Accidents Reports – November & December 2015 and January 2016.

Reports were noted.

20160219:10 – Adelaide/Ogilvy Street Intersection

Road Safety Officer advised 3 residents advised her that the signage for pedestrians at crossing is inconsistent, Council advised this signage was for information about changed conditions only and will be removed by Council in the future. Roads Safety Officer to advise the 3 residents that signage was advice only and will be removed.

FUTURE MEETING DATES - 2016

- Friday 15 April 2016
- Friday 17 June 2016
- Friday 19 August 2016
- Friday 21 October 2016
- Friday 9 December 2016

MEETING CLOSED

The meeting closed at 11:30am.

Enclosures (following report)

Nil

Attachments (separate document)

Nil

12) MINUTES OF THE BLAYNEY SHIRE SPORTS COUNCIL MEETING HELD ON WEDNESDAY 2 MARCH 2016

Department: Infrastructure Services

Author: Director Infrastructure Services

CSP Link: 2.1 Cultural and sporting events are coordinated and resourced.

File No: PR.ME.1

Recommendation:

That the Minutes of the Blayney Sports Council Meeting, held on Wednesday 2 March 2016, be received and noted.

Minutes:

MINUTES OF THE BLAYNEY SHIRE SPORTS COUNCIL MEETING HELD ON WEDNESDAY 2 MARCH 2016 AT THE BLAYNEY COMMUNITY CENTRE CADIA ROOM

Meeting commenced at 6.00pm.

PRESENT:

Grant Baker (Blayney Shire Council), Cr David Kingham (Blayney Shire Council), Cr Shane Oates (Blayney Shire Council), Cr Scott Ferguson (Blayney Shire Council), Karen Webster (Pony Club), Adam Hornby (Blayney Senior League), Leanne Faraway (Central West Dressage Group), Kellie Sloane (Central West Dressage Group), Tom Williams (Fishing), Peter Waken (Blayney Swimming Club), Jodi Spencer (Central West Dressage Group), Rebecca Ryan (Blayney Shire Council), Chris Smith (Heritage Country Schools), Michael Tyrrell (Blayney Golf Club), Matt Lewis (Blayney Little Athletics), Rod Corbett (Blayney Junior Soccer), Rosemary Reid (Blayney District Tennis), James McCann (Resident), Anne Riphagen (Orange Equestrian Club), Trevor Jones (Blayney Harness), Cheryl Rutherford (Junior Tennis).

APOLOGIES:

Michael Truloff (Millthorpe Junior Cricket), Andrew Russ (Blayney Rugby Union)

RECOMMENDED: That the apologies be accepted. (Jodi Spencer/Matt Lewis)

MINUTES PREVIOUS MEETING – 12 November 2015 (as circulated)

RECOMMENDED: That the minutes of the previous meeting held 12 November 2015 be accepted. (Adam Hornby/Rod Corbett)

MATTERS ARISING FROM THE MINUTES

No matters arising.

DISCLOSURES OF INTEREST

Nil.

CORRESPONDENCE:

Correspondence (Distributed via Email to Sports Council) – All correspondence has been emailed to the members of the Sports Council.

- Sports Awards – Winners in attached emails.
- Gate at Dakers Oval – This has been completed.
- Dogs on Napier and Dakers Oval.
ACTION: Council's Director Planning and Environmental Services to promote clean-up after your dog.

EVENT CALENDAR UPDATE

Nil.

GRANT FUNDING UPDATE

- Received money for Blayney showground update.

PROJECT UPGRADES

- Project updates as per tabled report.
- Query regarding the crack in the epoxy flooring in the KGO canteen. It was suggested that rubber mats may be needed due to slip risk as the floor gets slippery when wet. A splashback will be put behind the BBQ.
ACTION: Council to follow-up purchasing of rubber mats.
ACTION: Council to follow-up with contractor a splashback for behind BBQ.
- Cycleways – Signage and line marking will be put on the new footpaths once they are completed.

REPORTS:**Blayney Swimming Club:**

Swimming: Club is going well with stable membership. Centrepont is to be commended on their new swimming coach. Mel Monico has been doing a good job on the publicity for the club.

Harness Racing:

The 2015-16 season finished in Blayney last November. There was a good crowd at the November 2 meeting. There was a race dedicated to the winners from the Blayney meeting at Menangle. There will two meetings this November. These will be on two consecutive weekends with the dates to be confirmed.

Junior Rugby League:

The competition starts on April 2. Blayney will hold the major semi-finals on Saturday 20th August. A skills day was held on March 1 with around 120 participants.

Senior Rugby League:

The season is about to start. The club had a trial match with a massive crowd. New players have arrived in town and the club is looking forward to a good season.

Senior Tennis:

The summer Saturday competition is now winding down but there are a number of other competitions on the go.

Junior Tennis:

The JDS Tournament is on the 10th April which is the same day as the B2B. The road near the tennis courts won't be closed but will be under traffic control.

Junior Soccer:

The club will continue with the competitive competition starting on 23rd April. The non-comp will start the week later on the 30th. Registrations have started. The pot holes have been filled and the ground watered. The soccer needs to have notification that the grounds will be right by 16th April. The grounds need to be assessed and reports given to council if there are any issues.

Junior Cricket:

It finishes in three weeks. Napier Oval is all good with the toilet block.

Little Athletics

It has been a successful summer. Zone and regional carnivals have been held and there are 5 children going onto State in March.

Heritage Country PSSA:

Local swimming carnivals have been held with the Regional Carnival on Friday 4th March in Dubbo. A number of students went to regional Tennis Trials and Hayley Speirs has been named the No 1 girl for the team with Nick Oresic making it through to the Semi Finals.

Blayney Golf Club:

The boat raffle was very successful. The clubhouse has been painted inside and out. A grant has been received to renovate the kitchen. The Junior Championships had 20 players and night golf will be on in April.

Carcoar Pony Club:

Membership is thriving. There are 60 registered members with an average of 30 coming regularly. Dressage and Jumping will be on 8th May and Zone 3 Championships on 22nd October. The gymkhana will be on October 30.

Orange Equestrian:

Last November's meeting went very well. The clubs membership is also growing. Equestrian Club thanks Brian Parker and his team.

Central West Dressage:

The first competition will be the 13th March and the last meeting will be 25th November.

Blayney Show Society:

Show went well with the committee happy with the grounds and the fence and shed extensions looked great. There is a showground plan and a tank is to be put in that the show society were unaware of. Grant explained why this was happening and who it was discussed with.

Fishing Club:

The NSW Fisheries will evaluate the local streams for restocking in Oct/Nov.

Lure Coursing:

Later in the Year the NSW Lure Coursing Association will be holding an event at the Neville Showground.

GENERAL BUSINESS

The question was asked why the walkway wasn't done at KGO. The short answer was cost.

The sign at King George Oval says 'No dogs.'

ACTION: Council to rectify.

It was asked as to who is liable if someone gets hurt taking part in a personal training session at King George Oval.

The senior cricket will go thirds in a new pitch at Dakers oval.

The Blayney High School nets will get an upgrade through money from Mitchell and Western Zone Cricket.

Discussions were held on the dressage arena and the plans for it. There will be an update on this at future meetings.

PROJECT PRIORITY LIST

Members reviewed and prioritised the project priority list for the next year. Grant will collate projects and compile the list of priorities.

NEXT MEETING

Thursday 19 May 2016 at 6.00pm

FUTURE MEETING DATES

Thursday 18 August 2016

Thursday 17 November 2016

Meeting closed at 7.30pm.

Enclosures (following report)

Nil

Attachments (separate document)

Nil

13) REDMOND OVAL RECONSTRUCTION PROJECT

Department: Infrastructure Services

Author: Water and Wastewater Manager

CSP Link: 2.2 Strong participation in sporting events and competitions.

File No: PR.TE.20

Recommendation:

1. That Council approve additional funds with an upper limit of \$200,000 (ex GST) for the completion of upgrade works at Redmond Oval.
2. That the financial allocations be determined and identified as part of the March 2016 Quarterly Budget Review Statement.

Reason for Report:

To advise Council of the expected additional funding required to complete the project of the redevelopment of Redmond Oval.

Report:

The Redmond Oval project is progressing well with the construction program on track for completion mid-April. Irrigation pipework and underground tank are now complete. The pump, sprinklers and irrigation controller is expected to be installed by the end of March.

The final surface levelling with the incorporation of the compost material is currently taking place. Contractor advises the drainage and grass seed is to be completed early April, with the 10 week maintenance period due to start thereafter.

The report provided to the extra ordinary November meeting of Council indicated future funding will be required to complete the project. February's Infrastructure Services monthly report identified additional works were required to provide a better long term outcome to the project and future cost savings. Notes from the February report are outlined below;

1. *Storm and heavy rain events cause overland flows to run onto the oval and down the Western boundary of the oval towards the tennis court. To provide a level of suitable drainage to this area there is to be an additional stormwater pipe to divert some of the stormflows through this pipe to the drainage system near the tennis courts. These works are to be undertaken now to provide cost benefits of undertaking these works whilst other earthwork activities are being undertaken as well as the issues around trying to install this infrastructure in the future in and around the new services that will be installed in this project.*

These items have been completed with costs for the works to date equating to approximately \$22,400 (ex GST). Council staff are required to complete the tie into the existing open drain on the southern boundary near the RFS station.

2. *The cut in the North East corner of the new field has led to a steep grade being required to match the existing ground level near the base of the trees. The proposed slope poses issues in terms of maintenance and scouring. Council have requested the bank be tiered with sufficient rises to allow for maintenance with mowers with the added benefit of providing an area for seating on grassed area for viewing of sporting events and other general community activities.*

The earthworks for this portion of the project is complete and it is expected the retaining wall will be constructed in April. Budget costs for the retaining wall are calculated at \$28,800 (ex GST).

Council have been in consultation with fence suppliers to provide quotations for the supply and installation of a picket fence for the boundary of the oval. Quotations have indicated fencing costs, including installation will be approx. \$63,000 (ex GST).

Current expenditure on the project as of 9 March including committed funds is \$494,556 (ex GST).

The project completion estimate is calculated to be \$700,000 (ex GST). This is expected to include the following:

Expenditure	
Description	Amount
Council work to tie in new to old stormwater	\$8,000
Completion of the retaining wall	\$13,500
Completion of electrical works	\$5,500
Picket fence	\$63,000
Subsurface water pump out well	\$3,200
Cricket pitch	\$14,000
Combination goal posts	\$12,000
Road on southern boundary to complete link from Park St to Boomerang St – estimated	\$70,000
Provisional sum items for maintenance period – estimated	\$10,000
Total (ex GST)	\$199,200

The Redmond Oval Committee have advised of continued support towards this project from Millthorpe community groups. Many of the groups have been fundraising to provide additional money to support this project. Council have been advised of the following groups that have currently committed to providing further funds towards the project.

Income	
Description	Amount
Millthorpe Public School P&C	\$9,950
AH&P	\$400
Garden Ramble (waiting for confirmation)	\$10,000 to \$20,000
Millthorpe Tennis Club	\$1,000
Millthorpe Cricket Club	\$1,000
Millthorpe Village Committee	\$500

Millthorpe Junior Soccer Club have made application to the Holden Home Ground Advantage Program for a \$100,000 grant to be put towards lights for the oval.

Funds donated by the Millthorpe community will be *deducted* from the contribution required by Council to complete this project. As indicated above initial estimates suggest a figure in excess of \$20,000 will become available.

Issues:

Inability to complete the project will leave the works vulnerable to vandalism should the fence not be completed.

The cricket pitch and goal posts are required for the ongoing availability of the field for sporting events.

Budget Implications:

Additional funds with an upper limit of \$200,000 (ex GST) will be required for the completion of works at Redmond Oval.

A budget review has been undertaken in consultation with the Manager of Operations.

The allocations of funds will be identified as part of the March 2016 Quarterly Budget Review Statement.

Enclosures (following report)

Nil

Attachments (separate document)

Nil

14) DEVELOPMENT APPLICATION 165/2015 – ERECTION OF DWELLING – LOT 40 DP 263360, 37 GRAHAM LANE, MILLTHORPE

Department: Planning and Environmental Services

Author: Senior Town Planner

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

File No: DB.AB.934

Recommendation:

That Council refuse Development Application 165/2015 for a proposed dwelling on Lot 40 DP 263360, 37 Graham Lane, Millthorpe, because:

- Council is not satisfied that the applicant has adequately addressed the matters set down under Clause 4.6 (3) of the Blayney LEP 2012; and
- The proposal is not in the public interest because it is inconsistent with the objectives within the RU1 zone, and inconsistent with the objectives of the 100ha standard.

The reasons for refusal are elaborated upon as follows:

- a) The proposal does not align with Council's structured and planned strategic approach to the location of lifestyle allotments under the Rural and Industrial Land Use Strategy 2008.
- b) The development has the potential to create a precedent for the establishment of lifestyle blocks within the entire RU1 Primary Production zone of the Blayney Shire Local Government Area with no strategic rationale, is inconsistent with the State Environmental Planning Policy (Rural Lands) 2008, is inconsistent with the objectives of the Blayney LEP 2012, is inconsistent with the RU1 zone objectives and inconsistent with the 100ha development standard objectives.
- c) The development is proposed in isolation, with no strategic analysis of supply and demand for rural residential allotments, and no analysis of the environmental impacts of soil capability and service provision in the context of future development of the surrounding lots.
- d) The development has the potential to create landuse conflict with adjoining agricultural landuses, having regard for current and future agricultural activities, and the efficient and effective operation of agricultural land.
- e) The proposal has the potential to have an adverse visual impact on the locality, with no indication of possible mitigation measures.

Reason for Report:

For Council to determine Development Application 165/2015.

Council at its 15 February 2016 meeting resolved to defer determining this application at the request of the owner. An onsite meeting was undertaken on Monday 7 March 2016 and subsequently the application is tabled for determination.

Report:

Applicant:	Vincent & Lorna Harris
Owner:	Vincent & Lorna Harris
Application No:	165/2015
Zone:	RU1 Primary Production
Date Received:	17 December 2015
Assessment No:	A346765
Property:	Lot 40 DP 263360, 37 Graham Lane, Millthorpe
Proposed Development:	Development Application 165/2015 – Erection of Dwelling – Lot 40 DP 263360, 37 Graham Lane, Millthorpe

Background:

The proposed development seeks to erect a dwelling on the land, that being Lot 40 DP 263360, 37 Graham Lane, Millthorpe. The land is currently vacant, located on the northern side of the Lane, and is cleared grassland of some 1.84ha in area, utilized for the grazing of horses. It is on average 80m wide and 220m long. **See Enclosure 2** – Location plan, site plan and elevations.

The proposed dwelling would be located some 200m back from Graham Lane and 22m in from the eastern boundary. It would comprise four bedrooms, living areas, kitchen, amenities and verandahs, and would be constructed of brick cladding with a colorbond roof on a concrete slab.

The land is located to the south east of Millthorpe where Graham Lane feeds into Nyes Gate Road and from there onto the Millthorpe Road adjacent to the railway bridge. It is some 700m from the centre of Millthorpe and is zoned RU1 Primary Production. The main vehicular access is off Graham Lane, and the land slopes down to the road.

The Millthorpe Heritage Conservation Area comes right up to the northern boundary of the property, although there are no heritage items in the vicinity this side of the Millthorpe Road or the rail line.

There are dwellings on each adjoining lot on the north side of Graham Lane, and one dwelling on the southern side of the lane which faces Nyes Gate Road.

After the 15 February 2016 Council meeting, Council staff verbally discussed the application, with the NSW Department of Planning and Environment (DPE) in particular the clause 4.6 variation justification shown in **Enclosure 5**. DPE indicated the assessment and recommendation appears to be a correct assessment and recommendation. DPE do not provide written comment on local development matters, prior to Council formal consideration.

Note: *In the event that Council determines to support the proposal, Development Consent cannot be granted until the Department of Planning & Environment grant concurrence in accordance with Planning Circular PS 08-003*

Section 79C (1) Assessment:**(a)(i) the provisions of any environmental planning instrument****1. State Environmental Planning Policies**

State Environmental Planning Policy (Rural Lands) is reviewed with regard to this proposal.

The aims of the Policy are:

- (a) to facilitate the orderly and economic use and development of rural lands for rural and related purposes,
- (b) to identify the Rural Planning Principles and the Rural Subdivision Principles so as to assist in the proper management, development and protection of rural lands for the purpose of promoting the social, economic and environmental welfare of the State,
- (c) to implement measures designed to reduce land use conflicts,
- (d) to identify State significant agricultural land for the purpose of ensuring the ongoing viability of agriculture on that land, having regard to social, economic and environmental considerations,
- (e) to amend provisions of other environmental planning instruments relating to concessional lots in rural subdivisions.

Planning Principles

The Policy provides a set of Principles which are designed to achieve these aims. Those Principles are applied to the development proposal as follows:

- (a) the promotion and protection of opportunities for current and potential productive and sustainable economic activities in rural areas,
Comment: The location of the proposed dwelling does not lend itself to the protection of possible landuse activities on the rural land to the east. The setback of the building is only 22m. Activities such as machinery use, weed spraying or animal grazing within 22m of a residence is not a desirable outcome.
- (b) recognition of the importance of rural lands and agriculture and the changing nature of agriculture and of trends, demands and issues in agriculture in the area, region or State,
Comment: The agricultural land to the east has the potential to be utilised for more intensive or horticultural based land use activities, and Council must recognize this fact.
- (c) recognition of the significance of rural land uses to the State and rural communities, including the social and economic benefits of rural land use and development,
Comment: The erection of an additional dwelling in this vicinity does not align with Council's strategy for the development of Millthorpe, and the current lack of take up of zoned rural small holding lands. In addition, a significant precedent (98% variation) would be set by the development of lifestyle development in a rural area, not zoned for this purpose.

- (d) in planning for rural lands, to balance the social, economic and environmental interests of the community,
Comment: In consideration of the matters outlined in this report, this balance must be addressed by Council. The community interests of concern would relate to servicing, landuse conflict with existing and potential agricultural landuses, and creation of a precedent in the approval of a residence in an area not zoned for this purpose.
- (e) the identification and protection of natural resources, having regard to maintaining biodiversity, the protection of native vegetation, the importance of water resources and avoiding constrained land,
Comment: There are no particular known natural resources threatened by this development. The land is largely cleared grazing land, with a mix of native and exotic grasses within a highly disturbed rural landscape. A geotechnical report demonstrates the protection of groundwater through appropriate installation and operation of an onsite effluent disposal system. Sediment and erosion control during construction would limit stormwater damage.
- (f) the provision of opportunities for rural lifestyle, settlement and housing that contribute to the social and economic welfare of rural communities,
Comment: As has been shown in this report, the provision of rural lifestyle development in this highly visible location would present land use conflict in an area not provided for within Council's rural landuse strategy. Opportunities for lifestyle, settlement and housing of this nature are provided further to the west of the village under the strategy, and sufficient take up has not been achieved to justify further development of the same to the east of the village.
- (g) the consideration of impacts on services and infrastructure and appropriate location when providing for rural housing,
Comment: The dwelling is proposed to be located to the far eastern end of the block. The development can be served by power and telephone. Although the sewer line runs along Millthorpe Road, some 330m to the west, the site is proposed to be served by an onsite effluent disposal system. Water supply is unconfirmed, and the dwelling could be served by rainwater tanks. However, the development of a residence in this location would create a precedent for requests for the development of other blocks within the subdivision, where a full investigation has not been carried out into the capability of local soils to accommodate numerous onsite systems, or the alternate capability for the nearby water supply and sewer systems to be connected to the site.
- (h) ensuring consistency with any applicable regional strategy of the Department of Planning or any applicable local strategy endorsed by the Director-General.

Comment: The proposed development is inconsistent with the provisions of the Rural and Industrial Land Use Strategy 2008 and Blayney Local Environmental Plan 2012, in that areas for lifestyle blocks have already been identified to the west of the village, and take up to date does not warrant the consideration of the development of land to the east of the village for similar development.

Clause 10 Matters to be considered in determining development applications for rural subdivisions or rural dwellings

The following matters are to be taken into account:

- (a) the existing uses and approved uses of land in the vicinity of the development,

Comment: The landuses which surround the development site are rural, and comprise mostly grazing. There are dwellings erected on the adjoining lots to the north and south, although these are not new developments.

- (b) whether or not the development is likely to have a significant impact on land uses that, in the opinion of the consent authority, are likely to be preferred and the predominant land uses in the vicinity of the development,

Comment: The predominant landuse in the vicinity is agriculture. The impact on adjoining lands to the south, and north are likely to be negligible. However, the properties to the east and south east are larger and although used currently for grazing, have the capability for other more intensive agricultural uses, apart from their current operations which may include the use of machinery, weed spraying and animal grazing. The location of the dwelling only 22m from the eastern boundary does not lend itself to reduction in landuse conflict, and the subject land has encroachments from a water line and power lines which limit possible other dwelling sites on the land.

- (c) whether or not the development is likely to be incompatible with a use referred to in paragraph (a) or (b),

Comment: The landuse in its current location is likely to be incompatible with the efficient and effective use of the agricultural land to the east as discussed above. This in turn does not fall in with the objectives of the Rural Lands SEPP, the objectives of the rural RU1 zone, or the Land Use Strategy.

- (d) if the land is not situated within a rural residential zone, whether or not the development is likely to be incompatible with a use on land within an adjoining rural residential zone,

Comment: As discussed in (b) above.

- (e) any measures proposed by the applicant to avoid or minimise any incompatibility referred to in paragraph (c) or (d).

Comment: Although the developer has indicated that setbacks can alleviate landuse conflict, they have not suggested what those conflicts may be. Council has made suggestions in this regard.

No other mitigation measures have been suggested by the applicant.

There are no other State Environmental Planning Policies relevant to this development.

2. Regional Environmental Planning Policies

There are no Regional Environmental Planning Policies relevant to this development.

3. Local Environmental Plans

The land is zoned RU1 Primary Production under the *Blayney Local Environmental Plan 2012*, and the development is not permissible in the RU1 zone under Clause 4.2A as the land is below the 100ha minimum lot size for the erection of a dwelling.

The developer has lodged an objection under Clause 4.6 of the Blayney Local Environmental Plan 2012, to the 100ha minimum lot size development standard required in clause 4.2A(3)(a), to enable a dwelling in the RU1 Primary Production zone.

Subdivision and zoning history:

Subdivision:

Lot 40 DP 263360 was created as a result of road widening along the Millthorpe Road in 1982, where a strip of land was excised from all lots in this vicinity along the Millthorpe road frontage under DP 263360. **See Enclosure 1 – DP plans.**

In 1921, a number of allotments were created from the northern end of George Street right through to the lots which front Park Street, Nyes Gate Road and Graham Lane, along with larger lots to the south and south east, being DP 11125. **See Enclosure 1 – DP plans.**

Prior to this the allotment was part of a subdivision of Portions 52, 140 and parts of Portions 82, 57 and 90 in the Parish of Graham, being DP 11125. Lot 40 DP 263360 was a part of Portion 57.

From the 1921 subdivision it can be seen that a pattern of subdivision was created which located small lots adjacent to the village of Millthorpe, with lots increasing in size to the south and south east, moving away from the village.

Zoning:

- In 1973, the Lyndhurst Interim Development Order No. 1 zoned the George Street lots as 2 Village or township, and the land within 400m (¼ mile) of the Millthorpe Road Non Urban B 1(b). Beyond the 400m distance the land was zoned Non Urban A 1(a). The subject land falls within the 400m 1(b) zone. Dwellings were permitted on lots smaller than 40ha within the 1(b) zone in certain circumstances, such as concessional allotments.

- The Blayney LEP 1998 zoned the George Street lots as 2(v) Village or Urban and the remaining lots 1(a) General Rural. Dwellings could be erected on land under 100ha only under certain circumstances such as existing holdings.
- The Blayney LEP 2012 carried these zones through to RU5 Village and RU1 Primary Production, respectively. The erection of dwellings in the RU1 zone was similar to LEP 1998.

The provisions of LEP 1998 and LEP 2012 also provided for the erection of dwellings on land where a dwelling could be erected if the land was lawfully created for the purposes of a dwelling before the appointed day. (Clause 3(c))

Existing dwellings in the vicinity are noted at **Enclosure 3**.

Enclosure 4 shows the land zoning of the Blayney LEP 2012 for the Millthorpe area.

Objectives of the RU1 Primary Production zone are examined as follows:

- To encourage sustainable primary industry production by maintaining and enhancing the natural resource base
Comment: The subject land is only 1.84ha in area. The land at this size does not lend itself to the operation of a sustainable primary industry. It is currently used for the grazing of horses. The land is surrounded by allotments of similar size to the north, west and south. The property to the east is a 42ha rural grazing property. The village of Millthorpe is located about 700m to the north west.
- To encourage diversity in primary industry enterprises and systems appropriate for the area
Comment: It is unlikely that a primary industry enterprise or system would be sustainable on an allotment of this size.
- To minimize the fragmentation and alienation of resource lands
Comment: The proposed development will not result in the fragmentation or alienation of resources. No subdivision is proposed.
- To minimize conflict between land uses within this zone and landuses within adjoining zones
Comment: Land use conflict may result from this development. The main properties to the east will continue to be utilized for agricultural production (grazing). Other surrounding properties are of similar size to the subject land, and existing dwellings are shown at **Enclosure 3**. The use of the land for a dwelling in its proposed location may draw impact from conflicting activities, such as when weed spraying is proposed on the farming land. Council should also have regard for

current trends to transition from extensive agriculture to intensive agriculture such as horticulture and intensive livestock in some locations, on these larger properties.

- To enable function centres, restaurants and appropriate forms of tourist and visitor accommodation to be developed in conjunction with agricultural uses.

Comment: These uses do not form a part of this development, although the development would not prevent them from occurring.

Clause 4.1 Minimum subdivision lot size

It is noted that the applicant examines the objectives of Clause 4.1 of the BLEP 2012, during the clause 4.6 submission which relates to subdivision, and is not relevant to this proposal.

Clause 4.2A Erection of dwelling houses or dual occupancies on land in certain rural and environmental zones

The proposed application is seeking a clause 4.6 variation to the 100ha development standard specified in clause 4.2A(3)(a) to enable a dwelling in the RU1 Primary Production zone.

The current allotment was not created for the purposes of a dwelling, but was the result of road widening in 1982, and the land alone is not an existing holding. From its records, Council has no evidence to suggest that the previous 1921 subdivision intended dwellings to be erected on the subject land, at which time the subject lot was known Lot 21 DP 11125.

The objectives of Clause 4.2A are considered as follows:

- To minimize unplanned rural residential development.

Comment: Under the current and previous LEPs this area was not planned for rural residential allotments.

The Sub-Regional Rural and Industrial Land Use Strategy 2008 noted that a structured range and planned location of lifestyle allotments and small holdings was a desirable goal. At that stage population growth was not expected to rise, although the supply and demand analysis showed that there was some demand for additional such lots, but only nearer to Orange. State government policy at the time advocated a planned approach to rural settlement subdivision and settlement, and it was recognized that rural lifestyle allotments provide increased choice in housing options. However, they should only be provided where service provision is economically viable and efficient, where there is a clear demand with no supply available, and where the development of lots previously created for the purpose of rural settlement has been rationalized against consolidation of settlement and prevention of fragmentation.

Although the applicant refers several times to the Blayney Settlement Strategy, that Strategy specifically states that large lot residential land uses were not strictly addressed by the Settlement Strategy as there were approved strategies in the Rural & Industrial Land Use Strategy, where the primary existing large lot residential area in proximity to Millthorpe is along Forest Reefs Road and to the north of Millthorpe.

The Rural & Industrial Land Use Strategy actually recommends decreasing any additional dwelling development in part of the area of large lot residential land uses along Forest Reefs Road. The Strategy also suggested a future investigation area to the south-west of Millthorpe that may be suitable for very limited future large lot residential subject to addressing a range of issues with this site, but this would not be required for a significant period of time until existing large lot residential supplies near Millthorpe are nearly exhausted.

In determining the zonings for BLEP 2012, Council examined a number of sites around the extremities of the Millthorpe village, weighing up the positives and negatives of each area, and made a decision on the R5 and RU5 zones, and where RU1 would be retained, and also flagged areas for future development based in information available at the time.

Currently, and in consultation with the Department of Planning & Environment, Council is considering a recommendation that where there is an excess of rural lifestyle blocks created for the purposes of a dwelling, those which are not strategically located or deemed necessary are to be gradually phased out. Therefore, it appears that where an allotment is not proven to have a building entitlement, it is even less likely that Council should consider the Graham Lane proposal, when it has already been shown that there is a considerable amount of take up yet to be realised in the existing areas of Browns Creek Road, and Forest Reefs Road.

Although the proposed development of 37 Graham Lane does not involve subdivision, and it is not subject to constraints such as bushfire, extreme slope or conservation value, it is not within an area previously identified by Council for large lot residential development. Until it can be justified that the area to the south east of Millthorpe is required for rural residential development, only the merits of the development of Lot 40 can be considered, but within the context of strategic planning for the village of Millthorpe.

In addition, of the small lots created under DP 11125 which front Park Street, Nyes Gate Road and Graham Lane, there are 13, only four of which have been developed to date, with the dwellings being some years old. One additional dwelling to the end of the formed section of Graham Lane (Lot 39) is to be developed in the near future as an existing holding of some 58.79ha.

In the event of approval for the development of Lot 40, Council could create a precedent for the development of the other blocks, without the benefit of a strategic rationale.

- To enable the replacement of lawfully erected dwelling houses or dual occupancies in rural and environmental protection areas.

Comment: The proposal does not involve the replacement of a lawfully erected dwelling. The land is vacant and there is no evidence that there has been a dwelling on the land in the past.

Clause 4.6 Exceptions to development standards

The objectives of Clause 4.6 are as follows:

- (a) To provide an appropriate degree of flexibility in applying certain development standards to particular development.
- (b) To achieve better outcomes for and from development by allowing flexibility in particular circumstances.

The Council must consider a written request which seeks to justify the contravention of the standard by demonstrating that compliance is unreasonable or unnecessary in the circumstances of the case, and that there are sufficient environmental planning grounds to justify contravening the standard. Council must be satisfied that the matters have been adequately addressed, and that the development would be in the public interest. It must be consistent with the objectives of the standard and the objectives for development within the zone.

Council has received development application No.165/2015 for the erection of a dwelling on the land. The applicant has provided justification for a variation to the standard as follows:

- Compliance is unreasonable in the circumstances as it prevents consideration of a dwelling on the site based on the merits presented in their report.
- Economically viable agricultural activities are not suited to the land. Rather the land is near the edge of the village, is consistent with the pattern of existing rural settlement on the southern side of the village zone.

Council comment: Firstly, the Council report does examine the merits of the case within this report, within the context of strategic considerations.

Council acknowledges that economically viable agricultural activities are not suited to the land. However, given that the take up of small lots within this part of the subdivision created in 1921 is only 4 out of 13, and that more development has been undertaken on the Forest Reefs Road area as identified by Council for growth, it has not been evident to date that there is a demand for development of the south eastern area.

The applicant has examined the objectives of the RU1 zone and makes a number of observations:

- Future development of the site will not alienate existing rural enterprises in the surrounds.
- No fragmentation of land will result.
- Potential landuse conflicts can be addressed through setbacks.
- Dwelling houses are permissible in the RU1 zone, where there is a dwelling entitlement.
- No physical constraints are identified.
- Maintaining the standard is not considered of public benefit in that it otherwise prevents a dwelling on a small rural lot that benefits from town services and location.

Council comment: Council acknowledges points two and four. However, although the applicant suggests that setbacks will address landuse conflict, those conflicts are not identified. Council would suggest that these conflicts may include machinery use, animal grazing and weed spraying. Other potential conflicts may occur in the consideration of the current trend, as suggested within Planning Circular PS 08-002, for a transition from conventional grazing activities to more intensive or horticultural based land uses on larger properties.

In terms of services, although the site is only 700m from the centre of Millthorpe, the land has power and telephone, and a water line passes through the land from the nearby reservoir. Confirmation has been provided from the water authority that the proposed dwelling can connect into this water line.

The land is not connected to sewer, and a geotechnical report has been provided for onsite effluent disposal, for a conventional bed absorption system and septic tank.

Therefore, it has not been shown that the site benefits from all town services.

Although the site is only 700m from the centre of Millthorpe it is not surrounded by a significant number of existing established allotments, highlighted by Council's unwillingness to consider this area for development into rural residential in the past.

4. Section 117 Directions

Direction 1.2 - Rural zones: The objective of this direction is to protect the agricultural production value of rural land. However, in the Blayney LGA it applies only where a planning proposal is being prepared for the rezoning of land from a rural zone to a residential, business, industrial, village or tourist zone.

It is not relevant to the proposed development.

Direction 1.5 – Rural lands: The objectives of this direction are to protect the agricultural production of the land, and to facilitate the orderly and economic development of rural lands for rural and related purposes. The direction applies to planning proposals to which *State Environmental Planning Policy (Rural Lands) 2008* applies.

Council has examined *SEPP (Rural Lands) 2008* earlier in this report. However, the application is not a planning proposal, and therefore this direction is not relevant to this development.

Note: It is noted that the applicant has indicated that a planning proposal may be considered that reduces the minimum lot size applying to the site to permit a dwelling.

5. Guidelines and policies

The development was notified to adjoining landowners. No submissions were received.

79C (a)(ii) the provisions of any proposed instrument that is or has been the subject of public consultation under this Act and that has not been notified to the consent authority that apply to the land to which the development relates

There are no such proposed instruments relevant to this development.

79C (a)(iii) any development control plan that applies to the land to which the development relates

There are no development control plans in place relevant to this development. The land does not fall within the Millthorpe Development Control Plan area. However, in the consideration of the applicant's request to consider the development of a rural lifestyle block, a provision for buffers and setbacks to the adjoining agricultural land, as set down in Council's Development Control Plan No. 3 Rural Residential Development, could possibly have been considered by the applicant.

Biological buffers can be considered, which would depend on the nature of the conflicting landuse, its proximity to the proposed development, natural topography, existing windbreaks, noise and visual barriers, prevailing winds etc. Influences might include odour, noise, dust and chemical spray drift. That DCP recommends a 35m wide separation area, containing random plantings and a variety of species, and includes a 5m wide maintenance corridor.

79C (a)(iiia) any planning agreement that has been entered into under section 93F, or any draft planning agreement that a developer has offered to enter into under section 93F, that apply to the land to which the development relates

There are no such agreements relevant to this proposal.

79C (a)(iv) any matters prescribed by the regulations that apply to the land to which the development relates

There are no such matters relevant to the development that could not be addressed through any conditions of consent.

79C (a)(v) Any coastal zone management plan (within the meaning of the Coastal Protection Act 1979), that apply to the land to which the development relates

Not applicable to this development.

79C (b) the likely impacts of that development**Context and setting**

The proposed development seeks to establish a dwelling on the land within a rural area, some 700m to the south east of the centre of the village of Millthorpe.

The site is located within a rural setting set back some 200m from the front boundary onto Graham Lane. The site is fenced on all sides, and slopes to the south east and to the road, surrounded by a mix of lot sizes, being mostly grazing land with scattered homesteads.

The dwelling is proposed to be sited on the highest point of the land, set back only 22m from the eastern boundary. This development would be clearly visible from much of the southern and eastern sectors of the village environs. No landscaping plan has been provided which might alleviate any potential adverse visual amenity.

The adjoining property to the east is a grazing property of 42ha, and with the proposed location of the dwelling, a buffer of only 22m is provided to any potential agricultural activities on that land such as weed spraying.

Although the site does not fall under the provisions of any development control plans, the consideration of appropriate buffers is an option.

A water line runs through the property from north to south about 60-70m from the eastern boundary, and power lines are located at the front of the land. These features limit an alternate location of a dwelling site somewhat.

Within the subdivision created in 1921, only four other lots in the vicinity have been developed for dwellings, those being carried out some years ago. Most adjacent and adjoining lots are used for minor grazing to the south, west and north. To the east are larger grazing properties.

Access, transport and traffic

The site would be accessed via an entrance onto the unsealed adjoining Graham Lane, which feeds on to Nyes Gate and in turn onto the Millthorpe Road. There is not expected to be significant increase in traffic nature, volume or frequency, from the proposed development. However, Council's Engineer has required works relating to a new entrance, a driveway, power line clearance, and utility relocation if necessary.

Services/utilities

Power and telephone are available to the site, with power lines being located across the front of the site which limit development in this location. The building would be served by an onsite effluent disposal system, and although a water line runs through the property from the nearby reservoir, rainwater tanks could be considered. No investigation has been carried out by the applicant into alternate options for sewer. No additional services or utilities are required for the development. The cost of any relocation of utilities required for the development would be borne by the developer.

Site design, internal design and construction

The construction work required for this development involves the erection of a new dwelling, in accordance with the details provided including a BASIX Certificate, and the Building Code of Australia.

The proposed dwelling would be located some 200m back from Graham Lane and 22m in from the eastern boundary. It would comprise four bedrooms, living areas, kitchen, amenities and verandahs, and would be constructed of brick cladding with a colorbond roof on a concrete slab.

Site design would incorporate sediment and erosion control measures during both dwelling and access construction.

Hazards – technological, natural

There are no particular known such hazards relating to the development.

Noise and vibration

There are no particular matters relating to noise and vibration which might apply to the development itself. Noise levels should not increase as a result of the development. All activities would be internal, and not include mechanical or industrial processes.

However, the occurrence of noise and vibration from machinery operation on the agricultural land to the east has the potential to impact on the development, with the dwelling setback being only 22m back from the boundary and no provision for buffers.

Environmental impact – flora, fauna, land resources, air and water pollution, micro climate

There are no matters arising from this development which might affect flora or fauna, as the site is a highly disturbed rural property. It is largely cleared grazing land with a mix of exotic and native grasses, utilized for grazing of horses. No other land resources are affected. Air pollution is not expected, and mitigation measures such as sediment and erosion control would minimise environmental impact.

Water

Water requirements for the development would be addressed through rainwater tanks, although investigation was undertaken to establish whether connection can be made into the reticulation line that currently traverses the property, given that the other lots in the subdivision do not have dwelling entitlements, and the adjoining dwellings are not connected.

Stormwater would be directed into the natural drainage system and away from the buildings, with appropriate sediment and erosion controls in place.

Waste

Domestic and construction waste would be collected, stored and removed off site for disposal at an approved waste facility.

Visual amenity

The proposed development would place the dwelling on the highest point of the land in a highly visible location above the heritage village and environs to the south and west. No landscaping plan has been provided which might alleviate this situation. The two adjoining dwellings are protected by long established gardens and mature trees, but are not located on highly exposed sites such as this.

Safety, Security and Crime Prevention

There are no particular safety, security or crime prevention matters relevant to this development. The building would be locked and the property fenced. The land has until recently been owned by the adjoining landowner and therefore under constant surveillance for stock monitoring purposes.

Economic impact

The economic impacts from this development include employment opportunities, and increased use of local support industries during construction.

However, the site is within a rural area not identified for lifestyle blocks, and the approval of such a development may create a precedent for demand for servicing of this and other lots in the vicinity.

In addition, the development has the potential to limit the efficient and effective use of the larger rural property to the east.

Social Impact

The social impacts relates to the development of a local property, which has the potential to work with the local and regional community on a number of different levels. The construction process would provide employment and the environment is protected.

However, there is potential for adverse impact on amenity, with the location on a highly visible site, with no provision for visual screening.

There is also potential for landuse conflict with the existing agricultural operation to the east, and its potential to be redeveloped to other horticultural or intensive agricultural landuses.

There is potential for setting a precedent with the expectation that other lots in the vicinity can be developed for similar lifestyle landuse.

Cumulative impact, Principles of Ecologically Sustainable Development, Sustainability and Climate Change

Cumulative Impact

The cumulative impact of the development is for the use of a rural property, within effective industry standards, that may lead to minimization of environmental and community impact.

However, the development of this property has the potential to set a precedent for further development which does not fall into Council's current strategy for the Millthorpe locality. The cumulative effect of this and other possible requests to developed lots not zoned for the purpose would undermine Council's long term plan for the village and its surrounds, based on the current strategy and the lack of take up of rural residential land to date. This subdivision was created in 1921, and only four dwellings erected to date. The natural growth of Millthorpe has been to the west and until that area is exhausted no further areas for rural residential can be considered.

Climate Change

The NSW Sea Level Rise Policy Statement 2009 outlines the Government's objectives and commitments in regards to sea level rise adaptation. A key Government commitment is that it will promote and support an adaptive risk-based approach to managing the impacts of sea level rise. The proposal would not significantly contribute to climate change and will not change the risk profile of the site in regard to the impacts of sea level rise.

Ecologically Sustainable Development

All potential environmental interactions should have regard for the Precautionary Principle (prevent environmental degradation and protect local environment), Inter-generational Equity (not to compromise the environment for future generations), Improved Valuation and Pricing of Environmental Resources (to utilize the land with minimal environmental impact to result in an economic benefit to the community) and conservation of biological diversity and ecological integrity. The proposal would not present significant threats of serious or irreversible environmental damage, and the health, diversity and productivity of the environment is maintained or enhanced for the benefit of future generations, for the conservation of biological diversity and ecological integrity.

Other

The following impacts have been considered and are not relevant to the proposal: flooding, contamination, heritage, bushfire.

79C (b) Suitability of the site for the development

Comment: The site is not particularly suitable for the development, being a rural residential use in a rural area adjoining agricultural land, potentially resulting in landuse conflict as discussed above. Its servicing would be in isolation, although in close proximity to the village, and not within the context of a rural residential precinct. Although access would be appropriate for the level of use, and soil/water movement across the site could be controlled, the site is highly exposed and does not lend itself to positive visual amenity in its current form.

Existing adjacent dwellings were developed under specific circumstances and cannot be considered as a precedent or justification for this proposal.

79C (d) Any submissions made in accordance with this Act or the Regulations

Comment: Adjoining landowners were notified from 22 December 2015 to 18 January 2016. No submissions were received.

79C (e) The public interest

Comment: It is not in the public interest to develop land not identified for the purpose, when the strategies that dictate the development of the Millthorpe area were developed through extensive community consultation.

Future studies may review the situation, but until the development of the existing rural residential lands to the west is achieved no other areas should be considered for lifestyle development, especially without appropriate strategic analysis.

There are no other matters of public interest relevant to the development that have not already been considered in this report.

Conclusions

The above assessment illustrates that the clause 4.6 variation, seeking a 98.2% variation to enable a dwelling in the RU1 Primary Production zone, is not well founded.

The proposed development is more consistent with objectives of the Zone R5 Large Lot Residential zone than the RU1 Primary Production zone and in particular the objectives of clause 4.2A The objectives of clause 4.2A are;

- (a) to minimise unplanned rural residential development,
- (b) to enable the replacement of lawfully erected dwelling houses or dual occupancies in rural and environmental protection zones.

The 100ha MLS is a key component to achieving the objective of clause 4.2A and the objectives of the RU1 Primary Production zone and as such Council is not satisfied the clause 4.6 variation satisfies clause 4.6 (3) and (4).

The proposed development is not suitable for the site, does not satisfactorily address visual amenity, has the potential for landuse conflict with adjoining current and future agricultural activities, and does not align with Council's current strategy for the structured and planned development of Millthorpe and environs.

It sets a precedent for development without any strategic rationale, which should be considered within the context of a wider examination of supply and demand for rural residential development across the Blayney Shire.

Budget Implications:

Nil.

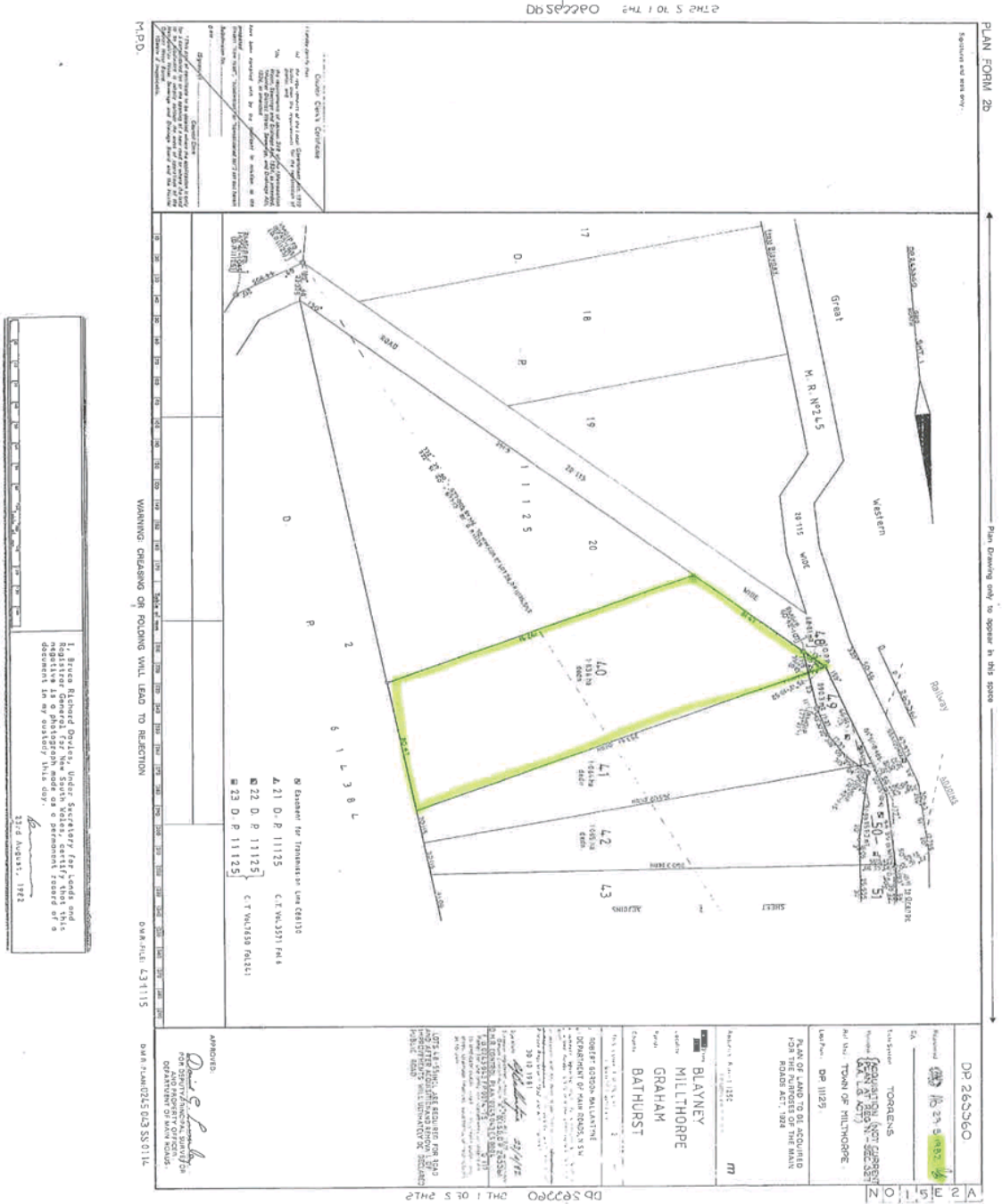
Enclosures (following report)

1	DP Plans	2 Pages
2	Plans	3 Pages
3	Existing dwellings	1 Page
4	Blayney LEP2012	1 Page
5	Clause 4.6 Justification	9 Pages

Attachments (separate document)


Nil

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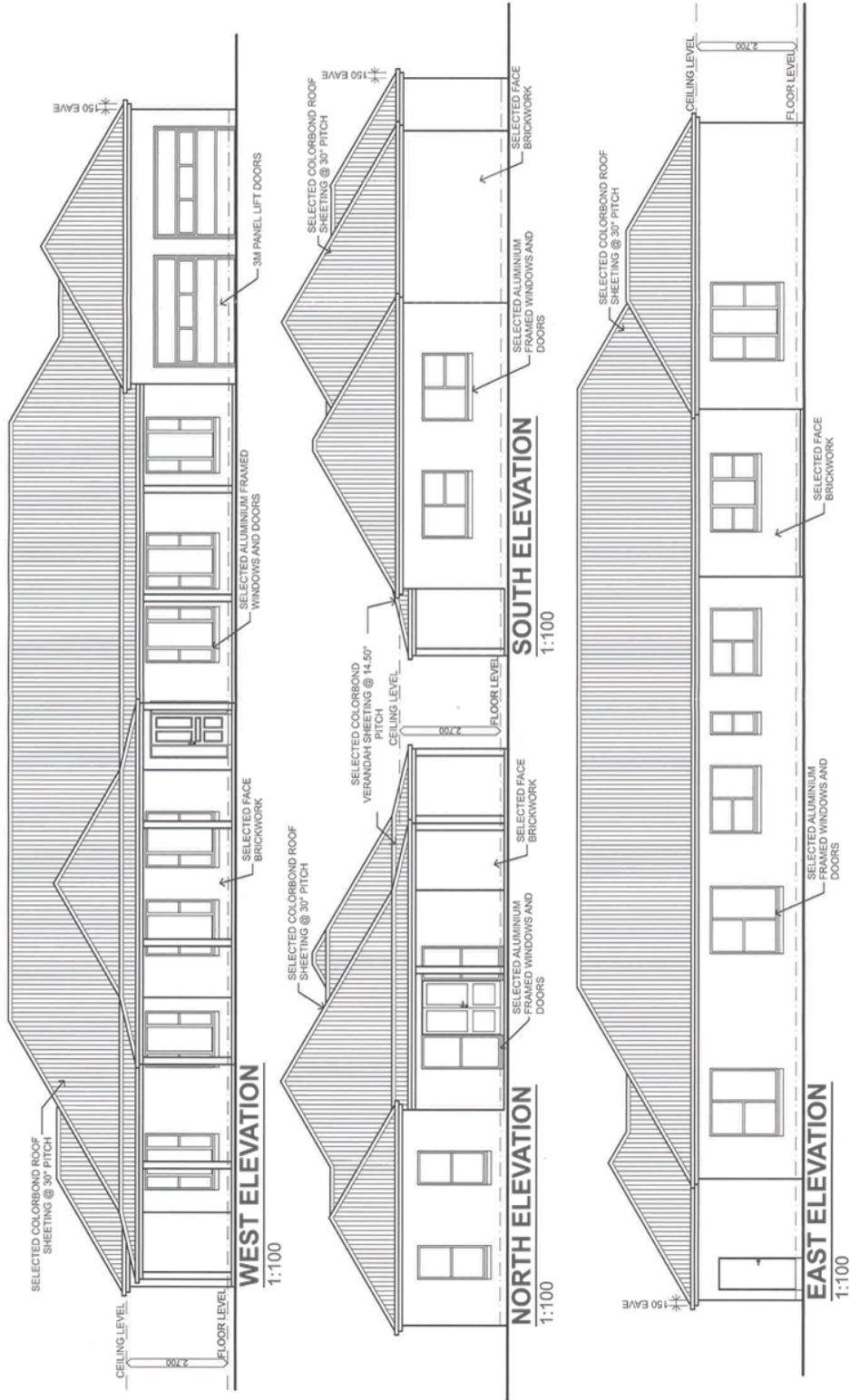


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Location plan



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CONSTRUCTION CERTIFICATE

AS NOTED 15-108 CC03 A

PROPOSED NEW RESIDENCE, at Lot 40 DP263960, NYLES GATE ROAD.

LORNA & VINCE HARRIS

PROPOSED SEPTIC TANK & ABSORPTION TRENCH DESIGNED IN ACCORDANCE WITH ON-SITE EFFLUENT MANAGEMENT STUDY & AS1546

PROPOSED BUILDING SITE HAS BEEN CUT TO ACHIEVE A UNIFORM LEVEL BUILDING PAD IN ACCORDANCE WITH STRUCTURAL ENGINEERS DESIGN

GENERAL NOTES

GENERAL
All building work and construction is to comply with the relevant Australian Standards, Building Code of Australia & Class 10 Building Code of Australia.

DIMENSIONS
All dimensions shown in millimetres unless noted otherwise. All dimensions are to be confirmed on site prior to construction.

TIMBER FRAMING
All timber used in the building shall be activity 1 in accordance with the provisions of AS 1684:2011, National Timber Framing Code.

STARWAYS
Construction of any starways, lifts, balconies and stairs shall comply with the provisions of AS 1659:2011, Part 3.3.3.

STRUCTURAL ELEMENTS
All structural concrete & steelwork to be designed by a qualified structural engineer.

INSULATION
Wall & Ceiling insulation refer to BASIX / NATHERS certificate.

CONSTRUCTION OF SANITARY COMPARTMENTS
Where a closet pan is within 1200mm of any part of the floor, it shall be supported by a concrete slab in accordance with AS 1546:2011, Part 3.3.3.3.

DAMP PROOFING OF FLOORS ON THE GROUND
Where a slab is in contact with the ground, it shall be constructed in accordance with AS 1546:2011, Part 3.2.2.6 to prevent moisture reaching the upper surface of the floor.

SMOKE DETECTION
Smoke detectors to be installed in accordance with AS 1546:2011, Part 3.2.2.6 and AS 1546:2011, Part 3.2.2.7.

VENTILATION
At least 1 Bathroom, individual fan, not ducted, operation control: manual switch only.
Other: individual fan, ducted to outside or roof, operation control: manual switch only.
Laundry: natural ventilation only, or no laundry, operation control: manual switch only.
In accordance with NCC - V2 - Part 3.8.5.

WET AREAS
Where a wet area is provided, it shall be constructed in accordance with AS 1546:2011, Part 3.2.2.7 and AS 1546:2011, Part 3.2.2.8.

TERMITE PROTECTION
Termite risk management in accordance with AS 3690.1:2000 and NCC - V2 - 3.1.3 must be provided.

MASONRY STRUCTURE
All masonry shall be in accordance with AS 3700:2011, AS 4773 Part 1 & 2, and NCC - V2 - 3.3.1.

GUTTERS AND DOWNPIPES
All gutters and downpipes shall be in accordance with AS/NZS 3503.3 & AS/NZS 3505.5 and NCC - V2 - 3.3.2.

GLAZING
All glazing to comply with NCC - V2 - Part 3.8 in accordance with AS 2207 and AS 1298.

CONSTRUCTION WITH BASIX/NATHERS CERTIFICATE
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SITE PLAN
1:1000

PROPOSED NEW RESIDENCE, at Lot 40 DP263360, NYLES GATE ROAD.


CONSTRUCTION CERTIFICATE

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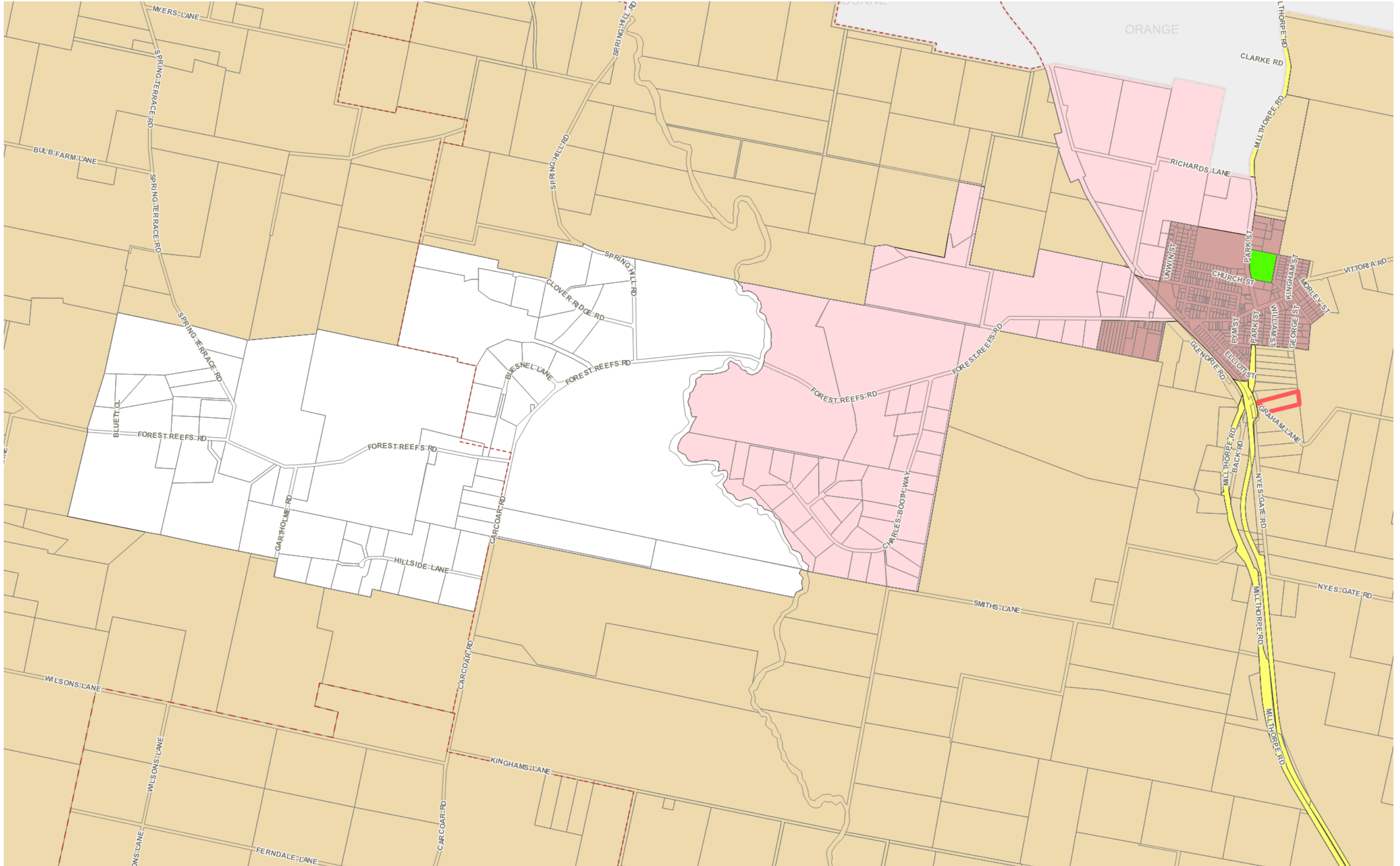


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Existing dwellings

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MUDGEE NSW 2850 f 02 6884 5857 w www.barnson.com.au

Office Locations - Dubbo - Mudgee - Bathurst - Parkes



Our Reference: 21632-L01a

Attention: Patsy Moppett

The General Manager

Blayney Shire Council

PO Box 62

BLAYNEY NSW 2799

council@blayney.nsw.gov.au

RE: request for dwelling entitlement - Lot 40 DP 263360 Graham Lane, Millthorpe

Dear Patsy,

With reference to recent advice from Council, this submission is made by Barnson Pty Ltd on behalf of Vince and Lorna Harris to Blayney Shire Council, requesting its consideration for a dwelling entitlement on Lot 40 DP 263360 Graham Lane, Millthorpe.

A summary of the proposal, site and justification is provided as follows:

1. Summary of proposal

Request is made to Council for consideration of a dwelling entitlement for the subject site. The land is vacant and cleared with no improvements and forms part of a large lot residential subdivision extending south of the village of Millthorpe.

A dwelling entitlement will enable the site to be developed for the purposes of a dwelling house, consistent with several other large-lot residential style lots near the southern edge of the village area.

Development of the site for the purposes of a dwelling house will require a separate Development Application to be lodged with Council demonstrating connection to the existing town services. In this regard the site is serviced by sealed road, reticulated water, electricity and telephone whilst the southern extension of the village's reticulated sewer line passes approximately 100m west of the site, whereby it may be extended to service the site.

2. Blayney Local Environmental Plan 2012 – matters for consideration

Advice from Council regarding a potential dwelling entitlement is that the site is not an *existing holding*. Accordingly a variation to the minimum lot size standard (for a dwelling) that applies under Clause 4.1 is required pursuant to Clause 4.6 of the LEP, unless Council (and Department of Planning) support a Planning Proposal that amends the minimum lot size standard for the site to permit a dwelling. A Planning Proposal may be submitted if the lot size variation is not accepted.

Engineers Consulting - Civil Engineers - Structural Engineers - Mechanical Engineers - Electrical Engineers - Geotechnical Engineers - NATA Registered Soils & Concrete Testing Laboratory - Commercial, Residential & Interior Design - Project Management - Registered Surveyors - Town Planning - Environmental Consulting - Industrial Design



3. Details of site and locality

2.1 The site

The subject land is located on the south-eastern edge of the village of Millthorpe and has an area of approximately 1.85ha. The land is vacant and mostly cleared with a moderate fall to the west to Graham Lane and Nyes Gate Road. Refer to aerial view of site overpage.



View of subject site at centre, note cleared state and gentle sloping form

2.2 Development in surrounds

The southern edge of Millthorpe village is characterised by small size residential lots within the village zone, with large lot residential subdivision to the south of this including the subject site.

The large lot residential subdivision pattern features land ranging in area from a minimum of approximately 1ha, noting the subject site at approximately 1.85ha forms part of such a subdivision extending south from the edge of the village.

2.3 Access

Access to the site is provided from Nyes Gate Road and Graham Lane, noting Nyes Gate Road is sealed along its frontage to the site which is a sealed two lane road, connecting with Millthorpe Road to the north.

2.4 Services

The village of Millthorpe features reticulated water and sewer services. The Blayney Settlement Strategy (Final) indicates that the subject site is serviced by an existing reticulated water line that extends north through the neighbouring lots to the Village. The existing reticulated sewer service is shown extending south of the village approximately 100m west of the subject site. Refer to water and sewer services plans from the Settlement Strategy over page.



2.5 Zoning and Minimum Lot Size

The Blayney Village is zoned RU5 Village with a corresponding minimum lot size of 450m². The land to the south of the village including the subject site is zoned RU1 Primary Production with a corresponding minimum lot size of 100ha.

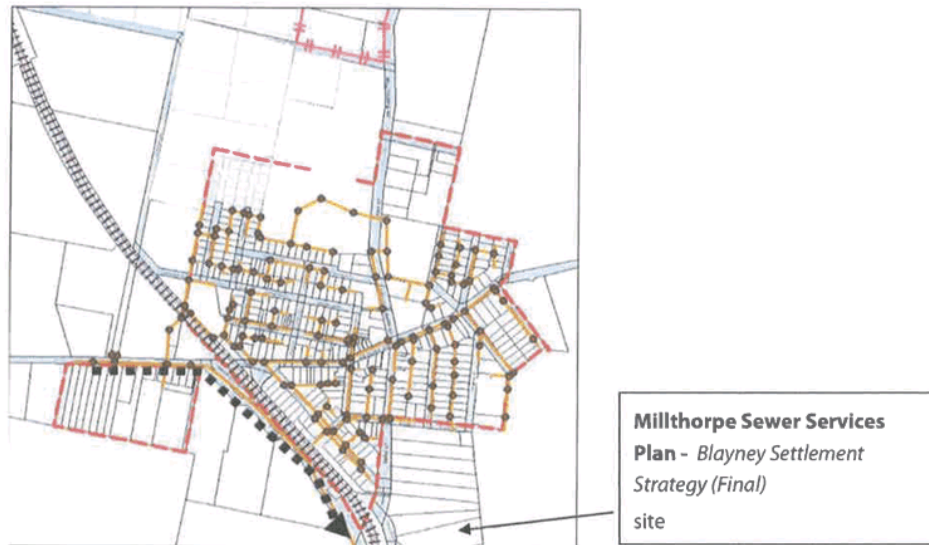


Aerial view - Lot 40 DP 263360 Graham Lane, Millthorpe



Aerial cadastre – site forms part of large lot residential subdivision to north





3. Justification

3.1 Opportunities for a future dwelling

The subject land is cleared former grazing land with a moderate slope allowing ample space to construct a dwelling, subject to a Development Application. Access to the site is via a sealed road, with a driveway able to be provided from the front boundary to a future dwelling on the land.

The site benefits from all town services apart from sewer which may be extended approximately 100m to service the site. Alternatively the site has sufficient area to enable use of an on-site bio-septic treatment system which would allow treated effluent to be used for garden irrigation, noting that there are no prescribed streams within 200m of the site.

The locality is characterised by large lot residential subdivision, with the site forming part of a subdivision of lots at least 1ha in area, some which are occupied by dwellings. A dwelling entitlement on the subject site would enable its future development subject to separate approval in accordance with the existing settlement pattern on the southern edge of Millthorpe.

3.2 Consideration of Blayney LEP 2012

Variation to the minimum lot size standard is sought pursuant to Clause 4.6 of the LEP. Based upon the current zoning of the land as RU1 Primary Production, the site is identified as farmland whereby a minimum site area of 100ha is required to benefit from a dwelling entitlement.



LEP 2012 Clause 4.6 Exceptions to development standards

(3) *Development consent must not be granted for development that contravenes a development standard unless the consent authority has considered a written request from the applicant that seeks to justify the contravention of the development standard by demonstrating:*

(a) *that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and*

Comment – Compliance in this case cannot be achieved due to the site having an area less than the minimum lot size standard. Compliance is unreasonable in the circumstances as it prevents consideration of a dwelling on the site based on the merits presented in this report.

(b) *that there are sufficient environmental planning grounds to justify contravening the development standard.*

Comment – Given the small area of the site at 1.86ha, it is clearly not capable of supporting an economically viable form of crop production or livestock grazing on a standalone basis. Rather, as a large lot residential type of lot located near the edge of the existing village, it is considered more suited to supporting residential occupation, consistent with the pattern of existing rural-residential settlement on the southern side of the village zone.

In considering the objectives of the RU1 Primary Production zone, the proposal will not cause any adverse impacts in the following regards:

- Future development of a dwelling on the site will not alienate existing rural enterprises in the surrounds;
- No fragmentation of rural lands will result, noting that no subdivision is proposed;
- Potential land use conflict with existing/future farming activities in the rural surrounds may be reasonably addressed with the site able to accommodate a future dwelling with ample side and rear setbacks;
- Dwelling houses are permissible with consent in the RU1 zone (where the land benefits from a dwelling entitlement).

In considering other provisions of the LEP, the site is not identified as featuring any physical constraints in that it is not located within lands identified as water catchment, flood prone, biodiversity sensitive, a buffer area (for sewage treatment), or riparian land and waterways.

(4) *Development consent must not be granted for development that contravenes a development standard unless:*

(a) *the consent authority is satisfied that:*

(i) *the applicant's written request has adequately addressed the matters required to be demonstrated by subclause (3), and*

(ii) *the proposed development will be in the public interest because it is consistent with the objectives of the particular standard and the objectives for development within the zone in which the development is proposed to be carried out, and*

(b) *the concurrence of the Director-General has been obtained.*



Comment - The objectives of clause 4.1 – Minimum subdivision lot size are as follows:

(a) to minimise the cost to the community of:

- (i) the fragmented and isolated development of rural land, and
- (ii) providing, extending and maintaining public amenities and services,

(b) to ensure that the character and landscape setting of an area is protected and enhanced by any development,

(c) to ensure that development is undertaken on appropriately sized parcels of land commensurate with available services (including any associated sewerage system) and responds to any topographic, physical or environmental constraints,

(d) to protect drinking water catchments from over-development that may impact on water quality and quantity in the catchment and drinking water systems.

In considering these objectives, the proposal does not result in any land fragmentation with no subdivision proposed. Its location on the town edge adjacent to water and sewer services and a sealed road ensures minimal cost to the community, environment and local water catchment. The site has ample area to accommodate a dwelling under a separate future DA, demonstrating impacts on the town landscape will not be adversely affected.

(5) In deciding whether to grant concurrence, the Director-General must consider:

- (a) whether contravention of the development standard raises any matter of significance for State or regional environmental planning, and
- (b) the public benefit of maintaining the development standard, and
- (c) any other matters required to be taken into consideration by the Director-General before granting concurrence.

Comment – The proposal is of a minor nature and does not generate any matters of significance in itself to the Region or State. Maintaining the standard in these circumstances is not considered of public benefit in that it otherwise prevents a dwelling on a small rural lot that benefits from town services and location.

Summary

Consideration of the LEP's controls for minimum lot size and objectives of the zone identifies no foreseeable constraints to the development of a dwelling on the subject site subject to a separate Development Application. Accordingly the site is considered suitable to benefit from a dwelling entitlement.



3.3 Contribution to Land Supply

Due to its location and few constraints the subject land can be readily incorporated into Council's plans for future large lot residential subdivision on the southern edge of Millthorpe. Development of the land would not contribute to potential urban sprawl in that it will be retained as a single lot with no subdivision potential under the existing zoning.

The **Blayney Settlement Strategy (Final)** identifies capacity for 180 – 240 large lot residential dwelling surrounding Millthorpe (as demand requires). Whilst the subject land and neighbouring large lot residential lots to the north are zoned RU1 Primary Production, it resembles a subdivision pattern consistent with the R5 Large Lot Residential zone which would reflect the existing settlement and subdivision pattern on the south edge of Millthorpe.

Given that the proposal is limited to one lot it would have negligible effect on the supply and demand of large lot residential land as identified in the Strategy. Notwithstanding, in view of the rural character of the site and surrounds, its close proximity to the Millthorpe Village, and close driving distance to both Orange and Blayney; its development for the purposes of a dwelling is consistent with this type of housing in the Blayney and Orange LGAs.

3.4 Section 117 Directions

Direction 1.2 - Rural Zones

Consideration is given to this direction whereby the proposal seeks a dwelling entitlement on a small rural zoned lot. As stated, the objective of this direction is *to protect the agricultural production value of rural land.*

In circumstances where a Planning Proposal is not consistent with this Direction and not identified for potential rezoning under the Council's Strategy, a study in support of the proposal is required *which gives justification to the objectives of this direction.*

As discussed in this report, the land in its current state has a relatively low level of agricultural production noting its use for low intensity grazing. Given the land's relatively low productivity and that the Strategy identifies town services extending to/near the site, it is submitted that the current zoning as RU1 Primary Production which requires 100ha site area for a dwelling entitlement does not reflect its highest and best use.

Based on this, a dwelling entitlement on the land would not result in a significant loss of productive agricultural land in the region, noting that no fragmentation nor sterilisation of rural land will result.



Direction 1.5 - Rural Lands

Consideration is given to this direction which applies where *a planning proposal affects land within an existing rural zone*, and where the proposal *changes the existing minimum lot size on land within a rural zone*. Whilst this submission merely seeks a dwelling entitlement on a small rural lot, a Planning Proposal may also be considered that reduces the minimum lot size applying to the site to permit a dwelling.

The direction requires the proposal to be consistent with the rural planning and subdivision principles listed in *State Environmental Planning Policy (Rural Lands) 2008*. Notwithstanding, a planning proposal may be inconsistent with the Direction (and the SEPP) if the proposal is justified by a strategy that identifies the land for future rezoning (that the proposal is consistent with), and the strategy has been endorsed by the Department of Planning.

In the circumstances of this proposal for a dwelling entitlement, the site is identified as consistent with the principles of Council's Strategy as land that benefits from all town services. The proposal will not affect the existing zoning and does not seek to amend the minimum lot size so as to enable subdivision. On this basis the proposal is not considered inconsistent with this Direction.

4. Conclusion

- a) Pursuant to Clause 4.6 of LEP 2012, variation to the minimum lot size to grant a dwelling entitlement is warranted as it would result in:
 - b) Development that is compatible with adjoining and adjacent land uses, including neighbouring large lot residential development to the north;
 - c) Housing that supports demand for low density rural residential housing that provide for rural lifestyle;
 - d) Development that is consistent with the opportunity areas identified in the Blayney Settlement Strategy;
 - e) Development that may be carried out in a manner that causes no adverse environment, economic or social impacts.
 - f) Opportunity for Council to further assess a DA for a dwelling on the land in the future, further considering its merits as provided in this report.

Should Council require any further information please contact the undersigned at our Mudgee office.

Yours faithfully

BARNSON PTY LTD

Ben Rourke - BTP, MEnvLaw

SENIOR TOWN PLANNER

15) **PLANNING PROPOSAL TO AMEND BLAYNEY LOCAL ENVIRONMENTAL PLAN 2012 - HERITAGE ITEMS**

Department: Planning and Environmental Services

Author: Senior Town Planner

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

File No: LP.PL.5

Recommendation:

1. That, following consideration of the submissions received, Council proceed to endorse the amendments to heritage items within the Blayney Local Environmental Plan 2012 as identified in the business paper report presented to Council at the Ordinary Meeting of 11 May 2015.
2. That, Council, in exercising its delegations under Section 59 of the Environmental Planning and Assessment Act 1979, as endorsed by NSW Planning & Environment in the Gateway Determination, forward the relevant documents to Parliamentary Counsel for opinion, to make amendments to Schedule 5 of the Blayney Local Environmental Plan 2012, and the making of a Local Environmental Plan.

Reason for Report:

For Council to consider the proposed amendment to the Blayney Local Environmental Plan 2012.

Report:

At its Ordinary Meeting of 11 May 2015, Council resolved to forward a Planning Proposal (PP) to the Minister for Planning & Environment seeking an amendment to the Blayney Local Environmental Plan 2012 to amend Schedule 5 of the BLEP 2012, with regard to environmental heritage.

This was undertaken on 20 May 2015. Subsequently Council received the Gateway Determination on 4 June 2015, which was subject to minor amendments, see **enclosure 1**.

The amendments required were to, remove the references to Cadia Engine House and Cadia Cemetery and prepare accurate location mapping for the items for the consultation process.

The Gateway determined that the amendment should proceed subject to certain conditions:

1. Prior to public exhibition the Planning Proposal is to be amended to remove the reference to the addresses for Item I359 Cadia Engine House and I358 Cadia Cemetery.

2. Prior to community consultation clear locality maps for the subject items are to be prepared and submitted to the Department of Planning and Environment for approval.
3. Community consultation under Sections 56 (2) (c) and 57 of the Act.
4. Consultation with NSW Office of Environment and Heritage (Culture and Heritage) under Section 56 (2) (d) of the Act.
5. A public hearing is NOT required.
6. Prior to submission of the Planning Proposal under Section 59 of the Act, LEP maps must be prepared and be compliant with the Department's "Standard Technical Requirements for LEP Maps".
7. The timeframe for completing the LEP was to be 9 months from the week following the date of the Gateway Determination ie. 11 March 2016.

Council also received written authorisation to exercise its delegations. Blayney Shire Council is authorised to exercise the functions of the Minister for Planning under Section 59 of the Environmental Planning & Assessment Act 1979 that are delegated to it by instrument of delegation dated 14 October 2012 in relation to the Planning Proposal.

The amendments and mapping as requested were subsequently provided to NSW Planning & Environment and the final Gateway issued on 31 August 2015, see **enclosure 2**.

Due to a delay over the Christmas period, a response from the NSW Office of Environment and Heritage was not received until 26 February 2016. Council approached the Department of Planning & Environment with regard to an alteration to the due date for finalisation of the Planning Proposal. That date has now been extended to 11 June 2016, see **enclosure 3**.

Community and Agency Consultation

Council undertook this consultation in accordance with Sections 56 and 57 of the Act, exhibiting the draft amended Planning Proposal for 28 days from 30 November 2015 to 8 January 2016.

Two submissions were received, which comprised comments on the Planning Proposal. The submissions are provided in **enclosure 4**. A summary of the issues raised is provided as follows:

- The Forestry Corporation of NSW has responded that they received the correspondence regarding removal of Mount Macquarie Pine Plantation from the Blayney LEP Heritage Register, and they have no concerns with the proposal.
- The NSW Office of Environment & Heritage advised that assessments of significance should be carried out for the items. This work has already been carried out, as presented to Council at the Ordinary Meeting of 11 May 2015.

In review, the objective of the Planning Proposal is to amend Schedule 5 of the *Blayney Local Environmental Plan 2012 (BLEP 2012)*.

The amendments include: removal of four (4) heritage items, addition of one (1) new item and resolve administrative errors or mis-description of several existing items in the Schedule. The aim is to ensure BLEP2012 accurately reflects the heritage significance of items or heritage conservation areas and to remove requirements for heritage assessment where one is unlikely to improve the development assessment outcomes.

Conclusions

As can be seen from the above, the objective of the planning proposal is to make amendments to the BLEP 2012 to amend the list of heritage items protected under the planning instrument to accord with community and Council recognition of their heritage significance.

The planning proposal has not been initiated by a state wide strategic study or report, but does respond to updated heritage inventory information prepared by Council's Senior Planner and Heritage Advisor, and is carried out as recommended by the Subregional Rural and Industrial Land Use Strategy, to regularly update the heritage schedule and listings.

There are no State Environmental Planning Policies applicable to the PP, the PP is consistent with Ministerial Directions under S117, and there are no known environmental effects as a result of the PP, and the only way to amend the Schedule is through a Planning Proposal.

The PP has also addressed social and economic effects, in the provision of flexibility provided for economic development.

The impact of removing heritage items has been justified by the provision of other suitable heritage protections in the Shire.

Issues:

As discussed above.

Budget Implications:

Nil

Enclosures (following report)

1	Gateway 040615	6 Pages
2	Gateway 310815	1 Page
3	Gateway extension	1 Page
4	Submissions Received	2 Pages

Attachments (separate document)

Nil



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

COUNCIL
- 9 JUN: 2015
1L/16518
Doc. No.
Verified: AH
Disp.
GA39: VOL 2
Sent. SA

15/08427

Attention: Patsy Moppett, Senior Town Planner

Dear Ms Ryan

Planning Proposal (PP_2015_BLAYN_002_00) to amend the list of Heritage Items in Schedule 5 and relevant Heritage Maps Blayney LEP 2012

I am writing in response to your Council's letter dated 20 May 2015 requesting a Gateway Determination under section 56(1) of the Environmental Planning and Assessment Act 1979 (EP&A Act) with respect to the planning proposal to amend Schedule 5 Environmental Heritage of the Blayney Local Environmental Plan 2012

As a delegate of the Minister for Planning, I have determined the planning proposal should proceed subject to the conditions in the attached Gateway determination (**Attachment 1**).

The Minister delegated his plan making powers to Councils in October 2012. It is noted that Council has accepted this delegation. I have considered the nature of Council's planning proposal and have decided to issue an authorisation for Council to exercise delegation to make this plan (**Attachment 2**).

The amending Local Environmental Plan (LEP) is to be finalised within 9 months of the week following the date of the Gateway determination. Council should aim to commence the exhibition of the planning proposal as soon as possible. Council's request to draft and finalise the LEP should be made directly to Parliamentary Counsel's Office (parliamentary.counsel@pco.nsw.gov.au) 10 weeks prior to the projected publication date.

A copy of the request should be forwarded to the Department of Planning and Environment (westernregion@planning.nsw.gov.au) for administrative purposes.

The amended LEP maps and GIS data is to be uploaded to the Department's FTP site at ftp://lepup:lep_upload@203.3.194.247/ and the map information emailed to: pocgis@planning.nsw.gov.au and a copy to westernregion@planning.nsw.gov.au

Department of Planning & Environment

Western Region Level 1 188 Macquarie Street Dubbo NSW 2830 | PO Box 58 Dubbo NSW 2830 | T 02 68412180 | F 02 68848483 | www.planning.nsw.gov.au

The State Government is committed to reducing the time taken to complete LEPs by tailoring the steps in the process to the complexity of the proposal, and by providing clear and publicly available justification for each plan at an early stage. In order to meet these commitments, the Minister may take action under section 54(2)(d) of the EP&A Act if the time frames outlined in this determination are not met.

In accordance with "A guide for the preparation of local environmental plans", Attachment 5 – Delegated plan making reporting template (**Attachment 3**) is enclosed for Council's information. Table 2 of the attachment is to be completed and forward to westernregion@planning.nsw.gov.au when requesting the planning proposal to be notified.

Should you have any queries in regard to this matter, I have arranged for Erin Strong, Senior Planner to assist you. Ms Strong can be contacted on (02) 6841 2180.

Yours sincerely,

a.w. albury 4-6-2015

Ashley Albury
General Manager, Western Region
Planning Services

Enclosures: Attachment 1 – Gateway Determination
Attachment 2 – Written Authorisation to Exercise Delegation
Attachment 3 – Delegate Plan Making Reporting Template



Gateway Determination

Planning proposal (Department Ref: PP_2015_BLAYN_002_00): to amend the list of Heritage Items in Schedule 5 and relevant Heritage Maps of Blayney Local Environmental Plan 2012.

I, the General Manager, Western Region at the Department of Planning and Environment as delegate of the Minister for Planning, have determined under section 56(2) of the Environmental Planning and Assessment Act, 1979 (EP&A Act) that an amendment to the list of Heritage Items in Schedule 5 and relevant Heritage Maps of Blayney Local Environmental Plan 2012 should proceed subject to the following conditions:

1. The removal of the addresses for Items I359 Cadia Engine House and I358 Cadia Cemetery is not supported. Prior to community consultation the planning proposal is to be amended accordingly and submitted to the Department of Planning and Environment for approval.
2. Prior to community consultation clear locality maps for the subject heritage items are to be prepared and submitted to the Department of Planning and Environment for approval.
3. Community consultation is required under sections 56(2)(c) and 57 of the EP&A Act as follows:
 - (a) the planning proposal must be made publicly available for a minimum of **28 days**; and
 - (b) the relevant planning authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with planning proposals as identified in section 5.5.2 of *A Guide to Preparing LEPs (Planning & Infrastructure 2013)*.
4. Consultation is required with the NSW Office of Environment and Heritage (Culture and Heritage) under section 56(2)(d) of the EP&A Act. NSW Office of Environment and Heritage is to be provided with a copy of the planning proposal and any relevant supporting material, and given at least 21 days to comment on the proposal.
5. A public hearing is not required to be held into the matter by any person or body under section 56(2)(e) of the EP&A Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission).

6. Prior to submission of the planning proposal under section 59 of the EP&A Act the LEP Heritage Maps are to be compliant with the Department's standard technical requirements for maps.
7. The timeframe for completing the LEP is to be **9 months** from the week following the date of the Gateway determination.

Dated 4th day of June 2015.


Ashley Albury
General Manager, Western Region
Planning Services

Delegate of the Minister for Planning

**WRITTEN AUTHORISATION TO EXERCISE DELEGATION**

Blayney Shire Council is authorised to exercise the functions of the Minister for Planning under section 59 of the *Environmental Planning and Assessment Act 1979* that are delegated to it by instrument of delegation dated 10 October 2014, in relation to the following planning proposal:

Number	Name
PP_2015_BLAYN_002_00	To amend Heritage Items in Schedule 5 and relevant Heritage Maps of the Blayney LEP 2012.

In exercising the Minister's functions under section 59, Council must comply with the Department's "*A guideline for the preparation of local environmental plans*" and "*A guide to preparing planning proposals*".

Dated 4th June 2015


Ashley Albury
General Manager, Western Region
Planning Services
Department of Planning and Environment

Delegate of the Minister for Planning

Attachment 5 – Delegated plan making reporting template

Reporting template for delegated LEP amendments

Notes:

- Planning proposal number will be provided by the department following receipt of the planning proposal
- The department will fill in the details of Tables 1 and 3
- RPA is to fill in details for Table 2
- If the planning proposal is exhibited more than once, the RPA should add additional rows to **Table 2** to include this information
- The RPA must notify the relevant contact officer in the regional office in writing of the dates as they occur to ensure the department's publicly accessible LEP Tracking System is kept up to date
- A copy of this completed report must be provided to the department with the RPA's request to have the LEP notified

Table 1 – To be completed by the department

Stage	Date/Details
Planning Proposal Number	PP_2015_BLAYN_002_00
Date Sent to Department under s56	20 May 2015
Date considered at LEP Review Panel	Considered by the Ministers delegate
Gateway determination date	4 June 2015

Table 2 – To be completed by the RPA

Stage	Date/Details	Notified Reg Off
Dates draft LEP exhibited		
Date of public hearing (if held)		
Date sent to PCO seeking Opinion		
Date Opinion received		
Date Council Resolved to Adopt LEP		
Date LEP made by GM (or other) under delegation		
Date sent to DP&I requesting notification		

Table 3 – To be completed by the department

Stage	Date/Details
Notification Date and details	

Additional relevant information:



BLAYNEY SHIRE COUNCIL
- 9 Sep 2015
Doc. No.
Verified:
Disp. GA39:
Sent.

15/13042

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

Attention: Mark Dicker, Director of Planning and Environmental Services

Dear Ms Ryan

Planning Proposal (PP_2015_BLAYN_002_00) to amend the list of Heritage Items in Schedule 5 and relevant Heritage Maps Blayney LEP 2012

I refer to the abovementioned planning proposal, and discussions held between the Department and Blayney Shire Council to progress the planning proposal to community consultation.

I have considered Council's amended planning proposal dated 25 August 2015 and as agreed during our telephone discussion with Council's consultant Andrew Napier from iPlan Projects on 25 August 2015 that the planning proposal may now proceed to community consultation.

In accordance with Condition 3 of the Gateway determination, the planning proposal is to be placed on public exhibition for a minimum of 28 days. Consultation with the NSW Office of Environment and Heritage (Culture and Heritage) under section 56(2)(d) of the EP&A Act is required in accordance with Condition 4 of the Gateway determination.

Council should now proceed to finalise the subject Amendment to the Blayney LEP 2012.

A copy of the Gateway determination dated 4 June 2015 and this letter should also be placed on exhibition.

Should you have any further enquiries, please contact Jenna McNabb, Planning Services, at the Department on 02 6841 2180.

Yours sincerely

A. W. Albury 31-8-2015
Ashley Albury
General Manager, Western Region
Planning Services



Planning &
Environment

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

BLAYNEY SHIRE COUNCIL	
24 FEB 2016	
Doc. No.	
Verified:	
Disp. GA39:	
Sent.	

16/03095

Attention: Patsy Moppett, Senior Town Planner

Dear Ms Ryan

**Planning Proposal (PP_2015_BLAYN_002_00) to amend Blayney LEP 2012
Schedule 5 – Alteration of Gateway Determination**

I refer to the subject matter and note that the planning proposal due date for finalisation is 11 March 2016. Council has satisfactorily progressed the amendment, with consultation with the NSW Office of Environment and Heritage being the only outstanding matter.

As an administrative matter I am therefore altering the Gateway determination to extend the completion date by three (3) months to 11 June 2016 to allow for the plan to be finalised.

There has been no change to the Gateway determination other than to extend the timeframe allocated for completion of the Plan. The Alteration of the Gateway Determination is enclosed for your reference.

Should you have any further enquiries about this matter, I have arranged for Tim Collins, of the Western Region office in Dubbo to assist you. Mr Collins can be contacted on (02) 6841 2180.

Yours sincerely

A. W. Albury 16-2-2016

Ashley Albury
General Manager, Western
Planning Services

Encl. Alteration of Gateway Determination

Patsy Moppett

From: Dan Kirby <Dan.Kirby@fcnsw.com.au>
Sent: Friday, 18 December 2015 9:40 AM
To: Patsy Moppett
Subject: Amendment to the Blayney LEP - Heritage

Does this message need to be registered in the corporate recordkeeping system ?

Patsy,

Just a note to say I received the correspondence regarding removal of Mount Macquarie Pine Plantation from the Blayney LEP Heritage register, and have no concerns with the proposal.

Regards,

Dan Kirby
Fire & Stewardship Manager
Forestry Corporation of NSW | Northern Softwoods Region

PO Box 143 | Cnr Panorama Ave and Browning Street, Bathurst NSW 2795
T: 02 6330 1033 | F: 02 6331 5528 | M: 0448 033 325 | E: dan.kirby@fcnsw.com.au
W: www.forestrycorporation.com.au

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Heritage Council
of New South Wales

3 Marist Place
Parramatta NSW 2150

Telephone: 61 2 9873 8500
Facsimile: 61 2 9873 8599

Locked Bag 5020
Parramatta NSW 2124
DX 8225 PARRAMATTA

heritage@heritage.nsw.gov.au
www.heritage.nsw.gov.au

File: SF15/51270
Job ID No: DOC15/480861

Ms Patsy Moppett
Senior Town Planner
Blayney Shire Council
PO Box 62
Blayney NSW 2799

Dear Ms Moppett

RE: Planning proposal to amend the Blayney Local Environmental Plan 2012 – Amendments to Schedule 5 Environmental Heritage

Thank you for your letter dated 24 November 2015 regarding the abovementioned planning proposal, requesting comments from the Heritage Council.

The amended Planning Proposal primarily seeks to make the following amendments to the Schedule 5 Environmental Heritage of Blayney LEP 2012:

- Removal of four local heritage items.
- Addition of one new heritage item.
- Resolution of administrative errors or mis-descriptions of another three existing heritage items in the Schedule.

The Heritage Division and the Heritage Council believe that a council's decision whether to list or delist and item in the heritage schedule of the local environmental plan should be based on information about the heritage significance of that item in the heritage study or review.

It is therefore, recommended that an assessment of heritage significance be conducted for the subject items and decision to add or remove be made on the basis of their heritage significance.

If you have any further enquiries regarding this matter, please contact Vibha Bhattarai Upadhyay, Heritage Assessment Officer, Heritage Division, Office of Environment and Heritage, on (02) 9873 8500 or via email to vibha.upadhyay@nsw.gov.au.

Yours sincerely

Rajeev Maini
Acting Manager Conservation
Heritage Division, Office of Environment & Heritage
As Delegate of the NSW Heritage Council
26 February 2016

Helping the community conserve our heritage

16) PLANNING PROPOSAL: RURAL AND LARGE LOT RESIDENTIAL LANDS

Department: Planning and Environmental Services

Author: Director Planning and Environmental Services

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

File No: LP.RS.3

Recommendation:

1. That Council forward a Planning Proposal to the Minister for Planning and Environment requesting a Gateway Determination to amend the Blayney Local Environmental Plan 2012 (BLEP 2012) by:
 - a) Transferring all land which is shown as “Deferred Matter” in BLEP 2012 (land is zoned 1(c) Rural Small Holdings under the Blayney Local Environmental Plan 1998) in the vicinity of Forest Reefs Road, Millthorpe to R5 Large Lot Residential under the Blayney Local Environmental Plan 2012 with a Minimum Lot Size of 2 Hectares.
 - b) Transferring all land which is shown as “Deferred Matter” in BLEP 2012 (land is zoned 1(c) Rural Small Holdings under the Blayney Local Environmental Plan 1998) in the vicinity of Browns Creek Road Blayney to R5 Large Lot Residential under the Blayney Local Environmental Plan 2012 with a Minimum Lot Size of 20 Hectares.
 - c) Extending the period of time specified in Clause 4.2A (4) of the Blayney Local Environmental Plan 2012 from 3 to 5 years,
 - d) Incorporating a new standard instrument boundary adjustment clause to permit simple boundary adjustments in rural areas on lots below the minimum lot size and/or greater than 10% variations in lot size.
 - e) Amending Clause 4.2A (3)(c) to add the words ‘under an environmental planning instrument’ before the words ‘before this Plan’, and,
2. If points 1a) and 1b) are adopted, to revoke Blayney Local Environmental Plan 1998.

Reason for Report:

The purpose of this report is to seek Council resolution to forward a Planning Proposal (PP) to the Department of Planning & Environment (DPE) to review and update the applicable Local Environmental Plan controls for its rural lands within the Blayney Local Environmental Plan 2012 and large lot residential areas (Browns Creek Road and Forest Reefs Road only) within the Blayney Local Environmental Plan 1998 (‘BLEP1998’).

This PP would permit the revocation of the remaining remnants of the Blayney Local Environmental Plan 1998 (‘BLEP1998’).

Report:

Council at its Ordinary Meeting in February 2016 resolved to proceed to prepare a PP for rural lands within the Blayney Local Environmental Plan 2012, and large lot residential areas (Browns Creek Road and Forest Reefs Road only) within the Blayney Local Environmental Plan 1998. The PP is now finalised and formal resolution of Council is required prior to forwarding to DPE for Gateway Assessment.

Attachment 1 is the proposed Planning Proposal prepared by iPLAN PROJECTS on behalf of Blayney Shire Council which details all of the proposed amendments proposed in this PP.

The proposed amendments include:

- a) Transfer all land which is zoned 1(c) Rural Small Holdings under the Blayney Local Environmental Plan 1998 in the vicinity of Forest Reefs Road, Millthorpe, to R5 Large Lot Residential under the Blayney Local Environmental Plan 2012 with a Minimum Lot Size of 2 Hectares,
- b) Transfer all land which is zoned 1(c) Rural Small Holdings under the Blayney Local Environmental Plan 1998 in the vicinity of Browns Creek Road, Blayney, to R5 Large Lot Residential under the Blayney Local Environmental Plan 2012 with a Minimum Lot Size of 20 Hectares,
- c) Extend the period of time specified in Clause 4.2A (4) of the Blayney Local Environmental Plan 2012 from 3 to 5 years (the 3 year restriction removed the allowance of dwelling houses through the 'Existing Holding' provisions of Clause 4.2A of the BLEP 2012 in the RU1 zone on 23 November 2015),
- d) Undertake minor administrative and clarification amendments including:
 - a. Boundary Adjustment: To incorporate into BLEP2012 a new standard instrument boundary adjustment clause to permit minor boundary adjustments in rural areas on lots below the minimum lot size and/or greater than 10% variations in lot size as this is currently not permitted under either exempt development or under BLEP2012. This will provide increased flexibility for farming operations without creating new dwelling entitlements and is an administrative update to BLEP2012 to correct a 'gap' in current controls;
 - b. Amending Clause 4.2A – Erection of dwelling houses or dual occupancies on land in certain rural protection zones - Subclause (3)(c) to add the words '*under an environmental planning instrument*' before the words '*before this Plan*'. The intent is to clarify that dwelling rights only extend to environmental planning instruments (LEPs and Interim Development Orders).

Issues:

The timing to receiving a favourable Gateway determination is unknown, depending upon whether DPE require further information and/or further analysis for any specific matter.

Budget Implications:

Allocation has already been made for IPLAN PROJECTS to prepare the PP. Council staff will be required to facilitate the PP if a favourable Gateway determination from DPE is received.

Enclosures (following report)

Nil

Attachments (separate document)

1 160311 Planning Proposal Rural & LLR Vers C 49 Pages

17) BLAYNEY 2020 MASTERPLAN AND IMPLEMENTATION STRATEGY

Department: Planning and Environmental Services

Author: Director Planning and Environmental Services

CSP Link: 1.6 A vibrant local retail and business sector.

File No: GS.LI.1

Recommendation:

That Council adopt the Blayney 2020 MasterPlan and Implementation Strategy.

Reason for Report:

Public exhibition of the MasterPlan has been completed and Council is now required to formally adopt the Blayney 2020 MasterPlan as a strategic document.

Report:

The MasterPlan was exhibited between 14 January 2016 and 12 February 2016 and included a community engagement evening on Wednesday 3 February 2016.

One written submission was received during the exhibition from Jim Maher Agencies (JMA). JMA support action P7 of the MasterPlan which proposes investigation of a link between Adelaide Street Blayney and the supermarket in Henry Street. JMA advise the site in which their office is situated was previously a laneway link and they are willing to investigate and discuss further with Council the re-establishment of a laneway which the JMA office is now situated.

The MasterPlan project has been ongoing for the past twelve months, with a significant amount of continued community engagement. The purpose of the project is to prepare a forward looking strategy for both the wider Shire and centrally, for the town of Blayney itself; providing planning, design, economic and governance strategies that target economic opportunities to sustainably support Blayney Shire, and to reinvigorate and grow the Blayney Town Centre.

The primary goal of the Blayney 2020 Master Plan is to deliver strategies that enhance the economic viability, growth and marketability of Blayney, based on the findings of research into Blayney's current economic situation, and its potential for future growth. These strategies aim to give Council the ability to plan for and respond to future economic opportunities, for realistic, sustainable growth.

The MasterPlan comprises three main components; a final report by Place Design Group, socio-economic profile and opportunities report prepared by

Western Research Institute and a Transport and Movement report prepared by MRCagney. All three reports are respectfully attached.

A number of strategies including options for implementation and intervention are detailed within the MasterPlan.

The strategies are derived from two sources; Community Engagement undertaken as part of the MasterPlan facilitated by Place Design Group and from Place Design Group who are leaders in planning and design, specialising in fresh and innovative solutions.

Issues:

Nil

Budget Implications:

It must be noted that the strategies including options for implementation and intervention as detailed within the MasterPlan must not be interpreted as actions that Council is seeking to immediately undertake.

A full cost benefit analysis would be required to be undertaken on proposed strategies, ratified and endorsed by Council and then included within the Operation Plan and Long Term Financial Plan.

Monies currently within the Blayney Town Works Internal Restriction could be used to fund actions within the MasterPlan.

Having an overarching strategic document identifying potential projects can be extremely beneficial in obtaining grant funding for strategies identified within the MasterPlan.

Enclosures (following report)

Nil

Attachments (separate document)

1	Blayney Master Plan Report	74 Pages
2	Final Blayney Profile & Opportunities	42 Pages
3	Blayney Transport Movement Report	10 Pages

18) MINUTES OF THE BLAYNEY SHIRE ACCESS ADVISORY COMMITTEE MEETING HELD ON THURSDAY 11 FEBRUARY 2016

Department: Planning and Environmental Services

Author: Director Planning and Environmental Services

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

File No: GO.ME.1

Recommendation:

That Minutes of the Blayney Shire Access Advisory Committee Meeting, held on 11 February 2016, be received.

Minutes:

MINUTES OF THE BLAYNEY SHIRE ACCESS ADVISORY COMMITTEE MEETING HELD ON THURSDAY 11 FEBRUARY 2016 AT THE BLAYNEY SHIRE COMMUNITY CENTRE

Meeting commenced at 5.55pm.

PRESENT

Members: Councillor Shane Oates, Jenny McMahon, Tom Williams, Iris Dorsett and Mark Dicker

APOLOGIES

Members: Sharon Kearney

CONFIRMATION OF PREVIOUS MINUTES

The minutes of the previous meeting held on 12 November 2015 were confirmed to be a true and accurate record of that meeting (Jenny McMahon/Shane Oates).

DISCLOSURES OF INTEREST

Nil.

BUSINESS ARISING FROM PREVIOUS MEETING

Liberty Swing

Project should be commenced within the next 4 weeks.

A site inspection is proposed at the conclusion of the meeting.

Depending upon work will impact upon the official opening.

Presbyterian Church

Director of Planning and Environmental Services advised he had written to the Presbyterian Church regarding the gradient of the steel ramp into the facility

and received a written response advising no complaints had been received about the ramp.

IGA refurbishments

A letter has been written to the Bernardi Group about the lack accessible facilities at IGA Blayney, a telephone response received. If no further response received then this will be followed up in 28 days.

The condition of the carpark was discussed and the responsibility of the marking of the shopping centres carpark lines and accessible carpark facility. It was concluded that it is private property and responsibility of the owner and/or tenant.

A further query was raised about the layback on the side entrance to IGA. Director of Planning and Environmental Services advised he would ask Infrastructure Services to assess whether this is within the Farm Lane road reserve or on private property.

Tactile Indicators on the Adelaide and Ogilvy Street intersection

A meeting was had today with Councils Design Engineer, Maurice Keukenmeeter and Maurice's trainer. It was agreed to put tactile indicators in several locations to assist Maurice.

It was asked if additional tactile indicators can be placed on the CentrePoint intersection.

Disability Awareness Training.

Director of Planning and Environmental Services advised training was this week and very informative. Council will consider having all staff undertake the training.

International Day with a Disability

Posts were put on Facebook promoting Bathurst and Orange events.

NAB BANK

Plans of a potential ramp into the NAB were shown to the committee who were in favour of the design. It is noted no DA has been lodged but only a preliminary approach.

GENERAL BUSINESS

It was acknowledged that the painting of disabled car spaces was excellent, it was questioned why they were not painted in accordance with the Australian Standard.

FUTURE AGENDA ITEMS

Wheelchair day

NEXT MEETING

The next meeting of the Access Advisory Committee will be held on Thursday 12 May 2016 commencing at 5.45pm.

MEETING CLOSE

The meeting closed at 6:45pm followed by a site visit of the Liberty Swing location at Heritage Park.

Enclosures (following report)

Nil

Attachments (separate document)

Nil

19) MINUTES OF THE BLAYNEY SHIRE CEMETERY FORUM MEETING HELD ON THURSDAY 11 FEBRUARY 2016

Department: Planning and Environmental Services

Author: Director Planning and Environmental Services

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

File No: GO.ME.1

Recommendation:

That Minutes of the Blayney Shire Cemetery Forum Meeting, held on 11 February 2016, be received.

Minutes:

MINUTES OF THE BLAYNEY SHIRE CEMETERY FORUM MEETING HELD ON THURSDAY 11 FEBRUARY BLAYNEY SHIRE COMMUNITY CENTRE

Meeting commenced at 5.00pm.

PRESENT

Councillor Kevin Radburn, Kevin Radburn (senior), Vicki Pulling, Helen Dent, Graham Mendham and Mark Dicker (Director Planning and Environmental Services).

APOLOGIES

Councillor Geoff Braddon, Candice Braddon

CONFIRMATION OF MINUTES

The minutes of the previous meeting held on 12 November 2015 were confirmed to be a true and accurate record of that meeting. (Kevin Radburn Senior/Graham Mendham).

DECLARATIONS OF INTEREST

Nil.

BUSINESS ARISING

Drone Mapping Project

Director of Planning and Environmental Services advised this project is complete.

Council now looking to have a GIS survey undertaken of every grave in every cemetery by the end of financial year. To be commenced (maybe 4 weeks) after the individual has completed the current project for Infrastructure Services.

It is intended to have all graves including reservations as layers on Councils website.

Brochure

It was agreed that a simple holistic brochure would be the best way to go instead of several individual brochures.

This project to be undertaken after the GIS mapping.

Lyndhurst

It was advised that works within the road reserve outside Lyndhurst cemetery are yet to be undertaken. Director of Planning and Environmental Services to follow up.

GENERAL BUSINESS

It was advised that the western part of Blayney cemetery fencing has been completed.

It was asked if rabbit fumigation was to take place in Blayney in the near future?

Director of Planning and Environmental Services to follow up.

It was asked if any progress had been made on installation of a seat at Lyndhurst cemetery? Director of Planning and Environmental Services to follow up.

NEXT MEETING

The next meeting of the Cemetery Forum will be held on Thursday 12 May 2016 commencing at 5.00pm.

MEETING CLOSE

The meeting closed at 5.40pm.

Enclosures (following report)

Nil

Attachments (separate document)

Nil

20) WBC ALLIANCE EXECUTIVE OFFICER REPORT

Department: Executive Services

Author: General Manager

CSP Link: 6.2 Meaningful communication between the Shires communities and Council.

File No: CM.ME.3

Recommendation:

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

Report:

Attached is a report from the WBC Alliance Officer, that notes the activities and actions of the WBC Alliance for the previous month.

Enclosures (following report)

1 WBC Alliance Officer Executive Officer Report 2 Pages

Attachments (separate document)

Nil



WBC EXECUTIVE MANAGER'S REPORT –March 2016 Council meeting

The General Managers of the Alliance Councils and I met on 10th February to discuss the work priorities for the Alliance for the period February to June. It is difficult to start any major new collaborative projects considering the current uncertain environment. However there are still a number of areas that the councils can continue working together and sharing collaboratively. I will be doing more council specific projects/activities in this period.

Risk Management (Blayney Council)

I have completed a report for the Blayney Internal Audit Committee outlining the work I completed with Council's Risk Officer, Jennie Robson on the Risk Management Framework.

Business Continuity Planning (Blayney Council)

I am working with the Risk Officer to ensure that Blayney Council complies with the requirements to have Business Continuity Plans in place in the event of a major incident that would significantly impact on Council providing services. Activities have included:

- Development and facilitation of 3 staff workshops (all delivered in house on 23rd February with 28 staff participating)
- First draft plan is in development and should be finalised by 11 March
- Additional resources and consolidation of documentation to be finalised by end of the month
- Participate in the Statewide desk top audit of the plans being held in Blayney on 30 March.

By using me to undertake this work Blayney have saved about \$20k which is the price to engage industry consultants (such as those promoted by Statewide Insurance) to develop plans (which are also very, very detailed and not terribly user friendly)

Update of Policies and Procedures: (Central Tablelands Water)

I have recently commenced a major review and update process of the Policies for CTW. This work will be completed by end of March and will result in a new resolutions register, policy site and may also produce work instructions for some processes. (to be determined)

Asset Management: (Blayney and Cabonne)

I have assisted with coordinating two day training in the new Asset Management software – Assetfinda. Training was held in the week commencing 8th February. I have reported to both the General Managers on any ongoing issues around implementation. I do not believe I will be providing any additional support in this area.

Joint Tender – Traffic Control Services (Blayney and Cabonne)

Cabonne recently coordinated a joint tender with Blayney Council for traffic control services and a provider has been recommended. Savings on the joint tender are close to \$20k.

Award nominations:

I have assisted with four award nominations in the last month:

- Premiers Award for Women in Local Government nominating Rebecca Ryan (who was awarded highly commended)
- LG Excellence Awards – Blayney in the category of Excellence in Leadership and Management – for community engagement initiatives
- LG Excellence Awards – Cabonne in the category of Special Project for their strategies around organisational capability and business excellence
- LG Excellence Awards – Cabonne in the category of Workforce Management for their project on Workforce Capability and Development

The Excellence Awards are being announced at the Awards dinner in Sydney on 7th April. I hope we win all three categories!!

Funding: (Cabonne)

I have been providing a coordination point for potential applications under Restart NSW under the funding for regions program from State Government. Applications close on 7th April.

Reform Process:

I attended the 3 public meetings on the Delegates as part of the merger proposal process.

I attended a two day workshop in Orange on 21/22nd by LG Professionals on Managing and Leading Change. This was a great 2 days, attended by directors and senior managers from Blayney, Orange and Cabonne (it was not planned that way but they were the only councils in the region that sent staff). It did provide a good opportunity to talk through some of the change management issues that we would all need to face should the merger proposal proceed.

I am also keeping up-to-date with all the resources being released by LG NSW, LG Professionals and the Premiers Department on change management, tool kits for merging councils etc.

Other:

I attended Consultative Committee training being held in Blayney on 1 March at the invitation of Blayney GM.

WBC Board meeting:

The Board meeting scheduled for **Wednesday 9th March in Cabonne Council** has been postponed to a date yet to be confirmed.

Matters to be dealt with in closed committee

In accordance with the Local Government Act (1993) and the Local Government (General) Regulation 2005, in the opinion of the General Manager, the following business is of a kind as referred to in Section 10(2) of the Act, and should be dealt with in a part of the meeting closed to the media and public.

21) ELECTRICITY PROCUREMENT

This matter is considered to be confidential under Section 10A(2) (c) (di) of the Local Government Act, as it deals with information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business; AND commercial information of a confidential nature that would, if disclosed (i) prejudice the commercial position of the person who supplied it.

22) REQUEST FOR EXTENSION OF INTEREST FREE LOAN

This matter is considered to be confidential under Section 10A(2) (b) of the Local Government Act, as it deals with the personal hardship of any resident or ratepayer.