Blayney Shire Council



10 April 2012

Dear Councillor

Your attendance is requested at an Ordinary Council Meeting of the Blayney Shire Council to be held in the Council Chambers on Monday, 16 April 2012 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) Confirmation of Minutes Ordinary Council Meeting held on 12.03.12
- (5) Matters arising from Minutes
- (6) Disclosures of Interest
- (7) Reports of Staff
 - (a) General Manager
 - (b) Corporate Services
 - (c) Environmental Services
- (8) Information Report

Yours faithfully

&A/Wilcox

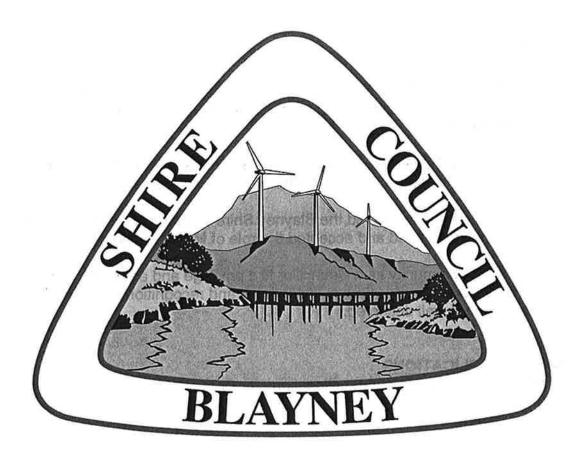
GÉNERAL MANAGER

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GENERAL MANAGER'S REPORTS PRESENTED TO THE BLAYNEY SHIRE COUNCIL MEETING HELD ON MONDAY, 16 APRIL 2012



01) SERVICE AWARD

(General Manager)

RECOMMENDED:

 That Council note the application made to the Local Government and Shires Association to award Councillor Bruce Kingham the Service Award.

REPORT

To receive a service award for local government the elected members must have completed a cumulative total of at least 20 years service to local government in NSW.

The Outstanding Service Award set comprises four pieces (medal, miniature, lapel badge and citation A5 in size) featuring the LGSA coat of arms.

Councillor Kingham has served the Blayney Shire community for over twenty years and has nominated and accepted the role of Mayor during this time.

Service to the community as a Councillor is a privilege and an honor. Service in this role for over twenty years is exceptional and recognition by the industry for this service is well deserved.

BUDGET IMPLICATIONS

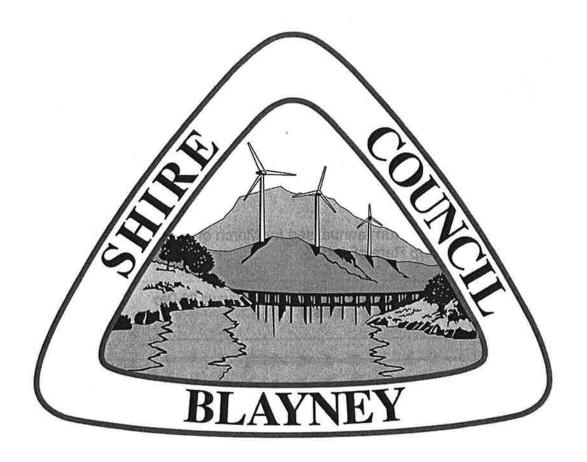
Nil effect, within existing budget allocations for Councillors

POLICY IMPLICATIONS

Nil effect

Attachments

CORPORATE SERVICES REPORTS PRESENTED TO THE BLAYNEY SHIRE COUNCIL MEETING HELD ON MONDAY, 16 APRIL 2012



02) REPORT OF COUNCIL INVESTMENTS AS AT 31 MARCH 2012

(Manager Financial Services)

RECOMMENDED:

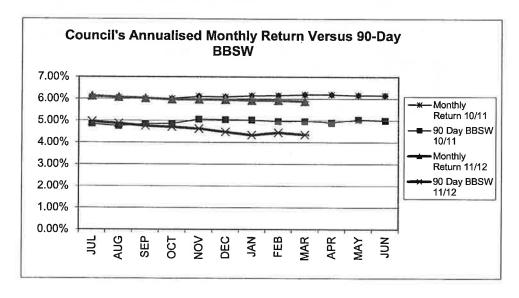
- 1. That the report indicating Council's Investment position as at 31 March 2012 be received and noted.
- 2. That the certification of the Responsible Accounting Officer be noted and the report be adopted.

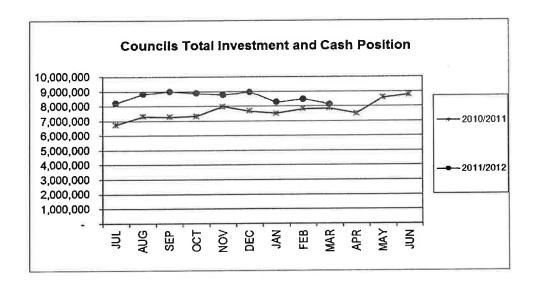
REPORT

This report provides details of Council's Investment Portfolio as at 31 March 2012.

Council's total investment and cash position as at 31 March 2012 is \$8,131,164. Investments earned interest of \$36,194 for the month of March 2012.

Council's monthly net return annualised for March of 5.92% outperformed the 90 day Bank Bill Swap Rate of 4.45%.





REGISTER OF INVESTMENTS AND CASH AS AT 31 MARCH 2012

Institution	Maturity	Amount \$	Monthly Net Return Annualised
Term Deposits			
Bank of Cyprus Australia	29/05/2012	500,000.00	5.86%
BankWest	10/04/2012	500,000.00	6.00%
Bankstown City Credit Union	5/06/2012	500,000.00	5.90%
ME Bank	10/04/2012	500,000.00	5.95%
ING	31/07/2012	500,000.00	5.96%
The Rock Building Society	12/06/2012	500,000.00	5.90%
Credit Union Australia	24/04/2012	500,000.00	5.76%
Community CPS	1/05/2012	500,000.00	5.85%
Queensland Country Credit Union	19/06/2012	500,000.00	5.85%
Bank of Queensland	10/04/2012	500,000.00	5.75%
Peoples Choice Credit Union	17/04/2012	500,000.00	5.80%
AMP	7/08/2012	500,000.00	6.00%
Suncorp Metway	29/05/2012	500,000.00	5.77%
Total		6,500,000.00	5.87%
Collateralised Debt Obligation (CDO's)			
ANZ Custodian (Kakadu, BBSW + 140 points)	20/03/2014	500,000.00	6.11%
Total		500,000.00	6.11%
Total Investments		7,000,000.00	5.89%
Benchmark: BBSW 90 Day Index			4.45%
Commonwealth Bank - At Call Account		800,201.25	
Commonwealth Bank Balance		330,962.78	
TOTAL INVESTMENTS & CASH		8,131,164.03	

	Invst/(Recall)	ts - MARCH	
Financial Institution	Amount \$	Commentary	
Term Deposits			
Bank of Queensland	(507,335.62)	Term Deposit matured 06/03/2012	
Bankstown City Credit Union		Term Deposit matured 06/03/2012	
Bankstown City Credit Union		Term Deposit invested 06/03/2012	
The Rock Building Society	500,000.00	Term Deposit invested 08/03/2012	
Queensland Country Credit Union	500,000.00	Term Deposit invested 08/03/2012	
ANZ Custodian (Flinders)		CDO matured 21/03/2012	
Westpac Bank		Term Deposit matured 21/03/2012	
		·	
	- 1		

Collateralised Debt Obligations (CDO's)

As per Council's Auditor recommendations the disclosure of the impact of market conditions on the value of the Collateralised Debt Obligations held is provided. It is estimated by ANZ Custodian Services that the market value of Kakadu is \$62,329 as at 31 December 2011. It is anticipated that as the investment draws near to maturity the market value will increase. Council is also involved in ongoing legal action to minimise any losses.

The Flinders Collateralised Debt Obligation matured on 20 March 2012 with Council receiving the full face value of \$500,000 and received all interest coupon payments over the life of the CDO.

Council's monthly net return annualised for March on the CDO is 6.11% outperforming the 90 day Bank Bill Swap Rate of 4.45%.

CERTIFICATION - RESPONSIBLE ACCOUNTING OFFICER

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

BUDGET IMPLICATIONS

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

POLICY IMPLICATIONS

Nil effect.

Attachments

03) CHANGE OF DATE - JUNE 2012 ORDINARY MEETING OF COUNCIL

(General Manager)

RECOMMENDED:

1. That Council confirm the change of meeting date for the June 2012 Ordinary meeting of Council, to Tuesday 12 June 2012.

REPORT

Council's ordinary meeting would normally be held on Monday 11 June. Due to the Queen's birthday being this Monday, the meeting needs to be moved. This would normally occur on the third Monday of the month, being Monday 18 June.

The Mayor and General Manager will be attending the 2012 National General Assembly, which will be held in Canberra from Sunday 17 June to Wednesday 20 June 2012. As a consequence of this attendance, We are seeking to move the June Ordinary Meeting of Council, which is scheduled to be held on Monday 18 June 2012, to Tuesday 12 June 2012.

BUDGET IMPLICATIONS

Nil effect.

POLICY IMPLICATIONS

Nil effect.

<u>Attachments</u>

04) <u>ENDORSEMENT OF INTEGRATED PLANNING AND</u> REPORTING PLANS

(Director Corporate Services)

RECOMMENDED:

- 1. That Council endorses the draft:
 - a. Delivery Plan 2012 2016
 - b. Operational Plan 2012- 2013 Part 1 & 2
 - c. Workforce management Plan 2012 2016
 - d. Asset Management Strategy and Plans
 - e. Long Term Financial Plan
- 2. That these plans be placed on public exhibition for a period of 28 days.

REPORT

All councils in NSW are required to develop long term, medium term and short term plans under new legislative requirements, the *Local Government Amendment (Planning and Reporting) Act 2009* which transitions councils to a new Integrated Planning and Reporting (IP&R) Framework. Blayney Shire Council is a Group 3 Council and is required to adopt its integrated plans by 30 June 2012.

Council has already adopted the Blayney Shire Community Strategic Plan and as part of Council's requirements to comply with the Integrated Planning and Reporting Guidelines. The attached plans need to be considered and endorsed by Council prior to being placed on public exhibition for 28 days. The plans include:

- Delivery Plan (4 years)
- Operational Plan (1 year)
- Resourcing Strategy encompassing Long term financial Plan (10 Years);
 Workforce Management Plan (4 years) and Asset Management Plans (10 years)

The following outlines in simple terms what Integrated Planning and Reporting is about, how the plans are linked and how to read the plans.

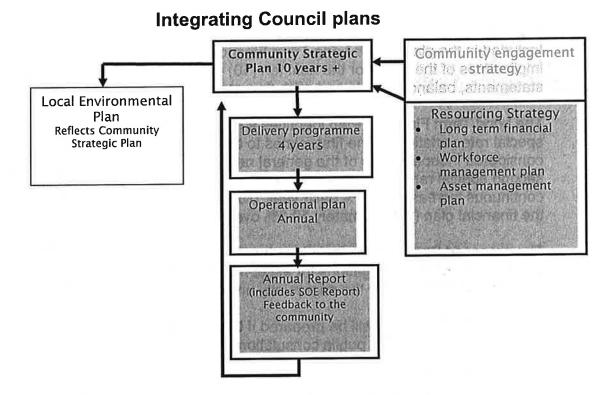
Integrated Planning and Reporting

Understanding the plans, terminology and process

Legislation requires Council to have:

- A Community Strategic Plan for the local government area (CSP)
- A four year Delivery Program that aligns with Council elections (<u>Delivery Plan</u> DP)
- An annual Operational Plan and budget (OP)

- A long term <u>Resourcing Strategies and Plans</u> Asset Plan, 10 year Long Term Financial Plan, 4 year Workforce Plan.
- An <u>Annual Report</u> that describes progress in achieving the community strategic plan. This also includes the state of the environment report.



Planning linkages and language

This table shows the relationship and the common elements between the Community Strategic Plan, Delivery Plan and the Operational Plan.

Community Strategic Plan 10 years		-
Vision Values Future directions	Delivery Plan 4 years	
Strategic outcomes	Strategic outcomes	Operational plan Annual
	Actions	Actions
		Tasks & Budget
WHAT	WHAT & HOW	HOW

Included as an attachment is a paper outlining The Strategic Plan Framework and Terminology.

Council's Role (s)

The overarching document is the **Community Strategic Plan** – developed by the community. Council is only one organisation that can help realise the community plan. It cannot and should not do everything. There are many groups and organisations that need to play a role.

This is Page No. 9 of the Business Paper of the Ordinary Council Meeting of Blayney Shire Council held on 16 April 2012

There are three roles councils can play:

Provider - Council does the work or provides the service (including

regulatory functions)

Facilitator- Council helps or works with others to get things done

Advocate - Council speaks out and supports a community direction or

issue

BUDGET IMPLICATIONS

Included in the plans is the Long Term Financial Plan that incorporates implications of the plans for the next ten (10) years including profit and loss statements, balance sheets and cash flow statements.

The Long Term Financial Plan identifies a need for Council to undertake two special rate variations. The first relates to the mining rate, to allow it to be considered independently of the general rate as an ongoing variation. The second special rate variation relates to the general rate from 2013/14 as an continuous increase of 7.0% each year, plus the rate cap of 3.3% for the life of the financial plan (approximately 10.3% overall).

The proposed Special Rate variations have been provided to ensure that Council can meet its obligations for asset maintenance and cost of service provision as expected by the community under the Community Strategic Plan.

Special Rate Variations will be prepared if Council adopts the Long Term Financial Plan for further public consulation.

By adopting the Long Term Financial Plan, including the special rate variations, Council will ensure that the current assets (roads, sewerage system, buildings, parks & reserves) are maintained and receive minor upgrades to meet the community expectations and service delivery.

By not adopting the Long Term Financial Plan, Council can not meet the long term provision of services and will need to prioritise works to meet a deterioration of services and maintnenace within its budget capacity.

The Long Term Financial report clearly identifies the impacts that the NSW Government's Rate pegging has had on the continuation of service and asset delivery at Council. Keeping rates increases below the CPI and the market increases has eroded Council's long term capacity to meet the community expectations for growth and basic service provision.

POLICY IMPLICATIONS

A review of Council policies will be required to ensure that they align with these plan following the adoption process.

Attachments

1 Strategic Plan Framework and Terminology 1 Page

05) <u>INALA UNITS PROPERTY MANAGEMENT SERVICES</u>

(Director Corporate Services)

RECOMMENDED:

1. That Kennedy Real Estate be appointed as Property Management Agent for Inala Units.

REPORT

With the approval for relaxation of conditions attached to occupancy at Inala Units from the Department of Health and Ageing, Council has recently sought expressions of interest for Property Management Services.

Three expressions of interest were received with charges quoted being equivalent. Indicative rentals provided range from \$150 - \$185 subject to condition of units. The table below provides further information:

	Blayney Real Estate	Kennedy Real Estate	PR Masters Stephens & Co. Pty Ltd.
Commission	7.7%	7.7%	7.7%
Letting fee	1 weeks rent	1 weeks rent	1 weeks rent
Lease preparation	\$25.00	-	\$33.00
Monthly administrative charge		\$5.00	-
Routine Inspections	\$15.00 - \$25.00		
Indicative market rental	\$150.00 subject to condition. Inspection required to give a proper estimate.	\$185.00	Not specified

The submission by Kennedy Real Estate has outlined a suite of additional services provided and forecasts a higher indicative rental return. It is therefore on this basis that Kennedy Real Estate is recommended for engagement. A review of the arrangement and progression will be undertaken in October 2012.

BUDGET IMPLICATIONS

The approval of this report will result in additional revenue resulting from increased occupancy of the facility.

POLICY IMPLICATIONS

Nil effect.

Attachments

This is Page No. 11 of the Business Paper of the Ordinary Council Meeting of Blayney Shire Council held on 16 April 2012

06) REQUEST TO WAIVE CHARGES - BLAYNEY CAN ASSIST (Director Corporate Services)

RECOMMENDED:

1. That Council approve the request from Blayney Shire Can Assist to waive charges in the amount of \$170.00 for hire of Blayney Showground on 31 March 2012.

REPORT

Council is in receipt of a request from Blayney Shire Can Assist seeking Council to waive charges in the amount of \$170.00 associated with hire of Blayney Showground on 31 March 2012. A Bush Dance was held on this date.

At its meeting held 12 March 2012 Council resolved to approve the request and exhibit it for 28 days. Submissions close on April 11 2012 and at time of report preparation no submissions had been received.

The applicable charge for Pavilion hire for schools and not for profit organisations in the 2011 – 2016 Management Plan is \$170.00.

The Local Government Act 1993 is quite specific on waiver of fees. In brief, Council is permitted to provide waive fees provided it gives 28 days public notice.

BUDGET IMPLICATIONS

Council will forego the income that would be generated by this activity.

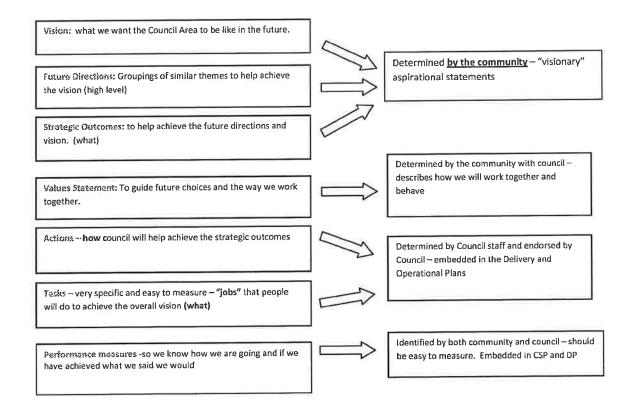
POLICY IMPLICATIONS

Nil effect.

Attachments

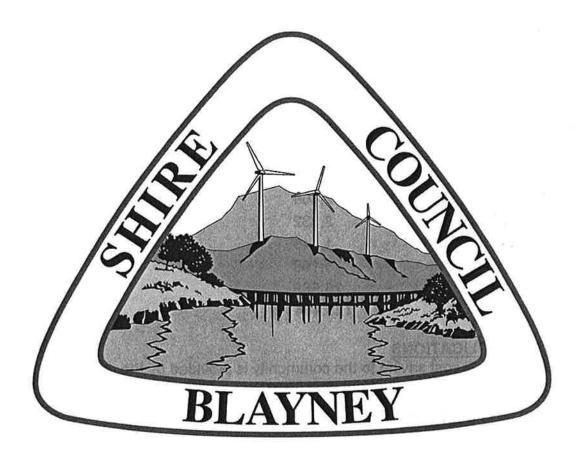
ITEM NO: 04

Strategic Plan framework and terminology



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ENVIRONMENTAL SERVICES REPORTS PRESENTED TO THE BLAYNEY SHIRE COUNCIL MEETING HELD ON MONDAY, 16 APRIL 2012



07) QUARTERLY RECYCLING REPORT

(Director Environmental Services)

RECOMMENDED:

1. That Council note the quarterly recycling report.

REPORT

J R Richards and Sons have quarterly recycling figures for the period July to September 2011, as follows:

Total Recyclables 128,464 kg for July - September 11 made up of:

 Paper 	69,475
 Glass 	20,599
• PET	2,427
HDPE	2,409
 Mixed Plastic 	2,332
 Aluminium 	1,445
Steel	3,196
 Glass Fines 	26,583
Total	128,464 kg

BUDGET IMPLICATIONS

Note: a general cost saving to the community is provided by the removal of the 128.4 tonnes of material from land filling.

POLICY IMPLICATIONS

Nil

Attachments

08) REGIONAL ENVIRONMENTAL MONITORING OF LICENSED LANDFILL

(Director Environmental Services)

RECOMMENDED:

1. That Council receive the report for information

REPORT

A number of NetWaste Councils manage landfills with an Environment Protection Licence (EPL) in place which outlines the environmental monitoring and reporting requirements to the NSW Environment Protection Authority (EPA). Typically, Councils have coordinated these activities on an individual basis either through the services of a Contractor or undertaken in house.

Following significant discussion around the benefit of seeking regional tenders for this service given the value of work undertaken, five (5) NetWaste Councils committed to a regional process, namely:

- 1. Blayney Shire Council (Blayney Waste Depot)
- 2. Dubbo City Council (Whylandra Waste Depot)
- 3. Forbes Shire Council (Daroobalgie Landfill)
- 4. Narromine Shire Council (Narromine Waste Facility)
- 5. Parkes Shire Council (Parkes Waste Depot)

The tender documents requested that the tenderer provide pricing schedules based on the following two scenarios which were included to avoid the possibility of a Council not awarding a Contract and thereby affecting the price schedule for the remaining Councils:

Scenario 1 – Tenderers were asked to provide an annual cost per Council (in accordance with their Environment Protection licenses) based on the scenario of all 5 Contracts being awarded to the one Contractor.

Scenario 2 – Tenderers were asked to provide an annual cost per Council (in accordance with their Environment Protection licenses) based on the scenario of the individual Contracts being awarded to separate Contractors. The pricing Schedules as submitted by each Tenderer are included as Appendix 1 to this report, which demonstrate the financial savings for each Council under Scenario 1, being under a collective arrangement. This is the recommended Scenario for Blayney Waste Depot.

In addition to the required monitoring and reporting under the EPL for Blayney Waste Depot, the successful tenderer will also be preparing the required data and information for Council to meet the new notification and reporting requirements under the recent *Protection of the Environment Operations Amendment Act 2011* which comes into effect 31 March 2012.

Each participating Council to the resultant Contract will enter into a separate Contract in accordance with the General Conditions of Contract.

BUDGET IMPLICATIONS

The outcome of the Contract with the successful tenderer will be a substantial cost saving to Council.

POLICY IMPLICATIONS

This matter has no policy implications to report.

Attachments

09) SECTION 96 MODIFICATION OF CONSENT APPLICATION DEVELOPMENT APPLICATION NO. 12/2009 - 365 BENTLEYS LANE MILLTHORPE

(Director Environmental Services)

RECOMMENDED:

That Council consent to the Section 96 Modification of Consent for Development Application No.12/2009 subject to the following conditions of consent:

 The determination shall be regarded as being in accordance with the particulars and endorsed plans set out and described in Development Application 12/2009 registered in Council's records as of the 21 July 2008 and Section 96

 (2) application registered in Council's record system on the 23 February 2012.

GENERAL

REASON: To comply with Council's policy and requirements for development.

- That the external wall/roof cladding of the shed be of a colourbond type material, which is of a non-reflective nature.
- 3. As Principal Certifying Authority, Council will require to inspect the various stages of construction as follows:
 - (a) Strip footing/slab etc. when steel is laid prior to pouring concrete.
 - (b) Internal and external drainage prior to covering (including septic tank absorption trenches).
 - (c) Framework prior to lining internally.
 - (d) Flashing of wet areas prior to tiling.
 - (e) Stormwater drainage before covering.
 - (f) Final when building is completed and painted, in accordance with approved plans and specification, prior to occupation.

It should be noted that if a stage requires a second inspection, due to work being incomplete or wrong, Council may require an additional fee to carry out the work.

STATUTORY

REASON: To comply with Council's statutory requirements.

- 4. That all Certificates issued in relation to the development are to be submitted to Council.
- 5. That the building be constructed and

- maintained in accordance with the requirements of the Building Code of Australia.
- 6. That an Owner Builder Permit or Home Owners Warranty Insurance be provided to Council prior to the issue of a construction certificate.

ENVIRONMENTAL

REASON: To comply with Council's statutory requirements.

7. That the applicant install, prior to the commencement of works, adequate sediment and soil erosion controls in accordance with Council's Erosion and Sediment Control Policy (copy attached).

CONSTRUCTION

REASON: To comply with Council's policy and requirements.

 That before commencement of any work, a sign is to be erected at the front boundary of the land clearly identifying the lot and names of the owner, builder and license number and emergency telephone contact numbers.

WATER STORAGE

REASON: To comply with Council's policy to ensure adequate water supply is available in the event of fire.

- 9. That on site water storage is to be provided for both domestic and fire fighting reserve purposes. Total storage capacity is to be a minimum of 44,250 litres including a minimum 10,000 litres fire fighting reserve as recommended by the Bush Fire Council. "Storage capacity as referred to above may be in ground or above ground provided that, with respect to the 10,000 litres reserved for the fire fighting purposes, the following is observed:-
 - A. That where in ground storage is provided, access for pumping water into a fire fighting unit must be provided. In this regard, a standard suction hose is usually 6m in length.
 - B. Where above ground storage is provided it is recommended that:
 - a) the outlet for domestic supplies be located at a level above that of the

- 10,000 litres reserved for firefighting purposes;
- b) that the outlet for fire fighting purposes be fitted with a 65mm Storz (brass/steel) type full flow tap with gate valve;
- c) that the outlet in (b). above be located so as to provide easy access for fire fighting units ie. Directly where there is vehicle access to the outlet or via plumbing where such direct access is not possible."

(137 litres/person/per for 50 days plus 10,000 litres Fire Fighting)

REPORT

BACKGROUND

Development Application No. 12/2009, for the erection of a dwelling and shed ancillary and subsidiary to the intended development of the land for the purposes of a Poll Dorset Sheep stud, was reported to an Ordinary Council Meeting and subsequently granted conditional approval on the 10 November 2008.

The application now before Council proposes a Section 96(2) Modification to the approved dwelling under the Environmental Planning and Assessment Act 1979 proposing amendments to the location, internal and external features of the dwelling.

The Section 96 Modification of Consent Application is reported to Council as the original Development Application was determined as Council.

PROPOSAL

The application proposes amendments to the following:

External

- Exterior building material changed from cladding to painted brick
- Roof area increased by 53.5 square metres
- All windows change from aluminium sliding windows to aluminium awning windows with double glazing
- Repositioning of dwelling house to the south of the block, being 40.415 metres off the southern boundary and 68.40 metres off western boundary.
- Foundations of dwelling house from bearers and joist construction to concrete slab
- Alfresco area width reduced by 20mm and length increased by 4440mm
- Verandah added to the northern/north eastern side of the house
- Carport width to increase by 650mm and length increased by 10mm

Internal

This is Page No. 21 of the Business Paper of the Ordinary Council Meeting of Blayney Shire Council held on 16 April 2012

Bedroom 1

- Remove window from western wall and replace northern window with French doors and two windows
- Increase length by 400mm
- Increase length of ensuite by 900mm
- Add shower to ensuite
- Add window to western wall of ensuite

Bedroom 2

- Increase bedroom 2 width by 600mm and length by 400mm
- Add built in robe to bedroom 2

Bedroom 3

- Room size to increase width by 500mm and length by 300mm
- Change position of bedroom 3 with laundry

Main Bathroom and Laundry

- Change shower and bath position within bathroom
- Bathroom width to reduce by 400 and increase in length by 290mm
- Add linen cupboard to hallway immediately outside the bathroom
- Increase length of laundry by 290mm
- Add linen cupboard to the main hallway at the northern end of laundry

Kitchen

 Size of kitchen to reduce in width by 160mm and increase length by 220mm

Dining

- Dining area to reduce width of northern end by 170mm and of southern end by 160mm and to increase length by 490mm
- Replace northern window with French doors

Lounge

- Lounge size to reduce in width by 300mm and increase in length by 90mm
- Replace eastern window with two eastern windows
- Replace northern window with French doors

Entry

- Size of entry to reduce in width by 80mm
- Add window alongside front door

MATTERS FOR CONSIDERATION

In accordance with Section 96 (2) of the Environmental Planning and Assessment Act 1979, the proposed modification is considered to be substantially the same development for which consent was originally granted. The proposed modification has been assessed against the relevant matters for consideration listed under Section 79C (1) of the Environmental Planning and Assessment Act 1979. The assessment is as follows:

(a) the provisions of:

(i) any environmental planning instrument and Blayney Local Environmental Plan 1998

The proposed is located on 1(a) General Rural land and is permissible with consent from Council as it is consistent with the objectives of the zone outlined in the Blayney Local Environmental Plan 1998.

(ii) any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority, and

The site is proposed to be zoned RU1 Primary Production under the Draft Blayney Local Environmental Plan 2011 and the same provision apply as outlined in the Blayney Local Environmental Plan 1998.

(iii) any development control plan, and

No development control plans are relevant to the subject land.

(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, and

There are no planning agreements applicable to the proposed modification.

(iv) the regulations (to the extent that they prescribe matters for the purposes of this paragraph), and

CLAUSE 92 Fulfilment of BASIX Certificate

'Basix' information has accompanied the development application.

(v) any coastal zone management plan (within the meaning of the Coastal Protection Act 1979), that apply to the land to which the development application relates,

Not applicable to the subject land.

(b) the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality,

The likely impacts of the proposed development in regards to the natural and built environment is considered to be minimal. The vegetation of the land is generally pastoral and grazing land and it is considered that the proposed development will have a minimum impact of the environment due to its location. The surrounding development consists of a mixture of rural dwellings, ancillary to agricultural uses, being dominated by a majority of grazing activities and the proposed development is consistent with the surrounds.

The proposed development will generally benefit the community both socially and economically by providing an opportunity for population growth in the area and the promotion of a small farming business.

(c) the suitability of the site for the development,

The proposed site is located to the south of the property and is a level area. The modified location of the proposed development has been referred to the Senior Building Surveyor and is considered an appropriate site to erect a dwelling house. The site is deemed suitable for the proposed development through geotechnical reports identifying the site suitable for an onsite effluent system and also fulfils BASIX requirements.

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

The proposed modification was notified to adjoining landowners. No submissions were received in relation to this development.

(e) the public interest.

The public interest has been considered throughout the assessment of this application.

CONCLUSION

The modification proposal has been lodged under the Section 96(2) of the *Environmental Planning and Assessment Act 1979*, in that the proposed modification is considered to be substantially the same development for which consent was originally granted.

It is recommended that Council consent to the Section 96 Modification of Consent to Development Application No. 59/2011 subject to the conditions contained within this report.

BUDGET IMPLICATIONS

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

POLICY IMPLICATIONS

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

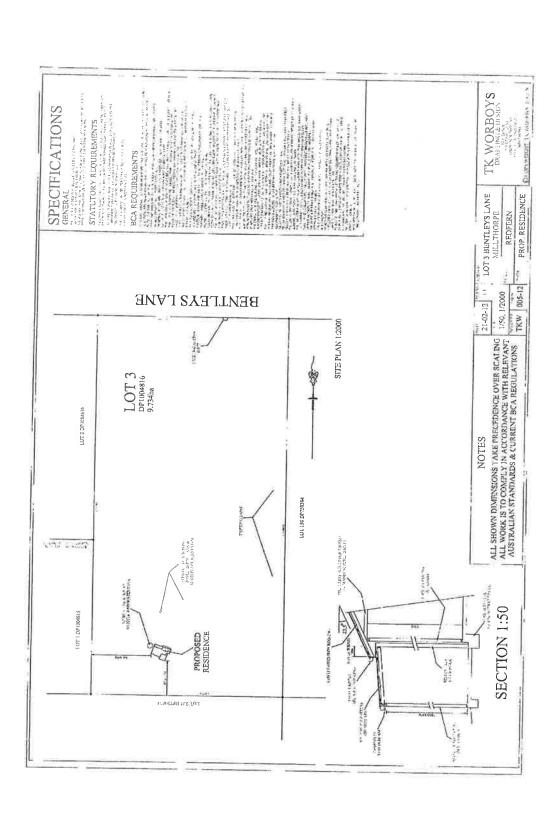
Attachments

1 Proposed plans relating to S96 Modification - 365 Bentleys Lane, Millthorpe - DA 12/2009/1

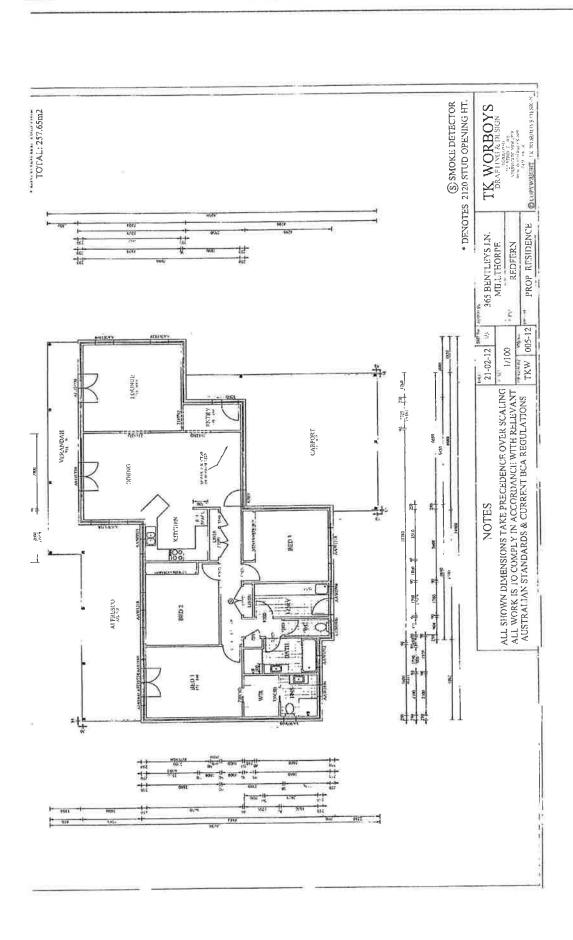
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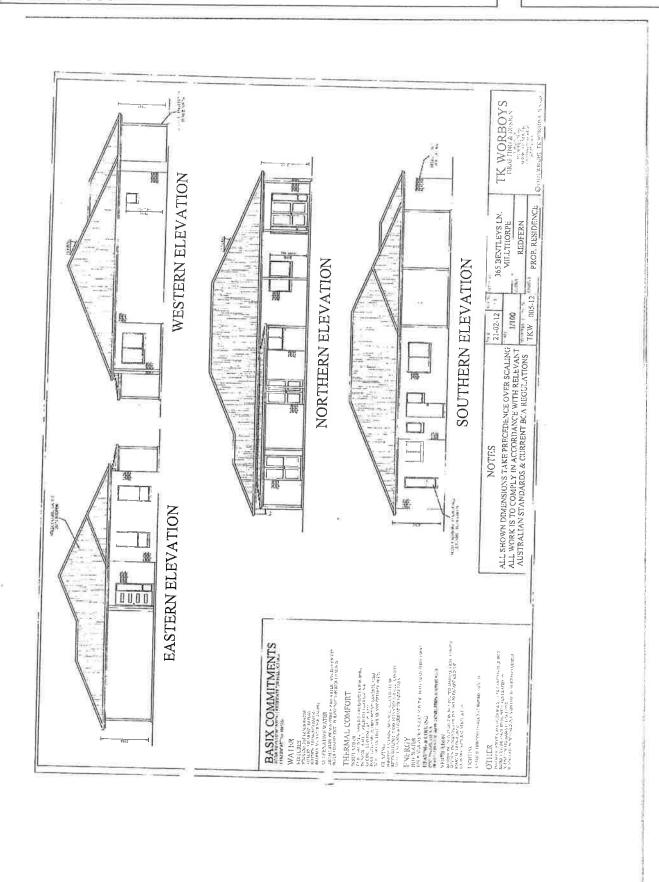
CR BR Kingham MAYOR

Mr GA Wilcox
GENERAL MANAGER



ITEM NO: 04





INFORMATION REPORTS PRESENTED TO THE BLAYNEY SHIRE COUNCIL MEETING HELD ON MONDAY, 16 APRIL 2012



Election Funding Authority of New South Wales Advice of Changes to political donations laws, comme ncing 9 March 2012

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BLAYNEY SHIRE COUNCIL

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Mr Glenn Wilcox General Manager Blayney Shire Council PO Box 62 Blayney NSW 27992799

Ref: General Mgr Advice New Legislation

20 March 2012

Dear Mr Wilcox,

Re: Advice of changes to political donations laws commencing 9 March 2012

I am writing to advise you of recent amendments that have been made to the *Election Funding*, *Expenditure and Disclosures Act 1981*.

A copy of the attached advice has been sent to all current local government councillors however you may wish to include this matter on the agenda for a future council meeting.

The information contained in this letter is general in nature in respect of recent changes to the Election Funding, Expenditure and Disclosures Act 1981. Local government councillors and candidates should know and understand their obligations and responsibilities under the Act. To assist the Election Funding Authority will soon publish revised guidebooks and information on its website (www.efa.nsw.gov.au).

The Authority will be conducting information seminars in May, June and July this year for candidates, groups and political parties throughout NSW ahead of the 2012 local government elections. Details of the seminars will be available in the near future on the Authority's website.

If you have any questions in respect of any information contained in the attachment please contact the Authority on 1300 022 011.

Yours sincerely,

Brian DeCelis

Director Funding and Disclosure

Election Funding Authority of New South Wales

Level 25, 201 Kent Street Sydney 2000 GPO Box 4046, Sydney 2001 T 02 9290 5400 F 02 9290 5410 1300 022 011 A.B.N 63 203 011 077 www.efa.nsw.gov.au

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Advice of changes to political donations laws commencing 9 March 2012

The NSW Parliament recently enacted amendments to election campaign funding and disclosure laws.

I feel it appropriate to bring these changes to your attention as the laws affect all political parties (registered and non-registered), candidates, groups of candidates, elected members and third-party campaigners in NSW. The laws also affect donors including corporations and other entities and individuals on the roll of electors for Federal, State or local government elections.

The amendments came into force on 9 March 2012 and were inserted into the *Election Funding, Expenditure and Disclosures Act* 1981 (available for viewing at www.legislation.nsw.gov.au).

A summary of the amendments are as follows:

1. Prohibition of political donations other than by individuals on the electoral roll

It is unlawful for a political donation to a party, elected member, group, candidate or third-party campaigner to be accepted unless the donor is an individual who is enrolled on the roll of electors for State elections, the roll of electors for Federal elections or the roll of electors for local government elections: s.96D(1).

It is unlawful for an individual to make a political donation to a party, elected member, group, candidate or third-party campaigner on behalf of a corporation or other entity: s.96D(2).

It is unlawful for a corporation or other entity to make a gift to an individual for the purpose of the individual making a political donation to a party, elected member, group, candidate or third-party campaigner: s.96D(3).

It is unlawful for an industrial organisation or other entity to pay an annual or other subscription to a party for affiliation with the party. Such subscriptions are gifts by virtue of s.85(3) of the Act and are therefore political donations: s.96D(4).

It is *not* unlawful for branches of parties or associated parties to dispose of property between one another: s.96D(5); however, such dispositions remain gifts and, accordingly, political donations for the purposes of disclosure: s.85(3A).

It is unlawful for a person to receive a reportable loan (other than a loan from a financial institution) from an entity: s96G(1).

Political donations are those in relation to State elections and elected members of the NSW Parliament, local government elections and elected members of councils or matters unconnected to any election or elected member (e.g. political donations made to a State Party administration account). Political donations are not those made exclusively for the purpose of Federal elections or elected members of the Australian Parliament.

2. Meaning of "electoral expenditure" and "electoral communication expenditure"

The amendments modify the definition of electoral expenditure and electoral communication expenditure as they apply to an entity or other person not being a registered party, elected member, group or candidate. Electoral expenditure and

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electoral communication expenditure *does not* include expenditure incurred by an entity or other person (not being a registered party, elected member, group or candidate) if the expenditure is not incurred for the dominant purpose of promoting or opposing a party or the election of a candidate or candidates or influencing the voting at an election: s.87(4).

3. Aggregation of expenditure caps in respect of State election campaigns

The applicable caps on electoral communication expenditure for a party for a State election campaign now includes the aggregation of electoral communication expenditure incurred by the party and any other electoral communication expenditure incurred by an affiliated organisation of that party: s.95G(6).

An affiliated organisation of a party means a body or other organisation, whether incorporated or unincorporated, that is authorised under the rules of that party to appoint delegates to the governing body of that party or to participate in preselection of candidates for that party (or both): s95G(7).

I remind you that a political donation includes (but is not limited to) a gift made to or for the benefit of a political party, candidate, group of candidates, elected member or third-party campaigner and may be monetary or non-monetary (gift in kind).

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The information contained in this letter is general in nature in respect of recent changes to the Election Funding, Expenditure and Disclosures Act 1981. You should know and understand your obligations and responsibilities under the Act. To assist you the Election Funding Authority will soon publish revised guidebooks and information on its website (www.efa.nsw.gov.au).

The Authority will be conducting information seminars in May, June and July this year for candidates, groups and political parties throughout NSW ahead of the 2012 local government elections. Details of the seminars will be available in the near future on the Authority's website.

If you have any questions in respect of any information contained in this letter please contact the Authority on 1300 022 011.

Yours sincerely

Brian DeCelis

Director Funding and Disclosure

Shires Association of NSW

One Association Update

Shires Association of NSW



19 March 2012

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

Dear Mr Wilcox,

I am writing to give you an update on the issue of One Association to represent Local Government in NSW.

At its recent meeting, the Executive of your Association, based on legal advice from the Associations' lawyers, agreed to follow the process known as the "Host Organisation" method to achieve the creation of a new Association.

This is the best and easiest way to establish a single Association from a legal and administrative perspective, following, of course, a successful "yes" vote. It means, that in a practical sense, the Shires Association "merges" with the Local Government Association, a new name is adopted and the new constitution comes into operation, and both the Local Government Association and the Shires Association cease to exist in their old form, with the new Association the only organisation moving forward after the formal amalgamation date, which has yet to be decided. Your Executive and the Executive of the Local Government Association have agreed that the name of the new Association will be LOCAL GOVERNMENT NSW, a business name already owned by the two Associations.

The Executives of both Associations have also decided that it would be preferable for the formal process for the creation of the new Association to be finalised before the forthcoming Local Government elections on 8th September 2012. Given the various legal processes which must be followed, this is a tight deadline.

In simple terms, a formal application will be made to Fair Work Australia (FWA) for the creation of the new Association which will require a hearing before FWA to approve (or otherwise) the Scheme of Amalgamation and the new constitution. If approval is granted, FWA will authorise the Australian Electoral Commission to undertake a secret postal ballot of the member councils of both Associations to determine the matter. Our timetable at the present time is for the ballot to be finalised by early August 2012.

It needs to be made clear that if member councils approve the creation of the new Association, this does not mean that the new Association comes into being on the day the outcome of the ballot is known (assuming of course that a majority of members of both Associations approve the new Association). FWA in consultation with the Associations will determine the actual date of amalgamation. Indications are that this will not happen until March 2013 given the number of administrative and other changes which will need to occur.

Until the approved date of amalgamation is reached, the two Associations will continue to operate as they do now.

As you would be well aware, the draft constitution for the new Association is based on the 27 principles previously agreed to by the Associations. To refresh your memory, I have attached a copy of these principles which are all reflected in the draft constitution forwarded to you for comment late last year.



GPO Box 7003 Sydney NSW 2001 L8, 28 Margaret St Sydney NSW 2000 Tel: (02) 9242 4000 • Fax: (02) 9242 4111 www.lgsa.org.au • Igsa@lgsa.org.au ABN 49 853 913 882 I would particularly draw your attention to principles 4 and 5 which deal with the issue of voting on motions and the election of Board Members. In essence these principles state that the Rural/Regional grouping of councils and the Metropolitan/Urban grouping must have an equal number of votes.

Considerable problems have been faced in implementing these principles in the draft constitution given the fact that there will be 114 member councils in the Rural/Regional grouping and 38 member councils in the Metropolitan/Urban group. There are also additional complexities arising from the Aboriginal Land Council membership etc.

To resolve these problems (and at the risk of oversimplifying a difficult situation), the current LGA population based voting scale has been used to determine voting entitlements initially being applied to Rural/Regional councils to determine the base figure, and then being applied to the Metropolitan/Urban councils with further adjustments to ensure that total voting entitlements are equal between the two groupings.

The result of these calculations is that the majority of Shires Association member councils will continue to receive one vote for elections/motions. However, 25 current members will receive votes within the range of 2 to 4 votes. In addition, the loading which has had to be applied to Metropolitan/Urban council voting rights means that, in some instances, the individual voting numbers of some Rural/Regional councils will be slightly less than some Metropolitan/Urban councils with similar population numbers. This is an outcome of the need to ensure that, overall, the Rural/Regional and Metropolitan/Urban voting numbers are equal.

A full list of voting entitlements for the new Association is attached, and if you have any queries in this regard, please contact Peter Coulton at the Associations. Peter's contact details are (02)9242 4030 or peter.coulton@lgsa.org.au

I will continue to provide you with updates on the progress towards One Association as appropriate.

Yours sincerely,

Cr Ray Donald President

Shires Association of NSW

Final Version of the 27 Principles

- 1. For the purposes of representation, NSW will be broken up into two (2) regions:
 - a) the metropolitan/urban region andb) the rural/regional region.
- The metropolitan/urban region will be defined as including all councils which fall within the County Cumberland plus Camden Council
- 3. The rural/regional region will be defined as including all other councils
- 4. For the purpose of voting for the Board of Directors, each region will have an equal number of votes, which will be distributed proportionally on a basis to be determined among those ordinary member councils who fall within that region, with all ordinary member councils receiving at least one vote.
- 5. For the purpose of voting on motions at Conference, each region will have an equal number of votes, which will be distributed proportionally among those ordinary member councils who fall within that region, with all ordinary member councils receiving a minimum of at least one vote
- 6. The Board of Directors will consist of a maximum of 24 members being:
 - a) 1 President
 - b) 1 Metropolitan / Urban Vice President
 - c) 1 Regional / Rural Vice President
 - d) 1 Treasurer
 - e) 10 Board members representing Metropolitan / Urban councils
 - f) 10 Board members representing Rural / Regional councils
- 7. The position of President will be elected at large by all voting delegates
- 8. The positions of board members to represent Metropolitan / Urban Councils will be elected by all voting delegates from those councils who are categorised as Metropolitan / Urban
- The positions of board members to represent Rural / Regional Councils will be elected by all voting delegates from those councils who are categorised as Rural / Regional councils
- 10. The position of Metropolitan / Urban Vice President will be elected by all voting delegates from nominees who are elected Councillors from those councils who are categorised as Metropolitan / Urban councils
- 11. The position of Rural / Regional Vice President will be elected by all voting delegates from nominees who are elected Councillors from those councils who are categorised as Rural / Regional councils
- 12. The position of Treasurer will be elected at large by all voting delegates

- 13. The terms of office for all Board Members and Office Holders will be for a period of two (2) years
- 14. A person may hold the position of President for no more than four years (subject to being elected after the first term), before the position must alternate to the other region
- There will be no term limits for the positions of Vice Presidents (subject to being re-elected)
- There will be no term limits for the position of Treasurer (subject to being reelected)
- There will be no term limits for the positions of Board Members (subject to being re-elected)
- 18. The position of President will be alternated between the two regions
- 19. It will not be necessary for the position of Treasurer to be alternated
- 20. There will be two categories of membership: Ordinary and Associate
- 21. All 152 general purpose councils will be eligible for Ordinary membership
- 22. The NSW ALC <u>or</u> the 9 Regional Aboriginal Land Councils will be eligible for Ordinary or Associate Membership of the Association
- 23. NSW County Councils will be eligible for Ordinary or Associate Membership of the Association.
- 24. Elected Councillors from Ordinary members will be eligible to run for positions on the Board of Directors
- 25. Elected Councillors from Ordinary members who are their Council's nominated voting delegates will be eligible to vote for positions on the Board of Directors
- 26. Elected Councillors from Ordinary members who are their Councils nominated delegates will be eligible to vote for motions at Conference
- 27. Ordinary member councils will be eligible to put motions to Conference

Number of Votes for all Members

Number	Council	LGA / SA	Region	Population	# Councillors	Voting LGA	Voting No.s One Association
1	Albury	LGA	RR	51,112	9	4	4
2	Armidale Dumaresq	LGA	RR	25,855	11	3	3
3	Ballina	SA	RR	42,708	10	3	3
4	Balranald	SA	RR	2,476	10	1	1
5	Bathurst Regional	LGA	RR	39,915	9	3	3
6	Bega Valley	SA	RR	33,925	9	3	3
7	Bellingen	SA	RR	13,450	7	2	2
8	Berrigan	SA	RR	8,644	8	1	1
9	Bland	SA	RR	6,410	9	1	1
10	Blayney	SA	RR	7,259	7	1	1
11	Blue Mountains	LGA	RR	77,943	13	4	4
12	Bogan	SA	RR	3,003	9	1	1
13	Bombala	SA	RR	2,617	9	1	1
14	Boorowa	SA	RR	2,478	9	1	1
15	Bourke	SA	RR	3,079	10	1	1
16	Brewarrina	SA	RR	1,910	9	1	1
17	Broken Hill	LGA	RR	19,818	10	2	2
18	Byron	LGA	RR	32,378	9	3	3
19	Cabonne	SA	RR	13,351	12	2	2
20	Carrathool	SA	RR	2,954	10	1	1

21	Central Darling	SA	RR	2,014	8	1	1
22	Cessnock	LGA	RR	51,706	13	4	4
23	Clarence Valley	LGA	RR	52,592	9	4	4
24	Cobar	SA	RR	5,178	12	1	1
25	Coffs Harbour	LGA	RR	72,827	9	4	4
26	Conargo	SA	RR	1,689	8	1	1
27	Coolamon	SA	RR	4,233	10	1	1
28	Cooma-Monaro	SA	RR	10,453	9	2	2
29	Coonamble	SA	RR	4,314	7	1	1
30	Cootamundra	SA	RR	7,729	9	1	1
31	Corowa Shire	SA	RR	11,773	9	2	2
32	Cowra	SA	RR	12,957	9	2	2
33	Deniliquin	SA	RR	7,633	9	1	1
34	Dubbo	LGA	RR	41,763	11	3	3
35	Dungog	SA	RR	8,673	9	1	1
36	Eurobodalla	LGA	RR	37,714	9	3	3
37	Forbes	SA	RR	9,748	10	1	1
38	Gilgandra	SA	RR	4,700	9	1	1
39	Glen Innes Severn	SA	RR	9,311	7	1	1
40	Gloucester	SA	RR	5,181	9	1	1
41	Gosford	LGA	RR	168,188	10	7	7
42	Goulburn Mulwaree	LGA	RR	28,702	9	3	3
43	Great Lakes	LGA	RR	35,924	9	3	3
44	Greater Hume Shire	SA	RR	10,447	9	2	2
45	Greater Taree	LGA	RR	48,955	9	3	3
46	Griffith	SA	RR	25,879	12	3	3
47	Gundagai	SA	RR	3,902	7	1	1
48	Gunnedah	SA	RR	12,265	9	2	2
49	Guyra	SA	RR	4,550	6	1	1
50	Gwydir	SA	RR	5,425	8	1	1

51	Harden	SA	RR	3,669	6	1	1
52	Hawkesbury	LGA	RR	64,030	12	4	4
53	Нау	SA	RR	3,349	8	1	
54	Inverell	SA	RR	16,841	11	2	2
55	Jerilderie	SA	RR	1,674	7	1	
56	Junee	SA	RR	6,298	9	1	
57	Kempsey	SA	RR	29,442	9	3	;
58	Kiama	LGA	RR	20,906	9	3	
59	Kyogle	ŞA	RR	9,877	8	1	
60	Lachlan	SA	RR	6,844	15	1	
61	Lake Macquarie	LGA	RR	200,849	14	7	
62	Leeton	SA	RR	11,929	10	2	
63	Lismore	LGA	RR	45,917	11	3	
64	Lithgow	LGA	RR	21,094	10	3	
65	Liverpool Plains	SA	RR	7,965	7	1	
66	Lockhart	SA	RR	3,318	9	1	
67	Maitland	LGA	RR	70,296	13	4	
68	Mid-Western Regional	LGA	RR	22,860	9	3	
69	Moree Plains	SA	RR	14,425	12	2	
70	Murray	SA	RR	7,319	9	1	
71	Murrumbidgee	SA	RR	2,557	6	1	
72	Muswellbrook	LGA	RR	16,676	12	2	
73	Nambucca	SA	RR	19,369	9	2	
74	Narrabri	SA	RR	13,741	12	2	
75	Narrandera	SA	RR	6,280	9	1	
76	Narromine	SA	RR	6,841	9	1	
77	Newcastle	LGA	RR	156,112	13	7	
78	Oberon	SA	RR	5,438	9	1	
79	Orange	LGA	RR	39,329	14	3	

80	Palerang	SA	RR	14,652	9	2	2
81	Parkes	SA	RR	15,192	10	2	2
82	Port Macquarie-Hastings	LGA	RR	76,323	***1	4	4
83	Port Stephens	LGA	RR	67,825	12	4	4
84	Queanbeyan	LGA	RR	41,430	10	3	3
85	Richmond Valley	SA	RR	23,115	9	3	3
86	Shellharbour	LGA	RR	67,797	7	4	4
87	Shoalhaven	LGA	RR	96,967	13	4	4
88	Singleton	SA	RR	24,182	12	3	8
89	Snowy River	SA	RR	8,188	9	1	13
90	Tamworth Regional	LGA	RR	59,461	9	4	4
91	Temora	SA	RR	6,216	9	1	
92	Tenterfield	SA	RR	7,071	10	1	
93	Tumbarumba	SA	RR	3,765	8	1	
94	Tumut Shire	SA	RR	11,480	7	2	2
95	Tweed	SA	RR	90,090	7	4	
96	Upper Hunter Shire	SA	RR	14,198	9	2	1
97	Upper Lachlan Shire	SA	RR	7,559	9	1	
98	Uralla	SA	RR	6,287	9	1	
99	Urana	SA	RR	1,261	9	1	
100	Wagga Wagga	LGA	RR	63,500	11	4	
101	Wakool	SA	RR	4,389	6	1	
102	Walcha	SA	RR	3,299	8	1	
103	Walgett	SA	RR	7,235	9	1	
104	Warren	SA	RR	2,845	12	1	
105	Warrumbungle Shire	SA	RR	10,330	9	2	
106	Weddin	SA	RR	3,780	10	1	
107	Wellington	SA	RR	8,875	9	1	
108	Wentworth	SA	RR		9	1	

				7,120	1		
109	Wingecarribee	LGA	RR	46,960	9	3	3
110	Wollondilly	LGA	RR	44,050	9	3	;
111	Wollongong	LGA	RR	203,487	13	7	
112	Wyong	LGA	RR	151,527	10	7	
		SA	RR	0.00	9	2	
113	Yass Valley	SA	- KK	15,190	9		
114	Young	SA	RR	13,078	9	2	- 2
	Castlereagh-Macquarie	CC	RR			1	
	Central Murray	CC	RR			1	
	Central tablelands Water	CC	RR			1	
	Far North Coast	CC	RR			1	
	Goldenfields Water	CC	RR			1]
	New England Tablelands	CC	RR			1	
	Richmond River	CC	RR			1	
	Riverina Water	CC	RR			1	
	Rous Water	CC	RR			1	
	Upper Macquarie	CC	RR			1	
	NSWALC		RR			8	8
	President		RR			1	
	Treasurer		RR		- 1	1	
	Vice President Country		RR			1	
	Executive 1		RR			1	
	Executive 2		RR			1	
	Executive 3		RR			1	
	Executive 4		RR			1	
	Executive 5		RR			1	
	Executive 6		RR			1	
	Executive 7		RR			1	
	Executive 8		RR			1	
	Executive 9		RR			1	
	Executive 10		RR			1	
				3,161,679		282	282
1	Ashfield	LGA	MÜ	42,787	12	3	4
2	Auburn	LGA	MU	78,597	10	4	6
3	Bankstown	LGA	MU	188,814	12	7	11

4	Blacktown	LGA	MU	307,816	15	7	13
5	Botany Bay	LGA	MU	40,463	7	3	4
6	Burwood	LGA	MU	33,803	7	3	4
7	Camden	LGA	MU	56,809	9	4	5
8	Campbelltown	LGA	MU	153,222	14	7	10
9	Canada Bay	LGA	MU	78,735	9	4	6
10	Canterbury	LGA	MU	145,668	10	5	8
11	Fairfield	LGA	MU	196,567	13	7	11
12	Holroyd	LGA	MU	102,188	11	5	7
13	Hornsby	LGA	MU	164,034	10	7	10
14	Hunters Hill	LGA	MU	14,591	7	2	2
15	Hurstville	LGA	MU	80,823	12	4	6
16	Kogarah	LGA	MU	59,200	12	4	5
17	Ku-ring-gai	LGA	MU	114,142	10	5	7
18	Lane Cove	LGA	MU	33,335	9	3	4
19	Leichhardt	LGA	MU	55,596	12	4	5
20	Liverpool	LGA	MU	185,481	11	7	11
21	Manly	LGA	MU	41,925	12	3	4
22	Marrickville	LGA	MU	79,215	12	4	6
23	Mosman	LGA	MU	29,232	9	3	4
24	North Sydney	LGA	MU	64,795	13	4	5
25	Parramatta	LGA	MU	172,333	15	7	10
26	Penrith	LGA	MU	186,221	15	7	11
27	Pittwater	LGA	MU	59,847	9	4	5
28	Randwick	LGA	MU	133,116	15	5	8
29	Rockdale	LGA	MU	103,164	15	5	7
30	Ryde	LGA	MU	106,289	12	5	7

				4,219,794		200	282
	Immediate Past President		MU			1	1
	Executive 10		MU			1	1
	Executive 9		MU			1	1
	Executive 8		MU			1	1
	Executive 7		MU			1	1
	Executive 6		MU			1	1
	Executive 5		MU			1	1
	Executive 4		MU			1	1
	Executive 3		мu			1	1
	Executive 2		MU			1	1
	Executive 1		MU			1	1
	Vice President Metro		MU			1	1
				2,00,000			
_	NSWALC	ALC	MU	150,000		1	1
	Tracount Traco						2
	Midcoast Water	CC	MU			2	2
	Hawkesbury River	CC	MU			2	
38	Woollahra	LGA	MU	56,005	15	4	5
37	Willoughby	LGA	MU	70,008	13	4	5
36	Waverley	LGA	MU	69,420	12	4	5
35	Warringah	LGA	MU	145,865	10	5	8
34	The Hills Shire	LGA	MU	179,716	12	7	10
33	Sydney	LGA	MU	182,226	10	7	11
32	Sutherland Shire	LGA	MU	220,835	15	7	11
31	Strathfield	LGA	MU	36,911	7	3	4

		564
Unincorporated Area	1,116	357
Balance as per 3218.0	7,382,589	

Notes:

RR = Rural/Regional

MU = Metropolitan/Urban

For the purposes of this example the positions of President and Treasurer have been included in the RR section however they could be elected from the MU section. The calculations would be re-done annually to account for any movements in Executive positions, and to account for changing council populations.

***1 - Council is under administration

Katrina Hodgkinson MP Belubula Way, Mandurama

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Katrina Hodgkinson MP

2.7 MAR 2012

Ref: 12E097a/mhcs

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

Dear Mr Wilcox Jenn,

BLAYNEY SHIRE COUNCIL

3 0 HAR 2012

Doc. No.

Verified:

Disp. GA39;

Sent.

Thank you for your recent correspondence in which you express your concerns about the RMS Project, Belubula Way, Mandurama.

I have made representations on your behalf to the Minister for Roads and Ports, the Hon Duncan Gay MLC, seeking his assistance with a deferment of the commencement date for these works to the 2012-13 financial year.

I shall write to you again when I receive a reply from the Minister.

Yours sincerely

KATRINA HODGKINSON MP

Member for Burrinjuck Minister for Primary Industries Minister for Small Business

> burrinjuck@pærliament.nsw.gow.au www.burrinjuck.com 133 Cormur Street (PO Box 600), Yass NSW 2592 02 6226 3311 1800 002 530 02 6226 3345



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Office of the Hon. Duncan Gay MLC

Deputy Leader of Government in the Legislative Council Minister for Roads and Ports HODG

M12/2089

The Hon Katrina Hodgkinson MP Minister for Primary Industries Minister for Small Business Member for Burrinjuck

PO Box 600

YASS NSW 2582

Dear Ms Hodgkinson

The Minister for Roads and Ports, the Hon Duncan Gay MLC, has requested that I acknowledge receipt of your letter on behalf of Mr Glenn Wilcox, General Manager of Blayney Shire Council.

The matters raised by you have been noted and are presently receiving attention.

A further reply will be forwarded to you as soon as possible.

Yours sincerely

Michael Said Senior Ministerial Liaison Officer

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LAYNEY SHIRE COUNCIL

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Disp. JA39:

Sent.

Level 35, Governor Macquarle Tower, 1 Farrer Place, Sydney NSW 2000 Phone: (61 2) 9228 5271 Fax: (61 2) 9228 5499 Email: office@gay.mlnister.nsw.gov.au

Local Agenda Issue 31, March 2012



All roads lead to renewal ALGA Roads to Recovery campaign

By Rowena Fairclough

Except when they hit a pothole or a rough patch, the majority of drivers take roads for granted. But maintenance of the local road system is the single biggest expense for most NSW councils. More than 80 percent (by length) of Australia's road system is comprised of local roads.

A 2010 report commissioned by the Australian Local Government Association (ALGA), *The Local Roads Funding Gap — Study of Local Roads Funding in Australia 1999-2000 to 2019-2020*, found that despite a significant increase in council expenditure on local roads, the gap between asset consumption and expenditure has widened from \$788 million per year in 2005 to \$860 million per year in 2010.

According to the report, if current levels of expenditure don't increase by an average of \$1.2 billion per year, not only will degradation of the local road network become apparent but councils will struggle with the renewal of long life assets.

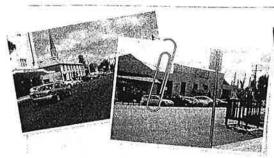
A further risk is posed by the prospect of the *Roads to*Recovery Program concluding in 2014. If this vital source

of Federal Government funding is not renewed for a third time, the shortfall will have a significant impact on the ability of NSW Local Government to maintain existing road infrastructure, while expanding the network will be out of reach for many councils. Both ALGA and the Local Government and Shires Associations of NSW (LGSA) have been campaigning strongly for the program to continue.

Research conducted on behalf of Local Government in NSW has shown that councils in NSW face an existing infrastructure renewal backlog of more than \$6.3 billion, which is increasing at a rate of some \$650 million per year. If the *Roads to Recovery* program is not renewed, this funding backlog would become financially unsustainable for many councils, with subsequent economic, social and community impacts in many areas.



COVER STORY



Church Street Rehabilitation, Mudgee Cost: \$215,000

Funding: 100% Roads to Recovery

Maintenance issues:

- Deterioration of road pavement and seals resulting in potholes
- Pavement shape had a steep slope
- Old gutter bridges causing hazard for reverse parking

Rehabilitation included:

- Road profile shape improved by lowering the crown
- Asphalt replaced spray seal, providing a more resilient surface for reverse parking
- Old gutter bridges replaced with new kerb and gutter
- > New stormwater pipes installed

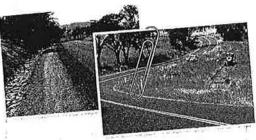
Completed: November 2010

In addition to adding their general support to the ALGA campaign, a large group of NSW LGSA Executive Members, Mayors, Councillors and council staff donned blue shirts and participated in the national launch of the renewal campaign at the ALGA Local Roads and Transport Congress at Mt Gambier South Australian last November, in 2011 (pictured).

NSW councils have also been encouraged to write to the Prime Minister, the Leader of the Opposition, the Minister for Infrastructure and Transport, the Opposition spokesperson for Transport and their Federal Member of Parliament to advise them of their Council's support for an extension to the *Roads to Recovery* Program.

In relation to generating support for the program, the LGSA has been faced with a unique challenge.

Unlike other transport infrastructure programs, Roads to Recovery is unable to point to a magnificent mega project that has won engineering awards — a major new bridge, town bypass or new rail line.



Lue Road Realignment, Havilah North

Cost: \$359,000

Funding: \$300,000 *Roads to Recovery;* \$59,000 Council

Maintenance issues:

- Narrow, winding road with only 7 metre seal, tight left bend and blind crest has been the scene of several accidents
- > Road pavement and seal was starting to fail

Realignment included:

- Both curves realigned and crest height reduced by 2 metres for better sighting distance
- Road widened to a 10 metre pavement formation, allowing for an 8 metre seal
- ➤ Table drainage re-established and the replacement of 525 diameter pipe culvert was undertaken
- > Erosion and sediment controls implemented

Completed: May 2011

The LGSA approached councils who have benefited from *Roads to Recovery* and asked them to put together case studies spelling out work in their Local Government area which was funded by the program. Two of these case studies — of the more than 10,000 local road projects which *Roads to Recovery* has funded — are featured above.

Of course the one million dollar question, or in this case, the \$1.2 billion dollar backlog question is: has lobbying by ALGA and the LGSA succeeded in convincing the Federal Government not just to renew the *Roads to Recovery* program, but also to increase its level of funding?

While both Government and Opposition spokespersons indicated in-principle support for the renewal of the *Roads to Recovery* Program at the Mt Gambier Roads Congress late last year, this promise has not been matched by an actual financial commitment as yet.

We would expect more formal announcements regarding the *Roads to Recovery* program to be made in the lead up to the next Federal Election, due in the second half of 2013.

Shires Association - Letter of Thanks

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Shires Association of NSW

Our Ref: R03/0008 Out 203288

30 March 2012

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

0 5 APR 2012

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Disp. GA39:

Sent.

Dear Mr Wilcox,

The B Division meeting at Inverell last Tuesday 27 March 2012 was the end of the Divisional Tours for this year. Thank you to the host Councils for making us very welcome and organizing the meetings and other functions that occurred at each location.

I found the meetings very helpful in becoming more aware of issues that differ not only among the Shires but also among communities and appreciate the resolutions that have come for each of these meetings which will formulate our future policy at the annual Conference on a number of key issues.

As I indicated on these tours, with the approach of One Association, our Divisional structure will cease in its current format, however I regard it as essential that similar types of meetings continue to occur and provide essential input into the management and lobbying of the new Association.

With the approach of our annual Conference in the beginning of June registration papers and a draft program are being sent out to all Councils. As this will most likely be the last Shires Association Conference, as all Councils will shortly participate in a secret ballot to formally establish the new Association, we need to make sure that our Conference maintains the high standard set by previous conferences in relation to quorum, good debate on resolutions and participation in the panel segment. We will have the Premier in attendance to open the Conference and a number of other good guest speakers participating.

As part of the business paper there will be a number of Executive motions for consideration. Three of these I have mentioned on the Divisional tours namely; the revised Code of Conduct, the Rural Fire Service Discussion Paper and the amended arrangements for Conference's consideration in relation to rate pegging. Following the recent extensive flooding throughout NSW we will have another Executive Motion for consideration addressing the operations of the Emergency Services Agencies.

GPO Box 7003 Sydney NSW 2001 L8, 28 Margaret St Sydney NSW 2000 Tel: (02) 9242 4000 • Fax: (02) 9242 4111 www.igsa.org.au • Igsa@lgsa.org.au ABN 49 853 913 882

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The recent announcement of the inquiry to be carried out by the Local Government Review Panel, will consider all aspects of NSW Local Government operations with a view to compiling recommendations for consideration by the Government that will primarily make Local Government in NSW more financially viable. The Panel will travel extensively around NSW so as to be accessible to all Councils and communities encouraging your valuable input so that your involvement will ensure the Panel's recommendations represent the varied local conditions and community aspirations throughout the state. The Terms of Reference for this Panel clearly state the NSW Government's and LGSA's policy of "No forced Amalgamations". We need to ensure Local Government becomes more autonomous; less regulated and are better resourced to deliver the services our communities need.

The LGSA is making a very strong submission to the Murray Darling Basin Authority in relation to the current Draft Plan and are requesting the opportunity to directly submit and explain the submission to Chief Executive Craig Knowles and members of the Authority. Key parts of this submission highlight the adverse affects the water cutbacks will have on a number of our communities, the lack of a detailed plan concerning the environmental water, continued failure to exempt town water supplies from the cuts and lack of any substantial infrastructure development to store more water.

With the approach to the Local Government elections in September I encourage you to endeavor to get accurate costings from the State Electoral Commission, compare it with the costs of the 2008 elections and advise the Association of major differences. I also encourage you to hold some interest meetings in your own communities to inform and encourage people to stand for this election. We need to encourage younger people to stand for council to get a better balance between experience and fresh input.

Yours sincerely

Cr Ray Donald President

Shires Association of NSW

COMMUNITY CENTRE UPDATE Week Ending 23 March, 2012

Progress on Site

- Work is well underway with the installation of the AC units.
- Work has commenced with the installation of the wall lining. The area at the front of the building is complete with the exception of the foyer ceiling. The lower sections of the walls in the main hall are also complete.
- The installation of the kitchen fit-out has commenced with the installation of the exhaust ducting.
- Work has commenced on water proofing the wet areas. The hot and cold rough in is complete.
- Most of the rough-in by the electricians is done.
- Fascia and guttering is complete on the main building with only the verandahs still to be done.
- Track for operable walls have been installed including beam for wall possibly to be installed in the future.
- The size of the grease trap has been determined at 1000L
- Sound system quotations have been received and reviewed.

Outstanding Issues

- As reported previously, there is no reason why the completed building can be
 offered for functions now for events proposed once it is finished. Some
 publicity can be put together to assist with this and fees and charges
 determined by Council and determined through the normal process.
- With completion now in sight, organisation for an official opening say in early July 2012 could also commence now.
- As above, the quotes for the sound system have been received and the recommended quotation is just over \$100k. Funding this part of the project needs to be resolved.

Contractual issues

- A third progress payment of \$267,374 has been prepared made bring the total expenditure to date being \$758,799 of a total of \$1,609,121.80. A cost variation of \$21,900 +GST has been issued for the installation of one operable wall which was in addition to that originally proposed.
- Date for completion remains 11th May 2012.

David Swan

Project Manager

Blayney Community Centre

E Division - Newsbrief

E DIVISION OF THE SHIRES ASSOCIATION OF NSW

Chair: Secretary: Cr Phyllis Miller OAM Mrs Carissa Bywater Forbes Shire Council PO Box 333 FORBES NSW 2871

Tel: Fax: Email: (02) 6850 2304 (02) 6850 2399 forbes@forbes.nsw.gov.au

NEWSBRIEF

Just a reminder to all Councils that the discussion paper from the President of the Shires Association to review Local Government engagement with the Rural Fire Service is out. Responses are due back by the 26th April 2012. Please read this and have your say as to what you think in relation to Rural Fire Service and local Government's involvement.

Another review is the LHPA's and there is an opportunity to have comment on those recommendations. Also the Ryan review is out on NSW DPI website in relation to LHPA's. Submissions are invited until 23rd May and can be sent to lhpa.review@dpi.nsw.gov.au so make sure you have a look at that.

For those Councils who are located within the Murray Darling Basin area submissions regarding the Authority's proposed Basin Plan are due by 16 April 2012 so don't forget to get them in.

On that note have a great Easter, enjoy and staff safe.

Cr. Phyllis Miller OAM MAYOR

Members: Blayney Shire Council, Cabonne Shire Council, Central Tablelands Water, Cowra Shire Council, Forbes Shire Council, Lachlan Shire Council, Oberon Shire Council, Parkes Shire Council, Upper Macquarie County Council, Weddin Shire Council. Associate Members: Bathurst Regional Council, City of Lithgow Council, Orange City Council

<u>DEVELOPMENT APPROVALS – FEBRUARY 2012</u>

Below is a list of Development approvals determined during the month of February 2012 for your information.

DA No.	Applicant	Construction	Address	Determination Date/Method	Type: DA/CC, Mod, s68, s96 etc.
100/2012	John Campbell	Erection of a 800mm High Painted Picket Front Fence, 1200mm High Natural Finish Picket Boundary Fence & a 900mm Painted Rear Boundary Fence.	12 Naylor Street, Carcoar	1/2/2012 – Delegated Approval	DA/CC
93/2012	Bell River Homes	Erection of a Dwelling	4 Meek Street, Blayney	7/2/2012 - Delegated Approval	DA
98/2012	I-Con Building & Construction	Erection of a Dwelling & Shed	33 Unwin Street, Blayney	9/2/2012 - Delegated Approval	DA/CC
99/2012	Robert Howard & Charlotte Partridge	Conversion of a Chruch to a Dwelling House	11 Blayney Street, Newbridge	15/02/2012 - Delegated Approval	DA/CC
105/2012	Andrew Marston	Relocation of an Existing Shed	1 Jarman Crescent, Blayney	15/02/2012 - Delegated Approval	DA/CC
106/2012	Watermark Group Australia Ptv Ltd	Erection of a dwelling	23 Unwin Street, Millthorpe	15/02/2012 - Delegated Approval	DA
115/2012	Jann Maree Harries	Section 68 Approval – Temporary Building	64 Errowanbang Road, Carcoar	15/02/2012 - Delegated Approval	Section 68
50/2012	Andrew Ritchie	Erection of an Additional Dwelling House	12 Adelaide Lane, Blayney	21/2/2012 - Delegated Approval	ပ္ပ
73/2012	Blayney Development Pty Limited	Boundary Adjustment	3700 Mid Western Highway & 31 Gerty Street, Blayney	23/02/2012 - Delegated Approval	DA
119/2012	Michael Ford	Continued Use of the Conversion of a Shearing Shed into a Dwelling House	982 Neville Road, Neville	23/2/2012 - Delegated Approval	DA
CDC116/2012	Hotondo Homes Bathurst	Erection of a Dwelling with Attached Garage	10 Johnston Crescent, Blayney	24/2/2012 - Delegated Approval	CDC
108/2012	Watermark Group Australia	Erection of a dwelling	24 Unwin Street, Millthorpe	28/2/2012 - Delegated Approval	DA
CDC121/2012	Lyn Hailstone	Enclosure of the existing verandah to be used as a habitable room	9 Carcoar Street, Neville	29/2/2012 - Delegated Approval	CDC

DA's Approved in February 2012:	13
DA's Lodged in February 2012:	14
Total Value of Works approved in February 2012:	\$1,495,220
DA's Approved in February 2011:	5
DA's Lodged in February 2011:	7
Total Value of Works approved in February 2011:	\$813,870

This is Page No. 56 of the Business Paper of the Ordinary Council Meeting of Blayney Shire Council held on 16 April 2012