



9 June 2015

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, 15 June 2015 at 6.00 pm for consideration of the following business -

- (1) Confirmation of Minutes
 - (a) Ordinary Council Meeting held on 11.05.15
 - (b) Extraordinary Council Meeting held on 18.05.15
- (2) Acknowledgement of Country
- (3) Recording of Meeting Statement
- (4) Apologies for non-attendance
- (5) Matters arising from Minutes
- (6) Disclosures of Interest
- (7) Public Forum
- (8) Mayoral Minute
- (9) Notices of Motion
- (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

Rebecca Ryan
General Manager

Meeting Calendar 2015

June

Time	Date	Meeting	Location
10.00 am	10 June 2015	Central Tablelands Water	Canowindra
6.00 pm	11 June 2015	Towns and Villages Committee	Community Centre
5.45 pm	11 June 2015	Access Advisory Committee	Community Centre
5.00 pm	11 June 2015	Cemetery Forum	Community Centre
6.00 pm	15 June 2015	Council Meeting	Community Centre
10.00 am	19 June 2015	Traffic Committee	Community Centre

July

Time	Date	Meeting	Location
5.00 pm	9 July 2015	Economic Development Committee	Community Centre
6.00 pm	13 July 2015	Council Meeting	Community Centre
9.00 am	22 July 2015	Audit Committee	Community Centre

August

Time	Date	Meeting	Location
10.00 am	12 August 2015	Central Tablelands Water	Grenfell
6.00 pm	10 August 2015	Council Meeting	Community Centre
5.00 pm	13 August 2015	Cemetery Forum	Community Centre
5. 45 pm	13 August 2015	Access Advisory Committee	Community Centre
4.00 pm	18 August 2015	Local Emergency Management Committee	Community Centre
5.30 pm	20 August 2015	Sports Council	Community Centre
10.00 am	21 August 2015	Traffic Committee	Community Centre

INDEX OF REPORTS OF THE BLAYNEY SHIRE COUNCIL MEETING
HELD ON MONDAY 15 JUNE 2015

CONFIRMATION OF MINUTES	1
01) Minutes Of The May Ordinary Meeting	1
02) Minutes Of The May Extraordinary Meeting	8
EXECUTIVE SERVICES	13
03) Contractual Conditions Senior Staff.....	13
04) Village Community Plans.....	15
05) Fit For The Future Council Improvement Proposal (Existing Structure)	18
06) Cultural Centre And Community Hub Planning Blayney	20
CORPORATE SERVICES	22
07) 2015/2016 Councillor And Mayoral Fees.....	22
08) Distribution Of Blayney District Business Group Funding.....	24
09) Adoption Of 2015/16 Operational Plan	28
10) Minutes Of The Financial Assistance Committee Meeting Held 12 May 2015	33
11) Minutes Of The Economic Development Committee Meeting Held 7 May 2015	36
12) Arts Outwest Memorandum Of Understanding.....	38
13) Report Of Council Investments As At 31 May 2015.....	43
14) Request For Refund Of Liquid Trade Waste Charges - 29 Adelaide Street.....	47
15) Request For Refund Of Liquid Trade Waste Charges - 1 Osman Street, Blayney.....	51
INFRASTRUCTURE SERVICES.....	55
16) Infrastructure Services Monthly Report	55
17) Triple Bottom Line (Tbl) Sewer Benchmarking Report	59
18) Road Closure/Opening – Nyes Gates Road, Greghamstown.....	63
19) Bridge Condition Report	66
20) Minutes Of The Blayney Shire Sports Council Meeting Held On Thursday 21 May 2015 At The Blayney Community Centre	69
PLANNING AND ENVIRONMENTAL SERVICES	73
21) Development Application 14/2015 - Erection Of A Dwelling - Lot A DP103235 - 29 Pilcher Street Millthorpe	73
22) Local Heritage Assistance Fund 2014-2015.....	104
DELEGATES REPORTS.....	107
23) Wbc Alliance Executive Officer Report.....	107
CONFIDENTIAL MEETING REPORTS.....	112
24) Tender For Condition Assessment Of Sewer And Stormwater Mains Using CCTV - CENTROC.....	112
25) Tender For Condition Assessment Of Sewer Service Lines Using Smoke Testing - CENTROC.....	112
26) General Managers Interim Half Yearly Performance Review	112

01) MINUTES OF THE MAY ORDINARY MEETING

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 11 May 2015, being minute numbers 1505/001 to 1505/018 be confirmed.

**MINUTES OF THE BLAYNEY SHIRE COUNCIL ORDINARY MEETING
HELD IN THE COMMUNITY CENTRE COUNCIL CHAMBERS,
ON 11 MAY 2015, COMMENCING AT 6.00 PM**

Present: Crs S Ferguson (Mayor), G Braddon OAM, 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),
Administrative Officer (Ms S Hibbert)

ACKNOWLEDGEMENT OF COUNTRY

RECORDING OF MEETING STATEMENT

APOLOGIES

CONFIRMATION OF MINUTES

1505/001 RESOLVED:
That the Minutes of the Ordinary Council Meeting held on 13
April 2015, being minute numbers 1504/001 to 1504/015 be
confirmed.

(Ewin/Oates)
Carried

MATTERS ARISING FROM THE MINUTES

DISCLOSURES OF INTEREST

Nil

MAYORAL MINUTE

**SKILLSET RECOGNITION OF ATTAINMENT – COMPLETION
OF APPRENTICESHIP TO NICHOLAS BIRD**

**MITCHELL CONSERVATORIUM BLAYNEY SHIRE COUNCIL
SCHOLARSHIP RECIPIENT MYA BROWN**

EXECUTIVE SERVICES REPORTS

**COOEE AND BOOMERANG MARCHES RE-ENACTMENT
2015**

1505/002

RESOLVED:

1. That Council assist with the preparation and facilitation of the Centenary of ANZAC services and events
2. That Council waive all fees and charges relating to Centenary of ANZAC services including the Cooe March and Boomerang March re-enactments.

(Radburn/Ewin)
Carried

CODE OF MEETING PRACTICE

1505/003

RESOLVED:

That Council approve the Code of Meeting Practice and place on public exhibition for a period of 28 days for comment.

(Oates/Somerville)
Carried

COUNCIL RESOLUTION REPORT

1505/004

RESOLVED:

That Council notes the first Resolution Report from January to March 2015.

(Braddon/Radburn)
Carried

FIT FOR THE FUTURE

1505/005

RESOLVED:

That Council endorse the Blayney Shire Improvement Proposal (Template 2) in Draft and place on public exhibition seeking community comment whilst implementing the approved Fit for the Future Community Engagement Strategy.

(Kingham/Ewin)
Carried

CORPORATE SERVICES REPORTS

COMMUNITY BANNER POLES POLICY

1505/006 RESOLVED:

That the draft Community Banner Poles Policy be placed on public exhibition for a period of at least 28 days.

(Oates/Ewin)
Carried

FINANCIAL ASSISTANCE GRANTS TO LOCAL GOVERNMENT

1505/007 RESOLVED:

That Council

1. Acknowledge the importance of federal funding through the Financial Assistance Grants program for the continued delivery of Council services and infrastructure;
2. Acknowledges that Council will receive \$2.395 million in 2014/15 ; and
3. Will ensure that this federal funding, and other funding provided by the Federal Government under relevant grant programs, is appropriately identified as Commonwealth grant funding in Council publications, including its Annual Report.

(Kingham/Radburn)
Carried

ENDORSEMENT OF 2015/16 OPERATIONAL PLAN

1505/008 RESOLVED:

1. That Council endorses the Draft 2015/16 Operational Plan
2. That the 2015/16 Operational Plan be placed on public exhibition for a period of 28 days.
3. That the Community Financial Assistance Policy be placed on public exhibition for a period of 28 days.

(Radburn/Oates)
Carried

REPORT OF COUNCIL INVESTMENTS AS AT 30 APRIL 2015

1505/009 RESOLVED:

1. That the report indicating Council's investment position as at 30 April 2015 be received and noted.
2. That the certification of the Responsible Accounting Officer be noted and the report be adopted.

(Kingham/Somervaille)
Carried

INFRASTRUCTURE SERVICES REPORTS

DIRECTOR OF INFRASTRUCTURE SERVICES MONTHLY REPORT

1505/010

RESOLVED:

That the Director of Infrastructure Services Monthly Information report for May 2015 be received.

(Ewin/Oates)

Carried

PLANET FOOTPRINT HALF YEARLY REPORT

1505/011

RESOLVED:

That Council note the 2014-15 Planet Footprint Half Yearly Performance Review for electricity consumption.

(Ewin/Somervaille)

Carried

MINUTES OF THE BLAYNEY TRAFFIC COMMITTEE MEETING HELD ON FRIDAY 17 APRIL 2015 AT THE BLAYNEY SHIRE COMMUNITY CENTRE - CADIA ROOM

1505/012

RESOLVED:

That the Minutes of the Blayney Traffic Committee Meeting, held on Friday 17 April 2015 be accepted, and Recommendations be adopted by Council.

(Radburn/Ewin)

Carried

PLANNING AND ENVIRONMENTAL SERVICES REPORTS

PLANNING PROPOSAL TO AMEND BLAYNEY LOCAL ENVIRONMENT PLAN 2012

1505/013

RESOLVED:

That Council forward a Planning Proposal to the Minister for Planning and Environment seeking to amend Schedule 5 and the corresponding Heritage Maps within the Blayney Local Environmental Plan 2012.

(Oates/Ewin)

Carried

FOR

AGAINST

Councillor Ewin
Councillor Braddon
Councillor Oates
Councillor Kingham
Councillor Somervaille
Councillor Ferguson
Councillor Radburn

Total (7)

Total (0)

FLYERS CREEK WINDFARM - VOLUNTARY PLANNING AGREEMENT (VPA)

1505/014

RESOLVED:

1. That the report be received for information,
2. Council place on public exhibition for 28 days the proposed Voluntary Planning Agreement and Explanatory Note,
3. Following the public exhibition and community consultation period should no submissions be received that Council authorise the General Manager to enter into and sign the Voluntary Planning Agreement.

(Oates/Kingham)

Carried

FOR

Councillor Ewin
Councillor Oates
Councillor Kingham
Councillor Somervaille
Councillor Ferguson
Councillor Radburn

Total (6)

AGAINST

Councillor Braddon

Total (1)

CLOSED MEETING

1505/015

RESOLVED:

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

LAND ACQUISITION FOR ROAD WIDENING AT 1649 ERROWANBANG ROAD, ERROWANBANG

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.

LAND ACQUISITION FOR ROAD WIDENING AT 1324 ERROWANBANG ROAD, ERROWANBANG

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.

(Braddon/Oates)

Carried

CONFIDENTIAL MEETING REPORTS

LAND ACQUISITION FOR ROAD WIDENING AT 1649 ERROWANBANG ROAD, ERROWANBANG

1505/016

RESOLVED:

That Council approve

- a. the acquisition of land for the purpose of road widening, being Lots 6, 7, 8, 9, 10, 11 and 13 DP1208480 identified on the plan as required to ensure the physical road along Errowanbang Road is located within the legal road reserve, and the land be classified as Public Road.
- b. the transfer of Lots 5, 12, 14, 15, and 16 DP1208480 as compensation to the owner of Lot 2 DP1208480.
- c. the Mayor and General Manager to affix the Council Seal and execute all associated land transfer and sale documents.

(Kingham/Braddon)
Carried

LAND ACQUISITION FOR ROAD WIDENING AT 1324 ERROWANBANG ROAD, ERROWANBANG

1505/017

RESOLVED:

That Council approve

- a. the acquisition of land for the purpose of road widening, being that Lot 4 DP1208480 identified on the plan as required for road alignment safety improvements along the Errowanbang Road, and the land be classified as Public Road.
- b. the transfer of Lot 3 DP1208480 as compensation to the owner of Lot 1 DP1208480.
- c. the Mayor and General Manager to affix the Council Seal and execute all associated land transfer and sale documents.

(Radburn/Braddon)
Carried

1505/018

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/Somerville)
Carried

AT THE RE-OPENING OF THE MEETING TO THE PUBLIC, THE MAYOR ANNOUNCED THE OUTCOMES OF RESOLUTION NUMBERS 1505/016 TO 1505/017.

There being no further business, the meeting concluded at 6.37pm

Enclosures (following report)

Nil

Attachments (separate document)

Nil

02) MINUTES OF THE MAY EXTRAORDINARY MEETING

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 Extraordinary Council Meeting held on 18 May 2015, being minute numbers 1505/E001 to 1505/E003 be confirmed.

MINUTES OF THE BLAYNEY SHIRE COUNCIL
EXTRAORDINARY MEETING
HELD IN THE COMMUNITY CENTRE COUNCIL CHAMBERS,
ON 18 MAY 2015, COMMENCING AT 6.00PM

Present: Crs S Ferguson (Mayor), G Braddon OAM, A Ewin, D Kingham,
S Oates, K Radburn

General Manager (Mrs R Ryan), Director Corporate Services
(Mr A Franze), Acting Director Infrastructure Services (Mr N
Skelly), Director Planning & Environmental Services (Mr M
Dicker), Administrative Officer (Ms S Hibbert)

ACKNOWLEDGEMENT OF COUNTRY

RECORDING OF MEETING STATEMENT

APOLOGIES

Cr David Somerville and Director Infrastructure Services (Mr G
Baker)

DISCLOSURES OF INTEREST

The General Manager reported the following Disclosure of Interest forms had been submitted:

Councillor/ Staff	Interest	Item	Pg	Matter	Reason
Somervaille	Pecuniary	3	31	Feral Goat Abattoir Newbridge Road Blayney NSW 2799	Cr Somervaille owns a property adversely affected by the proposed Development. Cr Somervaille's wife operates a business adversely affected by the proposed Development.
	<p>The Environmental Impact Statement was released for the proposed Smallstock Abattoir by the proponent; Metziya Pty Ltd, for Public Comment on 9 April 2015.</p> <p>Whilst Council is not the Consent Authority for the Development, Cr Somervaille will not participate in any Council discussion on this topic and will absent himself from any Council Meeting, Committee Meeting or Council Workshop at which the matter or topic is considered.</p>				

PUBLIC FORUM

Dr John Shepherd – Small Stock Abattoir

Mrs Karen Somervaille – Small Stock Abattoir

Mr Miles Hedge – Small Stock Abattoir

CORPORATE SERVICES REPORTS**QUARTERLY BUDGET REVIEW STATEMENT - MARCH 2015****1505/E001 RESOLVED:**

1. That the Quarterly Budget Review Statement for the quarter ending 31 March 2015 be noted.
2. That the supplementary votes of \$350k proposed in the Quarterly Budget Review Statement be adopted resulting in favourable adjustments of \$154k for Net Continuing Operations and \$196k for Capital Expenditure.

(Kingham/Ewin)

Carried

INFRASTRUCTURE SERVICES REPORTS

TOWN OF BLAYNEY FLOOD STUDY

1505/E002 RESOLVED:

1. That
 - a. The information contained in the report on the Town of Blayney Flood Study 2015 be received.
 - b. The draft Town of Blayney Flood Study 2015 be adopted.
 - c. The Town of Blayney Flood Study 2015 be made available to the public through Council's website.
2. Council approve the next stage of the Floodplain Risk Management process which is to undertake a Floodplain Risk Management Study and to develop a Floodplain Risk Management Plan for the Town of Blayney.

(Radburn/Oates)
Carried

PLANNING AND ENVIRONMENTAL SERVICES REPORTS

AMENDMENT

STATE SIGNIFICANT DEVELOPMENT 6954 - PROPOSED SMALL STOCK ABATTOIR AND CONTINUED OPERATION OF THE BLAYNEY SEALINK COLD STORE COMPLEX - 137 NEWBRIDGE ROAD BLAYNEY

RECOMMENDED:

1. That; in consideration of SSD 6594 being the proposed Small Stock Abattoir and continued operation of the Blayney Sealink cold store complex, Blayney Shire Council recommends that if approved by the NSW Department of Planning and Environment that appropriate conditions of consent as outlined within Councils submission are included within the Project Approval to ensure;
 - (a) Minimal environmental impact,
 - (b) Continued environmental monitoring,
 - (c) Minimal amenity impact and;
 - (d) That the proposed development contributes for the ongoing road and social infrastructure through a Voluntary Planning Agreement for the betterment of the community.
2. That Council lodge a submission pertaining to SSD 6594 to the NSW Department of Planning and Environment, based upon the issues detailed within attachment 1.
3. Council requests the PAC conduct a public meeting during the assessment period prior to making a decision on the application
4. That Council requests NSW Department of Health provide clarification of the potential health impacts of Q-Fever to the community.
5. That Council notes the Blayney Flood Study, adopted Monday 18 May 2015, and provides input and recommendations within the submission to address the potential impact on floodwater and groundwater.

6. That included as an attachment to the submission is a summary of comments and issues raised at the Council Information Session held on Thursday 14 May 2015.
(Ferguson/Oates)
Carried

FOR	AGAINST
Councillor Ewin	Councillor Braddon
Councillor Oates	
Councillor Kingham	
Councillor Ferguson	
Councillor Radburn	
Total (5)	Total (1)

The amendment became the substantive motion and was put.

**STATE SIGNIFICANT DEVELOPMENT 6954 - PROPOSED
SMALL STOCK ABATTOIR AND CONTINUED OPERATION
OF THE BLAYNEY SEALINK COLD STORE COMPLEX - 137
NEWBRIDGE ROAD BLAYNEY**

1505/E003 RESOLVED:

1. That; in consideration of SSD 6594 being the proposed Small Stock Abattoir and continued operation of the Blayney Sealink cold store complex, Blayney Shire Council recommends that if approved by the NSW Department of Planning and Environment that appropriate conditions of consent as outlined within Councils submission are included within the Project Approval to ensure;
 - (a) Minimal environmental impact,
 - (b) Continued environmental monitoring,
 - (c) Minimal amenity impact and;
 - (d) That the proposed development contributes for the ongoing road and social infrastructure through a Voluntary Planning Agreement for the betterment of the community.
2. That Council lodge a submission pertaining to SSD 6594 to the NSW Department of Planning and Environment, based upon the issues detailed within attachment 1.
3. Council requests the PAC conduct a public meeting during the assessment period prior to making a decision on the application
4. That Council requests NSW Department of Health provide clarification of the potential health impacts of Q-Fever to the community.
5. That Council notes the Blayney Flood Study, adopted Monday 18 May 2015, and provides input and recommendations within the submission to address the potential impact on floodwater and groundwater.

6. That included as an attachment to the submission is a summary of comments and issues raised at the Council Information Session held on Thursday 14 May 2015.

(Ewin/Radburn)
Carried

FOR	AGAINST
Councillor Ewin	Councillor Braddon
Councillor Oates	
Councillor Kingham	
Councillor Ferguson	
Councillor Radburn	
Total (5)	Total (1)

There being no further business, the meeting concluded at 6.43pm

Enclosures (following report)

Nil

Attachments (separate document)

Nil

03) CONTRACTUAL CONDITIONS SENIOR STAFF

Department: Executive Services

Author: General Manager

CSP Link: 6.1 Good governance across our communities.

File No: PE.PA.3

Recommendation: That Council notes the reporting of contractual conditions of senior staff for the period 2014/15.

Reason for Report:

As per s339 of the NSW Local Government Act (1993) the General Manager must, at least once annually, report to Council on the contractual conditions of senior staff. This report is due to Blayney Shire Council by 30 June 2015.

Report:

The position of General Manager is the only senior staff position in Blayney Shire Council organisational structure; as determined by the role and total remuneration package (s332 and s334). The remuneration package includes a cash component, superannuation and other non-cash benefits such as a vehicle including any payable Fringe Benefits Tax (FBT).

The following occurrences and disclosures are furnished for the 2014/15 reporting period:

- Resignation of General Manager on 8 August 2014. Remuneration package applicable \$201,437
- Interim General Manager appointed 11 August 2014 until appointment of new General Manager. Remuneration package applicable \$201,437 plus 25% casual loading.
- Appointment of current General Manager on 3 November 2014. Remuneration package applicable \$190,000. Contract term: 5 years commencing 3 November 2014. An after tax contribution of \$59.15 per week is offset against any FBT payable in relation to the private use of the vehicle for which Council pays.

Timing and outcome of performance assessment: A performance assessment outcome is yet to be determined by Council. A report to the June Council meeting will be tabled on a mid-year review. A performance assessment is proposed around the appointment anniversary date.

Budget Implications:

Nil

Enclosures (following report)

Nil

Attachments (separate document)

Nil

04) VILLAGE COMMUNITY PLANS

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: CM.PL.2

Recommendation:

That Council endorse the commencement of the Fit for the Future Action Plan and development of individual Village and Town Community Plans in reviewing the Blayney Shire Community Strategic Plan 2016/2036.

Reason for Report:

To seek Council's approval to embark on a community strategic planning project that involves the production of local Village/Town Community Plans that will inform the review of the Blayney Shire Community Strategic Plan in 2016.

Report:

By June 2016, Blayney Shire Council will review the Community Strategic Plan (CSP) as per s402 of the Local Government Act (1993) under the Integrated Planning and Reporting (IP&R) framework.

The CSP identifies the main priorities and aspirations of the community, and must involve a whole of community engagement process. A CSP identifies who is responsible for its implementation and may include the community, individuals, local, state and federal government. Building on the 'Shire of Villages' theme; Council's Improvement Proposal for the Fit for the Future submission (June 2015) includes the development of individual community village plans for Carcoar, Millthorpe, Barry, Neville, Mandurama, Lyndhurst and the town of Blayney.

The opportunity has arisen to commence this project, with the 'Your Carcoar Community Village Plan 2015' evening organised in partnership with the Carcoar Village Committee to be held on Tuesday 16 June 2015.

Councillors are invited to attend these sessions which will provide valuable insight and feedback regarding the villages and town goals and aspirations for the future.

Issues:

Council staff will provide the workshop logistics support and document the outcomes of this process including the compiling of each Village Community Plan. The current CSP was undertaken in partnership with the WBC Alliance and engaged the services of consultants; Groupworks.

It is intended that these individual Village Plans and review of the Blayney Shire CSP will be conducted utilising resources and skills of local Strategic Planning expertise, Council staff and WBC Executive Manager.

The local Village Committee or Progress Association support and rallying of community input is essential for the success of this project. Carcoar Village Committee has taken care of the hall booking and handed out flyers to promote the event which are enclosed for Council's information.

In June 2012 a Millthorpe community strategic planning workshop facilitated by NSW Trade and Investment led to the publication of the Millthorpe and District CSP June 2014. This document is regularly reviewed by the Millthorpe Village Committee and sets out the strategic priorities and objectives for the next 10-15 years. It is envisaged that Millthorpe may only require a formal review and update meeting, however this is dependent on the sentiments of the Village Committee.

Budget Implications:

Staff will undertake this project in utilising current resources which will have no budget impact.

Enclosures (following report)

1 Your Carcoar

1 Page

Attachments (separate document)

Nil

This is **Your Carcoar**

Have you thought of a great project for Carcoar?

Got an idea for a new event to bring visitors to our Village?

What is your plan for Carcoar?

You are invited to come along and share your vision for the new Carcoar Community Village Plan - Your Carcoar 2015

Date: Tuesday 16 June

Time: 5pm – 8pm

Venue: Carcoar School of Arts Hall

Blayney Shire Council in conjunction with Carcoar Village Committee wish to develop a vision for Carcoar and a Community Village Plan to ensure that the potential that exists for the village becomes a reality.

There is no person, organisation, level of government that can achieve this alone. A prosperous and healthy village, businesses and community is dependent on everyone working together.

Everyone is welcome. We need at least one idea from each of you. Please bring a plate to share for Supper. Tea and Coffee provided.

Your Carcoar



An initiative of the Carcoar Village Committee supported by

This is Page No. 17 of the Business Paper of the Ordinary Council Meeting of Blayney Shire Council held on 15 June 2015

**05) FIT FOR THE FUTURE COUNCIL IMPROVEMENT PROPOSAL
(EXISTING STRUCTURE)**

Department: Executive Services

Author: General Manager

CSP Link: 6.3 A well-run Council organisation.

File No: CM.PL.1

Recommendation:

That Council endorse the Blayney Shire Council Improvement Proposal (Existing Structure) Template Two (2) to be submitted under the NSW Governments Fit for the Future Program.

Reason for Report:

Council resolved at the March 2015 meeting to prepare a Council Improvement Proposal (Template 2) as per the FFTF Guidelines and submit this to the Office of Local Government by 30 June 2015 (**Resolution No 1503/003**).

A Council resolution is required to endorse the Council Improvement Proposal (Existing Structure) Template Two (2) submission that is to be lodged by 30 June to the Independent Pricing and Regulatory Tribunal (IPART) as per the NSW Government's Fit for the Future (FFTF) Program.

Report:

Notwithstanding this decision above (**Resolution No 1503/003**) the Mayor and General Manager were *'authorised to proceed with discussions with neighbouring councils regarding joint services, shared resources and/or possible merger business case studies and report to Council any outcomes or strategies for consideration.'*

Furthermore *'Depending on the outcome of these discussions, and subject to first finalising and lodging the Council Improvement Proposal, Council agrees to fund and embark on a staged merger business case investigation with Orange City and Cabonne Councils subject to satisfying Council's requirements for its own independent due diligence.'*

Council would be aware that Orange and Cabonne proceeded to undertake an independent Merger Business Case study. Both Councils are now lodging their own Improvement Proposals (Template 2).

Council's community engagement strategy involved the Mayor, Councillors and the General Manager undertaking a FFTF Roadshow facilitating a community meeting in each Town and Village over a three (3) week period.

These were well attended and the feedback provided positive support for Council's proposal to remain a Council with the Central West JO.

A copy of Council's final Council Improvement Proposal will be provided to Councillors under separate cover with the following supporting documents that will be attached to the online submission;

- Updated Long Term Financial Plan
- An Analysis of Merger Options
- Evidence of Scale and Capacity
- Detailed Improvement Proposal Action Plan

Results of the Community Survey, undertaken in conjunction with community engagement strategy, will be compiled after the closing date of Friday 12 August, and a report provided at the Council meeting.

Issues:

The IPART has been appointed independent expert panel to assess and make recommendations as to all NSW Councils and if they meet the NSW Government's Fit for the Future scale and capacity criteria and financial performance benchmarks. This is due to occur by the end of October 2015.

Should IPART require more details, they will request additional information from Council during the assessment period.

IPART will publish each Council's submission and enable the public to make comments for the month of July 2015.

Budget Implications:

The preparation of this proposal has not incurred any additional budget expense however there has been significant contribution from Council staff in this submission and in particular the project team who have been working on FFTF since November 2014. In addition the availability of Councillors giving up their time to participate in various meetings, workshops, reviewing of drafts, attending regional and community consultations has been appreciated.

Enclosures (following report)

Nil

Attachments (separate document)

Nil

06) CULTURAL CENTRE AND COMMUNITY HUB PLANNING BLAYNEY

Department: Executive Services

Author: General Manager

CSP Link: 2.3 Blayney Shire - a centre for arts, performance and entertainment.

File No: CS.LP.7

Recommendation:

That Council endorse the facilitation of exploring the future possibilities of a Cultural Centre and Community Hub in Blayney.

Reason for Report:

As per the Integrated Planning and Reporting (IP&R) framework, through the Community Strategic Planning process Council has a role to play in leading the direction and aspirations of the community; engaging with partner agencies and developing long term plans for the building of new or improved infrastructure. Council support is sought to facilitate some preliminary exploration for a Cultural Centre and Community Hub in Blayney with stakeholders and community.

Report:

Following some local community representations made to Council an opportunity has arisen to engage with local stakeholders in July 2015 to explore the issues, gaps, opportunities and setting of a vision for the cultural building space needs of Blayney Shire.

There are a number of factors involved that have created a desire and purpose for such a meeting including;

- an impending lack of room at the Library for the Vic Kable Collection
- the Blayney Arts and Crafts Volunteer numbers are declining
- the Cottage does not adequately cater for maximum utilisation of the area
- there is no current permanent art exhibition space in Blayney
- the Library does not meet Library NSW recommended size requirements

Many regional and rural, including city Councils are realising the benefit of combining art exhibition space, crafts displays and artist in residence centres, community radio, community meeting rooms, Library, Internet Access, Visitor Information Centre, galleries, shopfronts and cafes. There are some examples where Council front counter and enquiry services even share these 'Community Hubs', which are located in a range of buildings fitted out to accommodate the services, business and community sharing opportunities.

Such models are seen in the likes of Coolah (Warrumbungle), Erina Fair (Gosford), Tea Gardens (Great Lakes) and Albury. Coffee shops and childcare centres are even co-located in some large library centres.

State Libraries NSW are very aware of the importance of the modern library being flexible and multifunctional focal point of the community, serving also an important civic function. It is recognised that co-location and joint uses of Libraries is a means of integrating and improving levels of service, providing more economic use of resources.

Issues:

Council owns a number of community and cultural locations; Blayney Library, Blayney Meals on Wheels office and the Tourist Information Centre 'Cottage'. Each having their own set of positive and negative issues, which may lend the particular site to possible expansion, refurbishment or otherwise.

The cost of such a large investment project would need to be included in the 2016/17 - 2019/20 Delivery Plan and subject to Council approval. This report does not seek to commit Council nor pre-empt this approval. Should the planning meeting next month be positive, it is intended that over the next six (6) to ten (10) months that there would be a lot more community conversations, investigation of issues, planning and funding options prepared and reports brought back to Council for consideration.

If this first meeting is positive, then it would be recommended that a Project Committee of Council be established involving Councillors, Central West Libraries, stakeholders and community representatives to progress the project and work through the relevant issues. Should this be the outcome, a 'Terms of Reference' would be developed to establish the role and objectives of this group.

Budget Implications:

At this stage there is no request for any budget as is a preliminary exploration of issues and opportunities. Any funds requested for the Project Committee to commence formal planning or concepts/designs would be subject to Council consideration and approval of a formal report.

Enclosures (following report)

Nil

Attachments (separate document)

Nil

07) 2015/2016 COUNCILLOR AND MAYORAL FEES**Department:** Corporate Services**Author:** Director Corporate Services**CSP Link:** 6.3 A well-run Council organisation.**File No:** CM.CI.1

Recommendation:

That in accordance with the 2015 Determination from the Local Government Remuneration Tribunal, the Councillor annual fee be increased by 2.5% to \$10,740 and the additional Mayoral annual fee be increased by 2.5% to \$23,440 for the 2015/2016 financial year effective from 1 July 2015.

Reason for Report:

For Council to consider the Annual Report and Determination from the Local Government Remuneration Tribunal.

Report:

The Division of Local Government has advised Council the outcomes of the Local Government Remuneration Tribunal's 2015 Annual Review.

The Tribunal's report and determination provides details of the matters and submissions which it had taken into account in its determination that an increase of 2.5 per cent in fees for councillors and mayors was appropriate. The increases are effective on and from 1 July 2015.

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

	Minimum \$	Maximum \$
Councillor	8,330	11,010
Mayor (payable in addition to Councillor fee)	8,860	24,030

The current Mayoral and Councillor annual fees are \$22,870 and \$10,480 respectively. In accordance with Section 249(2) of the Local Government Act, 1993, the annual fee payable to a Mayor must be paid in addition to the fee paid to the Mayor as a Councillor. The recommendation to Council is based on the indexation of 2014/15 Councillor and Mayoral fees by the amount approved of 2.5%.

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

Issues:

There are no issues foreseen by the consideration of this report.

Budget Implications:

Council's 2015/2016 financial plan has been prepared on the anticipation of a 2.5% increase being approved for both the Councillor and Mayoral annual fees.

Enclosures (following report)

Nil

Attachments (separate document)

- | | | |
|----------|---|----------|
| 1 | Local Government Remuneration Tribunal Report and Determination | 19 Pages |
|----------|---|----------|

08) DISTRIBUTION OF BLAYNEY DISTRICT BUSINESS GROUP FUNDING

Department: Corporate Services

Author: Director Corporate Services

CSP Link: 5.1 A diverse and sustainable population in our communities and villages.

File No: CR.ME.2

Recommendation:

That Council approve the distribution of funding held in Trust in the amount of \$921.13 from the Blayney Business Group to the Blayney Town Association.

Reason for Report:

For Council to consider a request from Blayney Town Association for the distribution of proceeds from Blayney District Business Group.

Report:

Council is in receipt of a request from Blayney Town Association for transfer of surplus funds from the now inactive Blayney District Business Group.

The Blayney District Business Group had funds in the amount of \$921.13 (\$880.13 + \$41.05 interest) transferred to Council on 8 April 2015. Correspondence received earlier from Blayney District Business Group indicated the following:

“After discussions with these solicitors, I wish to transfer these funds to Blayney Shire Council to be held in trust pending distribution to a community organisation of your choice.

The Blayney Town Association in their correspondence have made application for the funds and have provided substantiation that the objects of both groups align.

A copy of correspondence from both the Blayney District Business Group and Blayney Town Association are provided for information of Councillors.

Issues:

The distribution of these funds held in Trust is at the discretion of Council as per the request by Blayney District Business Group.

Budget Implications:

There are no budget implications associated with this report. Funds are held in Trust on behalf of the Blayney District Business Group awaiting direction from Council.

Enclosures (following report)

- | | | |
|---|---|--------|
| 1 | Correspondence from Blayney District Business Group | 1 Page |
| 2 | Correspondence from Blayney Town Association | 1 Page |

Attachments (separate document)

Nil

Blayney District Business Group
Len Rogers
Treasurer

11 March 2014

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

Dear Glen,

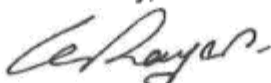
You are probably aware that there was a Business Group formed some years ago in Blayney. Unfortunately, this group has become defunct.

Because there have been no transactions on the bank account of this group for some years, the funds, amounting to \$880.13, have been transferred to a holding account which is under the province of Dawson Jones, solicitors.

After discussions with these solicitors, I wish to transfer these funds to Blayney Shire Council to be held in trust pending distribution to a community organisation of your choice.

Please contact me with your response at your convenience. If you agree to my request, please advise me details so that I can organize the funds to be transferred to the Council.

Yours Faithfully,



Len Rogers
Treasurer.

BLAYNEY SHIRE
COUNCIL

13 MAR 2014

Doc. No.

Verified:

Disp.
GA39:

Sent.

Blayney Town Association

744 Newbridge Road, Blayney, NSW, 2799.
e: blayneytownassociation@gmail.com

Chairperson: Bill Burdett

Secretary: Margaret Paton

18 May 2015

Blayney Shire Council
91 Adelaide Street
Blayney NSW 2799

e: council@blayney.nsw.gov.au

Attention: Chief Operating Officer – M/s Rebecca Ryan

Reference: Confirmation of aligned objectives with Blayney Business Group (now de registered).

Dear M/s Ryan,

During our meeting at The Cottage on Monday 11 May you advised that in order for Council to distribute the surplus funds of the now inactive group Blayney Business Group to the Blayney Town Association we had to make Application and show an alignment of objectives of the two organisations.

The Blayney Business Group's objective was to:

Promote the business development of Blayney.

The Blayney Town Association objective is to:

**Promote and enhance the township of Blayney, N.S.W.
to assist its beautification, economic growth and
favourable lifestyle.**

For all practical purposes the objectives of the two organisations are the same.

We therefore make application for the funds of the Blayney Business Group to be transferred to the Blayney Town Association.

We look forward to receiving the funds in due course.

Yours faithfully,

Bill Burdett
Chairperson

ion@gmail.com

Bank Details:
Acct Name:
Bank:
Branch:
BSB No:
Account No:

09) ADOPTION OF 2015/16 OPERATIONAL PLAN**Department:** Corporate Services**Author:** Director Corporate Services**CSP Link:** 6.3 A well-run Council organisation.**File No:** RC.PO.2**Recommendation:**

1. That in accordance with Sections 402-406 of the Local Government Act 1993, 2015/16 Operational Plan be adopted by Council;
2. That Council adopt the Revenue Policy for 2015/16, as outlined in the 2015/16 Operational Plan;
3. That Council adopt the Statement of Rating Structure and their respective short names as contained in the Operational Plan 2015/16 including the special variation to general income increase of 5.11% approved by the Independent Pricing and Regulatory Tribunal (IPART) and make the Ordinary Rate and charges, including domestic waste management charges and sewer charges for Blayney and Millthorpe, pursuant to section 494 and 496 of the Local Government Act 1993 detailed in the tables below;

Category & sub category	Base Amount (p.a.)		Ad Valorem (rate in \$)	Rate yield (\$)
	%	\$		
Residential				
Ordinary Rate	42%	275	0.00350212	738,656
Sub Categories:				
Blayney	44%	325	0.00638491	931,393
Millthorpe	38%	325	0.00513176	275,582
Carcoar	49%	275	0.00596604	50,440
Business				
Ordinary Rate	27%	325	0.00731261	74,739
Sub Category:				
Blayney, Millthorpe & Carcoar	25%	325	0.01009290	257,427
Farmland				
Ordinary Rate	14%	400	0.00415561	2,063,798
Mining				
Ordinary Rate	7%	1000	0.05966590	15,320
Sub Category:				
Gold and Copper	0.02%	1000	0.05816375	4,148,075
TOTAL YIELD				\$ 8,555,430

Sewerage Services	Access Charge (p.a.)	Quarterly Charge before SDF applied	Min. quarterly amount charge	TOTAL YIELD
	%	\$	(rate in \$)	(%)
Residential				
Connected	\$545	\$0	\$0	\$794,610
Vacant/Unmetered	\$280	\$0	\$0	\$37,800
Non Residential				
20mm Water Service	\$450.00	\$113	\$136	
25mm Water Service	\$696.00	\$174	\$136	
32mm Water Service	\$1,141.00	\$285	\$136	
40mm Water Service	\$1,783.00	\$446	\$136	
50mm Water Service	\$2,785.00	\$696	\$136	
80mm Water Service	\$7,127.00	\$1,782	\$0	
100mm Water Service	\$11,136.00	\$2,784	\$0	
150mm Water Service	\$25,057.00	\$6,264	\$0	
Vacant/Unmetered	\$280.00	\$0	\$0	
Non Residential (Estimated)				\$325,000
TOTAL YIELD (ESTIMATED)				\$ 1,157,410

Waste Management Charges	Annual Charge	Total Yield
Domestic		
Domestic Waste Management Charge	\$370	\$775,890
Domestic Waste Management Charge – Vacant Land	\$40	\$12,600
Domestic Waste Management Charge – Rural Areas	\$370	\$119,880
Non-Domestic		
Non-Domestic Waste Management Charge	\$400	\$106,400
Extra Services		
Additional Garbage Charge – per bin	\$210	\$15,960
Additional Recycling Charge – per bin	\$190	\$6,080
TOTAL YIELD		\$1,036,810

4. That the Office of Local Government be advised of Council's adopted 2015/16 Operational Plan within 28 days of adoption by Council;
5. That the Community Financial Assistance Policy be adopted;
6. That the Community Financial Assistance Program under Local Government Act section 356 be adopted;
7. That that the submission on the 2015/16 Operational Plan and Community Financial Assistance policy be noted.

Report:

Public exhibition of Council's 2015/16 Operational Plan will conclude on 15 June 2015, in accordance with the Council resolution of 11 May 2015. Council adhered to the mandatory exhibition period of 28 days as required under the Local Government Act 1993 (s405), in order to allow sufficient time for all members of the community to become aware of the plans, proposed programs and the continued special rate variation for the second year.

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

Fundamentally, the legislation requires the development and adoption of an operational plan and revenue policy annually. Council's Operational Plan 2015/2016 identifies the specific actions to be completed in year 1 under each of the four year objectives expressed in the 2014/15 – 2017/18 delivery program.

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

Statement of Rating Structure 2015/16

A rate increase of 5.11% proposed for 2015/16 is as shown in the recommendation of this report. Council's rates and charges income will equate to approximately 65% of the total annual revenue required by Council to maintain current services and service levels.

Adoption of Council Fees and Charges for 2015/16

Council's Annual Charges and Schedule of Fees & Charges have also been exhibited. The Annual Charges for adoption are as shown in the recommendation of this report.

Capital Works Program 2015/16

Council's principal mechanism for carrying out capital works is a four year rolling works program incorporated into the Delivery Program 2014/15 to 2017/18. The 2015/16 Capital Works Program included in the Operational Plan details the individual projects and works that will be undertaken in 2015/16 to achieve the commitments made in the delivery program.

The program:

- Defines the capital projects that will help ensure the continued delivery of Council services;
- Allows advance planning of projects, including investigation, design and documentation;
- Is a key component of Council's infrastructure financing, planning maintenance and replacement strategy;
- Is an information source for the community;
- Allows integration of issues where projects have a wide-ranging impact across the community.

While inevitably refinements to the program will be made, it is appropriate and necessary to have the basis of a longer term schedule to allow appropriate planning both within the community and Council.

Community Financial Assistance Policy and Section 356 Financial Assistance Program

Also detailed within Council's Operational Plan was the draft Community Financial Assistance policy that was exhibited for a period of not less than 28 days. The one submission from the Financial Assistance Committee has made recommendations for changes to the policy. All of these suggestions have been included in the updated policy. Should further submissions on the Financial Assistance Policy be received they will be tabled at the Council meeting.

A copy of Community Financial Assistance policy with amendments made marked or italicised is attached to the 2015/16 Operational Plan – Part 2 and is separately attached for ease of reference.

The adoption of this policy by Council will formalise the framework, criteria and arrangements for accessing financial assistance.

The Blayney Shire Community Financial Assistance Program under section 356 of the Local Government Act has an amount of \$100,000 provided for 2015/16. Appended to the policy is a schedule of annual donations totalling \$42,256 leaving \$57,744 available for distribution in the two rounds of funding in 2015/16.

Summary

The Operational Plan 2015/16 is the culmination of an intense period of work for Council.

Whilst the Integrated Planning and Reporting (IP&R) requirements now in place under the Act are the catalyst to the change, the key driver of the change has been the community engagement underpinning and expressed through '*Blayney Shire 2025*', and the framework this provides for the objectives and actions expressed in the Operational Plan.

The adoption of this document is part of the bigger picture that will set us on our path to the Blayney Shire that all stakeholders – the community, councillors and staff would all like to experience in the future

Issues:

Council is required under section 405 to adopt an Operational Plan annually.

Budget Implications:

The financial implications of this report are as detailed in the 2015/16 Operational Plan.

Enclosures (following report)

Nil

Attachments (separate document)

1	2015/16 Operational Plan - Part 1: Activities	75 Pages
2	2015/16 Operational - Part 2: Financial Information	53 Pages
3	Community Financial Assistance policy	11 Pages
4	Submission - Financial Assistance Committee	1 Page

**10) MINUTES OF THE FINANCIAL ASSISTANCE COMMITTEE MEETING
HELD 12 MAY 2015**

Department: Corporate Services

Author: Director Corporate Services

CSP Link: 5.1 A diverse and sustainable population in our communities and villages.

File No: CR.SD.2

Recommendation:

1. That the Minutes of the Financial Assistance committee meeting, held on 12 May 2015, be received and noted.
2. That the feedback be included as a submission to the 2015/16 Operational Plan for consideration by Council.

Reason for Report:

For Council to endorse the minutes of the Financial Assistance committee meeting held 12 May 2015.

Report:

The draft Community Financial Assistance Policy and Schedule of Annual Funding for inclusion in the 2015/16 Operational Plan was considered at its meeting held 12 May 2015. Also considered was the Community Financial Assistance Acquittal form.

The committee has recommended a number of amendments including:

Community Financial Assistance Policy:

- Part 9: Recommended that to delete: *'Funding under this program is not available for'* replace with *'One-off financial assistance is not available for'*.
- Part 5: Delete *'(2015/16 financial year), the amount is \$100,000'* replace with *'amount in Operational Plan'*.

Schedule of Annual Funding

- Schedule 3: Amount column to read *'Amount not exceeding'*.

Community Financial Assistance Acquittal form:

- Acquittal form should apply to one-off projects funding.
- Add *'For one-off Financial Assistance Projects'* on acquittal form heading.

The minutes of the meeting and recommendations are attached for information of Councillors.

Issues:

The feedback from the Financial Assistance Committee will be included with the submissions for the 2015/16 Operational Plan.

Budget Implications:

Nil.

**MINUTES OF THE MEETING OF BLAYNEY SHIRE FINANCIAL
ASSISTANCE COMMITTEE
HELD ON TUESDAY 12 MAY 2015
AT BLAYNEY SHIRE COMMUNITY CENTRE**

The meeting commenced at 5:32pm.

Present

G.Summerson	D.Kennedy	Clr. Somerville
A.Franze (Secretariat)		

1. Apologies

T.McPaul (Cadia)	R. Ryan
------------------	---------

That the apologies tendered be noted and accepted
(David Kennedy / Graeme Summerson)

2. Declarations of Interest

Nil.

**3. Consideration of revised Community Financial Assistance
Policy, Acquittal Form and Schedule of annual funding for 2015/16**

Part 9: Recommended that to delete: *'Funding under this program is not available for'* replace with *'One-off financial assistance is not available for'*.

Part 5: Delete *'(2015/16 financial year), the amount is \$100,000'* replace with *'amount in Operational Plan'*.

Schedule 3: Amount column to read *'Amount not exceeding'*.

Discussions that acquittal form should apply to one-off projects funding. Add *'For one-off Financial Assistance Projects'* on acquittal form heading.

4. General Business

Nil.

10. Future Agenda Items

Nil.

11. Next Meeting

The next meeting is scheduled for 22 October 2015

There being no further business the meeting closed at 6.12pm.

Enclosures (following report)

Nil

Attachments (separate document)

Nil

**11) MINUTES OF THE ECONOMIC DEVELOPMENT COMMITTEE
MEETING HELD 7 MAY 2015**

Department: Corporate Services

Author: Director Corporate Services

CSP Link: 5.1 A diverse and sustainable population in our communities and villages.

File No: CR.SD.2

Recommendation:

That Council note that the Economic Development meeting due to held 7 May 2015 did not proceed due to a lack of quorum.

**MEETING NOTES OF THE BLAYNEY SHIRE ECONOMIC DEVELOPMENT
COMMITTEE MEETING
HELD ON THURSDAY 7 MAY 2015
AT THE BLAYNEY SHIRE COMMUNITY CENTRE**

Meeting did not proceed due to lack of quorum.

PRESENT

Cr Shane Oates, Elizabeth Russ, Anton Franze.

APOLOGIES

Rebecca Price, Leslie Morris, Cr Kevin Radburn, Bruce Gordon, Rebecca Ryan.

ECONOMIC DEVELOPMENT MEETING UPDATE

- A meeting held in Cowra recently had a Business Enterprise Centre (BEC) update that included reference to a funding program for lottery fit outs by Newsagents and a presentation by a 'shop local' promoter called the 'Why Leave Town Program'. It is based on a loyalty card that obtains credits for shopping locally that can be redeemed.

GENERAL BUSINESS

- Discussion on success of Markets.

NEXT MEETING

Next meeting is scheduled for 9 July 2015 commencing 5pm.

- Elizabeth Russ requested an apology for her absence at the next meeting be noted.

Future meeting dates are as follows:

Thursday 8 October 2015

Thursday 11 February 2016 TBC

Thursday 11 May 2016

Thursday 11 July 2016

Enclosures (following report)

Nil

Attachments (separate document)

Nil

12) ARTS OUTWEST MEMORANDUM OF UNDERSTANDING

Department: Corporate Services

Author: Director Corporate Services

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

File No: CR.RP.1

Recommendation:

That Council execute the Memorandum of Understanding between Council and Arts Outwest for the 2015 – 2018 period.

Reason for Report:

For Council to consider endorsement of the Memorandum of Understanding with Arts Outwest for the 2015 – 2018 period.

Report:

Arts Outwest is the regional arts board of Central New South Wales. It promotes, facilitates and advocates for arts and cultural development for the Central West of New South Wales and services the contributing local government areas of:

- Blayney Shire Council
- Bathurst Regional Council
- Cabonne Council
- Cowra Shire Council
- Forbes Shire Council
- Lachlan Shire Council
- Lithgow City Council
- The Oberon Council
- Orange City Council

Arts Outwest is supported by the New South Wales Government through Arts NSW, Charles Sturt University and the above Councils.

The Memorandum of understanding between Arts Outwest and Council is a three year document and has number of undertakings including that each contributing Local Government of the Central West regional arts program has representation on the Board of Arts OutWest Inc. or on an advisory committee attached to the Board who will report regularly to Council.

The financial contribution to Arts Outwest is on a per capita basis is fixed at \$0.60 per person for the period of the Memorandum of Understanding.

The endorsement of the Memorandum of Understanding between Arts Outwest and Council for the 2015 – 2018 period will see a continuation of this long standing partnership.

Issues:

Nil.

Budget Implications:

Funds are set aside for contribution to Arts Outwest in the 2015/2016 Operational Plan and Long Term Financial Plan for continuation of Council's participation.

Enclosures (following report)

- | | | |
|---|---|---------|
| 1 | Memorandum of Understanding between Arts
Outwest and Council | 3 Pages |
|---|---|---------|

Attachments (separate document)

Nil



Memorandum of Understanding 2015 - 2018

between

Arts OutWest

and

Blayney Shire Council

This Memorandum of Understanding (MOU) includes the following:

1. Key understandings for member Councils
2. Undertakings
3. Financial contribution
4. Review process

1. Key understandings for member Councils

- a) All member Councils understand effective arts and cultural development to be the strategic planning and management of cultural services, facilities and programs that contribute to local identity, sense of place and quality of life and empower local groups to contribute socially and economically through the arts.
- b) The Councils jointly agree to support Arts OutWest Inc. as key stakeholders in the only regional arts and cultural development service for the region.
- c) The Councils understand that funding by each member Council, matched by State funding is essential for the core operations of Arts OutWest Inc. and its sustainability in the future.
- d) The Councils understand and fully support the core business of Arts OutWest as outlined in its Strategic Plan 2013-2015 and the new 2016-18 plan.
- e) Arts OutWest inc. is managed by a Committee of Management (known as the Regional Arts Board) and is a member of Regional Arts NSW through representation on the Regional Arts New South Wales Advisory Council.

AOW Blayney Memorandum of Understanding 2015-18



2. Undertakings

1. Blayney Shire Council (The Council) recognizes that each contributing Local Government of the Central West regional arts program has representation on the Board of Arts OutWest Inc. or on an advisory committee attached to the Board who will report regularly to Council.
2. Arts OutWest Inc. will deliver core services to the region as defined by the Strategic Plan and any reviews thereof in consultation with all its stakeholders.
3. Arts OutWest will work in active partnership with the local Councils of the region to deliver regional cultural development outcomes.
4. Arts OutWest Inc. will provide all member Councils with an Annual Report showing expenditure of all consolidated revenue and providing details on services rendered to each Council area.
5. Arts OutWest will acknowledge the partnership arrangement with the Councils on all public material in an appropriate manner
6. The Council will acknowledge Arts OutWest in all programs involving Arts OutWest
7. The Council and their communities will provide Arts OutWest with relevant information on cultural issues, activities and events for information and promotion by Arts OutWest Media and Promotion services.
8. The Council and Arts OutWest will share information on cultural matters including the linking of community directories, databases and websites.
9. Arts OutWest will work with individual Councils and their communities to develop specific projects and programs and assist with funding and delivery of projects so far as additional project funding allows with equity across the region.
10. Arts OutWest will provide formal presentations to Councils within the region as required.
11. The Council may make representations to the Board and Executive Officer of Arts OutWest Inc. in respect of any proposed programs and projects arising in the community which need the support of Arts OutWest Inc.
12. The Council will encourage individuals, groups and organizations in their local areas to actively access the services of Arts OutWest for their development.
13. Arts OutWest will refer all involvement with community groups to Councils for their information.

3. Financial contribution

Blayney Shire Council will provide funding support to Arts OutWest in each of the financial years of the Memorandum of Understanding. This will be at the starting rate of 60 cents per head of population, and will stay at the same rate throughout the life of the MOU. CPI will not be included in the expenses for this three year period. Each year the population will be calculated using ABS figures for the previous year.

The most recent invoice for 2014-15 was based on 2013 population figures of 7,330 and was for the amount of **\$4398**. With GST added this made a total of **\$4837.80**.

This rate will remain the same for the period from 2015-18. The amounts over the three years of the MOU will be adjusted each year according to ABS information about population.

4. Review

Blayney Shire Council and the Board of Arts OutWest Inc agree to review the terms of this Memorandum of Understanding in preparation for each following financial year.

Signatures to this Memorandum of Understanding

.....
Mayor, Blayney Shire Council

.....
Date

.....
Elizabeth Oldham, President of Arts OutWest

.....
Date

AOW Blayney Memorandum of Understanding 2015-18



13) REPORT OF COUNCIL INVESTMENTS AS AT 31 MAY 2015**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 31 May 2015 be received and noted.
2. That the certification of the Responsible Accounting Officer be noted and the report be adopted.

Reason for Report:

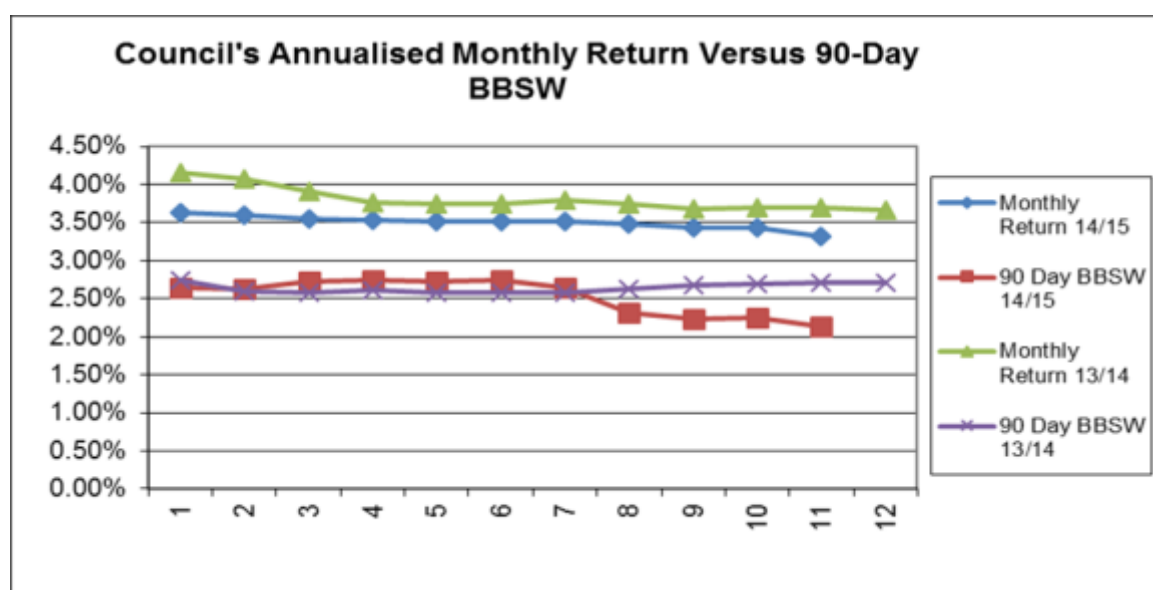
For Council to endorse the Report of Council Investments as at 31 May 2015.

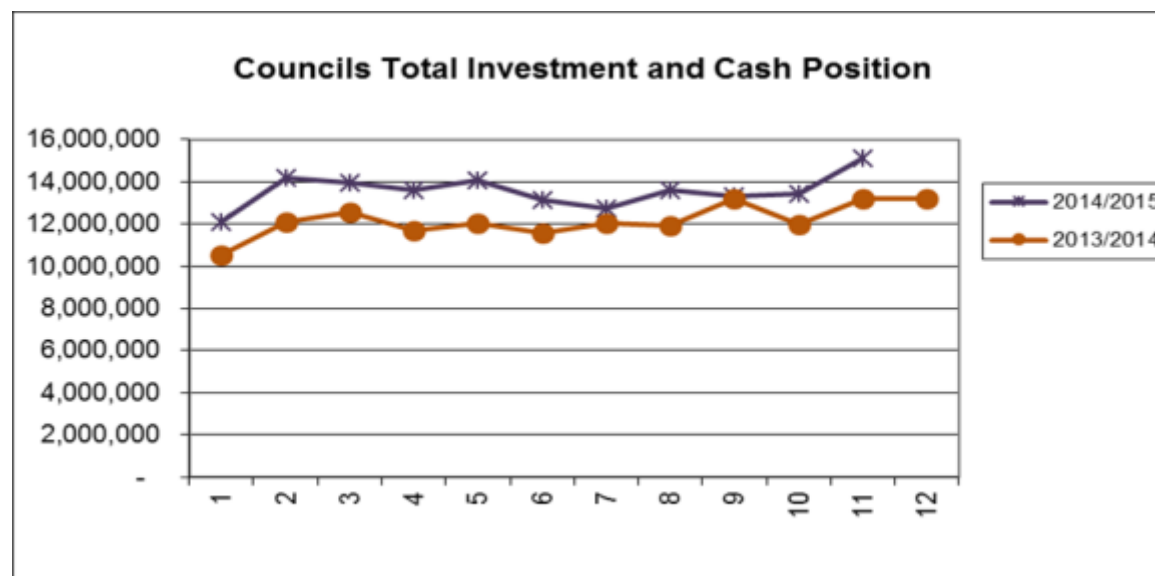
Report:

This report provides details of Council's Investment Portfolio as at 31 May 2015.

Council's total investment and cash position as at 31 May 2015 is \$15,143,425. Investments earned interest of \$36,757 for the month of May 2015.

Council's monthly net return on Term Deposits annualised for May of 3.31% outperformed the 90 day Bank Bill Swap Rate of 2.13%.





REGISTER OF INVESTMENTS AND CASH AS AT 31 MAY 2015				
Institution	Rating	Maturity	Amount \$	Interest Rate
AMP Bank	A1/A+	6/01/2016	500,000	3.40%
AMP Bank	A1/A+	18/08/2015	500,000	3.50%
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+	3/11/2015	500,000	3.30%
Bank of Queensland	A2/A-	30/06/2015	500,000	3.50%
Bank of Queensland	A2/A-	3/06/2015	500,000	3.55%
Bank of Queensland	A2/A-	2/09/2015	500,000	3.50%
Bankwest	A1+/AA-	6/10/2015	500,000	2.90%
Bankwest	A1+/AA-	20/10/2015	500,000	3.00%
Bendigo & Adelaide Bank	A2/A-	17/11/2015	500,000	3.35%
Beyond Bank Australia	A2/BBB+	25/08/2015	500,000	2.73%
IMB	A2/BBB	3/09/2015	500,000	3.50%
ING Bank	A2/A-	9/06/2015	500,000	3.55%
ING Bank	A2/A-	18/08/2015	500,000	3.46%
Macquarie Bank	A1/A	2/09/2015	500,000	3.35%
Macquarie Bank	A1/A	9/02/2016	500,000	3.00%
ME Bank	A2/BBB+	1/09/2015	500,000	3.50%
NAB	A1+/AA-	9/06/2015	500,000	3.62%
NAB	A1+/AA-	1/12/2015	500,000	3.60%
NAB	A1+/AA-	25/05/2016	500,000	2.96%
NAB	A1+/AA-	22/09/2015	500,000	3.09%
Rural Bank	A2/A-	7/07/2015	500,000	3.52%
Wide Bay Australia Ltd	A2/BBB	8/03/2016	500,000	3.01%
Wide Bay Australia Ltd	A2/BBB	5/01/2016	500,000	3.50%
Wide Bay Australia Ltd	A2/BBB	17/12/2015	500,000	3.55%
Total Investments			13,000,000	3.29%
Benchmarks: BBSW 90 Day Index				2.13%
RBA Cash Rate				2.00%
Commonwealth Bank - At Call Account			300,693	1.75%*
Commonwealth Bank Balance - General			1,842,732	1.85%*
TOTAL INVESTMENTS & CASH			15,143,425	

* % Interest rates as at 31/05/2015

Summary of Investment Movements - May		
Financial Institution	Invst/(Recall) Amount \$	Commentary
Macquarie Bank Ltd	500,000.00	Term Deposit Invested 15/05/2015
Bankwest	500,000.00	Term Deposit Invested 20/05/2015
National Australia Bank	(503,485.85)	Term Deposit Matured 25/05/2015
National Australia Bank	500,000.00	Term Deposit Reinvested 25/05/2015
Beyond Bank	(509,087.53)	Term Deposit Matured 26/05/2015
Beyond Bank	500,000.00	Term Deposit Reinvested 26/05/2015
ING Bank (Australia) Limited	(508,998.36)	Term Deposit Matured 28/05/2015
AMP Bank	500,000.00	Term Deposit Invested 28/05/2015

Short Term Credit Rating*	Policy Maximum	Current Holding %	Current Holding \$
A-1+	100%	23%	3,000,000
A-1	80%	27%	3,500,000
A-2	60%	50%	6,500,000
A-3	40%	0%	-
			13,000,000

*Councils current investment portfolio contains only short term investments and has therefore been rated accordingly.

Overall Portfolio Return to Maturity			Actual %
Portfolio % < 1 Year	Min 40%	Max 100%	100%
Portfolio % > 1 Year	Min 0%	Max 60%	0%
Portfolio % > 3 Year	Min 0%	Max 30%	0%
Portfolio % > 5 Year	Min 0%	Max 20%	0%

<u>RESTRICTED CASH, CASH EQUIVALENTS & INVESTMENTS</u>	
	\$ 000's
External Restrictions - Sewer	4,416
External Restrictions - Other	2,459
	6,875
Internal Cash Restrictions	8,151
Available Working Capital	117
	8,268
TOTAL CASH & INVESTMENTS	15,143

* Restrictions represent balance as at 1 July 2014

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

14) REQUEST FOR REFUND OF LIQUID TRADE WASTE CHARGES - 29 ADELAIDE STREET

Department: Corporate Services

Author: Director Corporate Services

CSP Link: 4.2 Every village has access to water and sewerage services.

File No: SD.AP.2

Recommendation:

That the request for refund of Liquid Trade Waste charges by the property owner of 29 Adelaide Street be declined.

Reason for Report:

For Council to consider a request from the property owner of 29 Adelaide Street to refund liquid trade waste charges levied for the 3rd and 4th Instalment periods of 2014/15.

Report:

The 3rd rate instalment period in 2014/15 saw the first round of user charges under the Liquid Trade Waste program.

Council is in receipt of a request from the property owner at 29 Adelaide Street, Blayney, requesting Council to consider refund of Liquid Trade Waste charges for the 3rd and 4th Instalment periods.

The property owner had been deemed a Category 2 waste discharger and levied the highest charge (\$16.50 per KL) for the above periods as they did not have an approved waste disposal solution for Liquid Trade Waste.

Liquid Trade Waste Consent approval was granted 01/05/2015 following lodgement of application 16 April 2015 and payment of application fee 30 April 2015.

An amount of \$118.80 was levied on the 3rd rate instalment (28 February 2015) and \$224.40 was levied on the 4th rate instalment (31 May 2015). (Liquid Trade Waste Charges are levied one quarter in arrears.) The charge applicable for an approved Category 2 waste discharger would be \$1.55 per KL and therefore charges of \$7.20 for the 3rd rate instalment period and \$13.60 for the 4th rate instalment would have applied. The total refund being sought is \$310.96.

Council first inspected the property and provided an application form on 13 August 2013 with the application due for return 6 September 2013. Council has also undertaken a thorough process of engagement and education with businesses impacted by the Liquid Trade Waste charges with plenty of notice to obtain the most effective solution prior to the implementation of user charges. This also entailed a visit by Council's Environmental Health Officer during the three month prior to levying of the first charges, re-issuing the application form and outlining the program including implications of non-compliance.

A copy of the request is provided as an attachment for the information of Councillors.

Issues:

Division 3 (section 610E) of the Local Government Act 1993 is quite specific on waiver of fees. In brief, Council is permitted to waive or reduce fees if it is satisfied that the case falls within a category of hardship or other category as it determines, provided it gives 28 days public notice.

Council approval to waive or reduce charges in this case may set a precedent for other Liquid Trade Waste Dischargers that have incurred charges and since become compliant to apply for refunds.

Budget Implications:

Any reduction or waiver of charges will reduce income from Liquid Trade Waste charges.

Enclosures (following report)

1	Request to refund Liquid Trade Waste charges	29
	Adelaide Street	2 Pages

Attachments (separate document)

Nil

Figure 1 consists of two scatter plots. The left plot shows a positive correlation between the number of children and the number of adults, with a regression line indicating a positive slope. The right plot shows a negative correlation between the number of children and the number of adults, with a regression line indicating a negative slope.

BY THE DEPUTY MAYOR AND COUNCILLORS

11

RE: TRADE WASTE USER CHARGES

12/06/15 10:00 AM
Blayney Shire Council
PO Box 60
BLAYNEY 2739

21st May 2015

ATTENTION: Mrs Rebecca Ryan

Mrs Rebecca Ryan

821 Trade Waste User Charges

29 Adelaide Street, Blayney

Following receipt of Instrument No 5 Rates (Year 2015/16) - Assessment
No: A306002 - with \$110 for Trade Waste User Charges to Mr Peter
McCarthy on 29/05/15 I also sent an Application Form, Invoice for Liquid
Trade Waste Approval which [redacted] and I were to sign and
forward to [redacted] for his signature and return to Mr
McCarthy. He stated he had no further details on instrument.

Trade Waste Invoice was paid, and Mr McCarthy visited [redacted] to ensure
reduced [redacted] separation attached to property.
This was done and the Application Form was returned in [redacted] as
was a letter from [redacted] regarding the matter.

However on Instrument No 5, the Trade Waste Charges were \$110 for 2015
This was charged at \$110.00 for 2015 as against \$110.00 for 2014.

**15) REQUEST FOR REFUND OF LIQUID TRADE WASTE CHARGES - 1
OSMAN STREET, BLAYNEY**

Department: Corporate Services

Author: Director Corporate Services

CSP Link: 4.2 Every village has access to water and sewerage services.

File No: SD.AP.2

Recommendation:

That the request for refund of Liquid Trade Waste charges by the property owner of 1 Osman Street, Blayney for be declined.

Reason for Report:

For Council to consider a request from the property owner of 1 Osman Street to refund liquid trade waste charges levied for the 3rd and 4th Instalment periods of 2014/15.

Report:

The 3rd rate instalment period in 2014/15 saw the first round of user charges under the Liquid Trade Waste program.

Council is in receipt of a request from the property owner at 1 Osman Street, requesting Council to consider refund of Liquid Trade Waste charges for the 3rd and 4th Instalment periods.

The property owner had been deemed a Category 2 waste discharger and levied the highest charge (\$16.50 per KL) for the above periods as they did not have an approved waste disposal solution for Liquid Trade Waste.

Liquid Trade Waste Consent application was lodged 14 May 2015 and approval is pending payment of application fee.

An amount of \$3,489.75 was levied on the 3rd rate instalment (28 February 2015) and \$4,613.40 was levied on the 4th rate instalment (31 May 2015). (Liquid Trade Waste Charges are levied one quarter in arrears.) The charge applicable for an approved Category 2 waste discharger would be \$1.55 per KL and therefore charges of \$327.83 for the 3rd rate instalment period and \$433.38 for the 4th rate instalment would have applied. The total refund being sought is \$7,341.95.

Council first inspected the property and provided an application form on 12 June 2013 with the application due for return 24 September 2013. Council has also undertaken a thorough process of engagement and education with businesses impacted by the Liquid Trade Waste charges with plenty of notice to obtain the most effective solution prior to the implementation of user charges. This also entailed a visit by Council's Environmental Health Officer during the three month prior to levying of the first charges, re-issuing the application form and outlining the program including implications of non-compliance.

A copy of the request is provided as an attachment for the information of Councillors.

Issues:

Division 3 (section 610E) of the Local Government Act 1993 is quite specific on waiver of fees. In brief, Council is permitted to waive or reduce fees if it is satisfied that the case falls within a category of hardship or other category as it determines, provided it gives 28 days public notice.

Council approval to waive or reduce charges in this case may set a precedent for other Liquid Trade Waste Dischargers that have incurred charges and since become compliant to apply for refunds.

Budget Implications:

Any reduction or waiver of charges will reduce income from Liquid Trade Waste charges impact upon the financial performance of the Sewer Fund.

Enclosures (following report)

- | | | |
|---|--|---------|
| 1 | Correspondence requesting refund of Liquid Trade Waste Charges - 1 Osman Street, Blayney | 2 Pages |
|---|--|---------|

Attachments (separate document)

Nil

-----Original Message-----

From: [REDACTED]
Sent: Tuesday, 19 May 2015 4:08 PM
To: Nathan Skelly
Cc: [REDACTED]
Subject: Blayney application for exemption trade waste

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

Hi Nathan

Thank you for taking my call this afternoon.

We discussed [REDACTED] application for trade waste exemption.(refer to attached invoices) and whether you had received the [REDACTED] application and if so would the council consider our request of exemption.

Additional to this we also spoke about the current council invoice received for trade waste totalling \$6,511.67 and if this invoice would be waived. I can be contacted on [REDACTED]

Warm regards [REDACTED]

This message is intended for the addressee named and may contain confidential information. If you are not the intended recipient, please delete it and notify the sender.

From: [REDACTED]
Sent: Thursday, 4 June 2015 9:26 AM
To: Grant Baker; [REDACTED] Sonia Hibbert
Cc: Anton R. Franze; Nikki Smith
Subject: RE: Liquid Trade Waste - [REDACTED] application for exemption

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

Grant, Rebecca, Anton

I am concerned about the last invoice we received \$6,511.60 for trade waste. It was my understanding that the work was completed on the drains as requested by Council within the time frame allocated and Peter McCarthy. The paperwork was submitted [REDACTED] and it's my understanding from talking with [REDACTED] that there was not a delay in getting the paperwork done and submitted. Council was to send us an invoice for the application fee, [REDACTED] followed this invoice up a week after as we hadn't received the invoice from Council, invoice submitted by Council, this was processed [REDACTED] but accounts payable rejected as cancel omitted to put invoice number on invoice. Invoice sent back to Council which was corrected, returned to us yesterday 3rd June 15 and immediate payment was arranged, payment on the system is due for release today 4th June 15. I would also like to raise that I was not aware of the application paperwork that was required to be submitted as this had not come through my desk. [REDACTED] is a not for profit organisation and \$6,511.60 is a lot of money that could be used for patient and resident care. I would like to have this decision looked at again.

Thanks [REDACTED]

[REDACTED]

16) 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 Infrastructure Services monthly report for June 2015 be received.

Reason for Report:

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

Report:

Topical Issues

- The Mayor and Council's Acting Director Infrastructure Services recently attended the Institute of Public Works Engineers Australasia (IPWEA) Local Roads Congress at State Parliament House. An annual event, it provides the opportunity for Council elected representatives and senior staff to listen to and engage with members of the NSW Parliament and state and national road based agencies. This year, MPs involved in the congress included: Minister for Roads and Freight, Duncan Gay; Minister for Local Government, Paul Toole; Parliamentary Secretary for Transport, John Sidoti; Leader of the Opposition, Luke Foley; and Minister for Emergency Services, David Elliott. The congress provides one of the greatest single opportunities for elected representatives and senior staff to advocate and discuss issues pertaining to the road and transport networks.

Major Works

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

- Forest Reefs Road – Council has completed work on 2.5kms of Forest Reefs Road, excluding a final bitumen seal. A single coat bitumen seal has been placed, and the second seal will be undertaken in the next sealing season (summer 2015/16). This is common practice within the industry and enables minor remediation work to be completed at little extra cost.
- Adelaide Street Intersection upgrade – Work has progressed with minor delays associated with wet weather and unidentified services relocations. Finalisation of paving and landscaping works has now been completed on the western side, and the construction site transferred to the eastern side.

The program is currently 1 ½ weeks behind schedule. The project team remain committed to completing the project within the allotted program, with weekend works programmed where appropriate.

- Gravel resheeting and Maintenance grading works continue across the shire, with the focus now relocated to the Hobbys Yards district and notably Old Lachlan Road, between Trunkey and Three Brothers Roads.

Major Contracts

Newbridge Tennis Court

- Council staff are currently reviewing submissions for the renewal of the Newbridge Recreation Ground tennis court, and consideration of additional works including renewal of the court fencing and .

Public waste bins

- A review previously undertaken of public garbage bins across the shire, identified the opportunity to rationalise the number of, and type of bins. Public bins are to be replaced with 240L wheelie bins, and located in strategic locations. A Request for Quotation process has been completed for the provision of new bin surrounds, and a supplier selected. Once installed, final arrangements are to be made with Councils waste collection contractor to include collection of these bins as part of the weekly garbage service.

Land Development

Cook Street (11 Lot subdivision)

- Council continues to seek a fee estimate from a suitably qualified consultant to undertake further investigatory works to ensure that no contamination exists, and that any fill provides suitable bearing capacity for the construction of houses on the site.

Wastewater

- Council has provided further comments and is currently seeking clarification from NSW Public Works prior to undertaking a Request for Quotation to undertake renewal works for the Millthorpe transfer main to address significant Hydrogen Sulphide attack on concrete structures.
- Preparatory site works for the installation of a Calcium Nitrate dosing system at the Millthorpe Pump Station have been completed and the system is to be installed by the supplier shortly.

Recreation and Environment

Redmond Oval Upgrade

- Councils Director Infrastructure Services represents Council on the Millthorpe Village Committee - Redmond Oval Sub-Committee to oversee the upgrade of the oval. A final layout for extensions to the amenities building has been approved for design work to proceed. The extension will extend the building to the north abutting the existing mens and disabled toilet, and include a canteen, associated store room, and a new sports storage room. Upon receipt of final design drawings, a revised budget will be considered prior to progressing to Requests for Quotation.

- Discussions are currently being held to scope out a Design and Construct tender document for undertaking the redevelopment of the playing field. At present it is anticipated works will commence following the December 2015 Millthorpe Markets.

King George Oval

- Building renewal works on the grandstands and commentary box are progressing satisfactorily, with recladding of the commentary box almost complete, and intermediate concrete steps to be installed.
- An order has been placed with the supplier for the new electronic scoreboard.

Revive! Belubula River at Pound Flat project

- Council has received the NSW Fisheries Permit to undertake works within the river.
- Council staff are currently reviewing submissions to undertake the timber removal, and strategic placement of river protection works on the Belubula River at Pound Flat Carcoar.

Asset Management

Road Revaluation

Roads Condition Assessment

- Council has received the ARRB road condition survey for all sealed roads within the shire. The results indicate that the Blayney Shire sealed road network is in sound condition, with 93% of sealed road pavement in condition 1 or 2, on a scale of 1 to 5 (with 5 being very poor). The bitumen seals on these roads are showing signs of deterioration due to past underfunding of the reseal program, with 58% of seals in condition 1 or 2 and 35% of seals were rated in condition 4 and 5. Council is now compiling and assessing condition data on unsealed roads, bridges, major culverts, drainage structures, footpaths and Kerb and gutter in order to complete the Transportation Asset revaluation

Bridge Inspections

- Council recently had completed structural inspections and loading assessments for the following bridges.
 - Lucan Road
 - Hines Lane
 - Kinds Lane
 - Pitlochry Lane
 - Newbridge Road (Evans Plains Creek)
 - Newbridge Road (Liscombes Creek)
 - Winterbottoms Lane
 - Dowsetts Lane
 - Matthews Lane

Further advice is provided by way of separate report.

Infrastructure Services Personnel

Council recently advertised three (3) Works Officers roles to replace previously temporary contractual positions in accordance with the approved restructure. A short list was prepared and interviews are currently being undertaken.

The advertising period seeking applications for a Water and Wastewater Engineer are presently underway with applications closing late May.

Issues:

Nil

Budget Implications:

Nil

Attachments

Nil

17) TRIPLE BOTTOM LINE (TBL) SEWER BENCHMARKING REPORT

Department: Infrastructure Services

Author: Director Infrastructure Services

CSP Link: 4.2 Every village has access to water and sewerage services.

File No: SD.MO.2

RECOMMENDATION:

That the summary of the results of the 2013/14 Blayney Shire Council Triple Bottom Line (TBL) Performance Report as published by the NSW Office of Water be noted.

Reason for Report:

To provide Councillors with an annual update on the performance of Council's Sewerage business

Report:

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

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

Best Practice Compliance

Council's compliance level with the NSW Best Practice Management Guidelines Requirements is 100%.

Key achievements in the 2013/14 reporting period were:

- the successful completion of the energy efficiency upgrade project at the STP, funded under the Australian Governments CEEP 2 program the installation of variable speed drives in the aeration tank has already reduced Council's energy costs at the site, and will ensure Council maximises the long term sustainability of the existing infrastructure.
- the successful completion of the energy efficiency project to reduce energy costs due to infiltration into the sewer network. Funded under the Australian Governments CEEP 2 program (Centroc) the project has resulted in root removal in, and relining of 1.2km

- the upgrade of the sewer telemetry system, providing secure communications between all pump stations and the STP, data logging for effective management and review of the systems operations, and the provision of remote access to staff as and when alarms are activated.
- the undertaking of CCTV inspections and associated condition assessment report approximately 1.2km of the sewer reticulation network in the Martha St area.

Council has received its Triple Bottom Line (TBL) Performance Report for the 2013/14 period.

Characteristics		
Indicator	Result	Comments
Properties served per km of main	26	A property density below approx. 30 significantly increases the cost per property of providing services. Blayney number is low due to the spatial separation of Millthorpe and Blayney and low urban density within these two catchments. Increased urban density or infill development may help improve this indicator. Statewide median 38.
Renewals Expenditure	0.4% of CRC ¹ Ranking ² 3 (3)	Council's maintenance and renewals expenditures are low. Expenditure as programmed in Asset Management Plan will provide for improved result. Quality of data and engagement of dedicated Council officer to manage the water and wastewater section will improve future results. Statewide median 0.5%.
Employees per 1,000 properties	1.0 Ranking 1 (1)	Engagement of dedicated Council officer to manage the water and wastewater section will increase this result to approximately 1.5. Statewide median 1.5 for similar sized utilities.
Social – Charges		
Typical residential bill (TRB) 13/14 (\$)	496 Ranking 3 (3)	Satisfactory. The TRB is in accordance with Council's Strategic Business Plan for Sewer. Statewide median \$625.
Typical Developer Charges 14/15 (\$ per ET ³)	3,850 Ranking 3 (3)	Developer Charges have been reviewed with an increased charge recommended. Discussed at Councillor Workshop in December 2014. As NSW Office of Water (NOW) guidelines are under review, it was determined to progress the matter once NOW guidelines are finalised. Statewide median \$5,100 per ET.
Non-residential sewer usage charge (c/kl)	115 Ranking 4 (4)	Satisfactory. The charge was previously developed in accordance with Best Practice Framework. It is recommended however that a review of the charge be undertaken in the next two (2) years. Statewide median 136 c/kl

Social – Health		
Urban population with reticulated sewerage service (%)	70 Ranking 5 (5)	Blayney number is low due to the number of spatially separated urban areas, and servicing being limited to only Millthorpe and Blayney Statewide median 97.9%
Social – Levels of Service		
Odour complaints / 1,000 properties	0.5 Ranking 4 (4)	Satisfactory Statewide median 1.0
Service Complaints / 1,000 properties	11 Ranking 3 (3)	Satisfactory Statewide median 8
Average sewerage interruption (mins)	60 Ranking 1 (1)	Very Good Statewide median 109
Total days lost (%)	0 Ranking 1 (1)	Very Good Statewide median 2.9
Environmental		
Volume of sewage collected per property (kL)	148 Ranking 1 (1)	Very Good Statewide median 221
Effluent Recycled (%)	61% Ranking 1 (2)	Satisfactory Transfer of recycled effluent appears to have reduced over the reporting period. Telemetry upgrade and flow monitoring will provide improved historical data. Statewide median 12%
Net greenhouse gas emissions (t CO ₂ /1000 properties)	150 Ranking 1(1)	Very Good Variable speed drive (VSD) project is expected to reduce CO ₂ emissions at treatment plant. Statewide median 370
Compliance with BOD and SS in license (%)	100% Ranking 1 (1)	Very Good
Sewer main breaks & chokes / 100km of main	28 Ranking 2 (3)	Satisfactory Renewals expenditure as programmed in Asset Management Plan is expected to provide for improved result over longer term. Statewide median 37
Sewer overflows to the environment / 100km of main	0 Ranking 1 (1)	Very Good Statewide median 13
Non-residential & trade waste % of sewage collected	10 Ranking 3 (4)	Satisfactory Improved trade waste regulation and engagement of dedicated Council officer to manage the water and wastewater section will improve future results. Statewide median 21
Economic		
Non-residential revenue (%)	11 Ranking 4 (5)	Considered in line with the non-residential % of sewage collected. Statewaide median 18

Economic real rate of return (ERRR) (%)	1.2 Ranking 3 (3)	Reflects the rate of return generated by operating activities (exc. Interest and grants). An ERRR > 0% is required for full cost recovery. An increase in charges once Developer Servicing Plan is finalised are expected to address this. Statewide median 1.5%
Return on assets (%)	1.8 Ranking 2 (2)	An ROA > 0% is required for full cost recovery. Statewide median 1.3%
Loan payment (\$) per property	61 Ranking 2 (2)	Good Statewide median \$90
Operating Cost (OMA) / property (\$)	367 Ranking 3 (2)	Satisfactory Affected by spatial separation of Millthorpe and Blayney. Increased urban density or infill development may help improve this indicator. Statewide median \$430
Management cost / property (\$)	127 Ranking 4 (3)	Increased urban density or infill development may help improve this indicator. Statewide median is \$161
Treatment cost / property (\$)	174 Ranking 4 (4)	Affected by economies of scale Variable speed drive (VSD) project will help support reduced energy costs at treatment plant. Statewide median \$155
Pumping cost / property (\$)	23 Ranking 2 (1)	Very Good Statewide median \$68
Sewer main cost / property (\$)	43 Ranking 3 (3)	Good Statewide median \$47
Notes: 1. CRC – Current replacement cost of system assets. 2. Ranking – The ranking relative to similar size Local Water Utilities (LWU's) with 200 to 1,500 connected properties is shown first, followed by the ranking relative to all LWU's within brackets. 3. ET – Equivalent Tenements		

Issues:

The appointment of a Water and Wastewater Engineer is expected to provide improved delivery of renewal works, and trade waste outcomes. Finalisation of the NOW Developer Servicing guidelines, and adoption of Councils Developer Charges will increase income and improve the Economic Real Rate of Return.

Budget Implications:

Whilst not an immediate budget issue, Councillors will need to consider a future change to Council's Developer Charges for sewer to ensure a positive real rate of return is maintained in the business.

Attachments

Nil

18) ROAD CLOSURE/OPENING – NYES GATES ROAD, GREGHAMSTOWN

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: RD.RC.7

Recommendation:

1. That Council approve
 - a. the dedication to the public as public road, those road widenings (variable width) shown as 'R', 'W' and 'X' in DP128757, and,
 - b. the closure of public road identified as Lots 3 and 4 in DP128757, to be provided in compensation to the owners of Lot 1 and Lot 2 respectively.
 - c. the Mayor and General Manager to affix the council seal and execute all associated documents.

Reason for Report:

Council's approval is required for the acquisition and transfer (give and take) of lands associated with a Development Application (DA109/2014) for 2 lot subdivision in the Greghamstown district, to ensure the existing road is located within the Nyes Gates Road reserve.

Report:

Upon receipt of the above Development Application, Council officers identified that the Nyes Gates Road was not constructed entirely within the existing road reserve.

Upon Council meeting with the applicant, it was agreed that the subdivision plan would be amended to modify the boundaries to be on the existing fence line and thereby ensure the road was located wholly within the road reserve.

In accordance with Crown Lands procedures, Council submitted a road closure application, whereby Council would undertake a joint road opening/road closing, and request that the land to be closed be given in compensation. The details of the transaction are:

- Council would close and provide to the applicant a section of the legal road reserve, currently fenced within the applicants land holding (Lots 3 and 4, edged in red on the attached plan, Total area = 2,717m²).
- The applicant would provide as public road to Council a section of private land, currently within the fenced road reserve (areas marked R, W and X on the attached plan, Total Area – 2,750m²)

These matters usually take considerable time to process through Crown Lands, however as the plan clearly identified that the whole road was not to be closed, nor deny public access, Crown Lands was prepared to endorse the plan.

The applicant's agent has now lodged the subdivision plan with Land and Property Information (LPI), for registration.

Endorsement by Crown Lands was however subject to the future, full investigation and processing as required by legislation, and as a result the title to the sections of road to be closed will vest in Council. There will be a notation on the title that "Land herein is public road" until such time as it is formally gazetted (after road closing approval). Once this occurs, Council will receive instruction on undertaking the transfer to the adjoining landholder in compensation for the road opening.

Council has further been advised by Crown Lands that in order to ensure the road closure investigation is progressed, the following documents are required to be provided.

- Council report and approval
- Evidence of public dedication of the roads proposed to be closed.

Councils approval of the proposed road closure/road opening is thereby requested.

Issues:

In order for the matter to be progressed and finalised Council approval is required by Crown Lands.

Budget Implications:

All survey and legal fees have been at full cost to the developer.

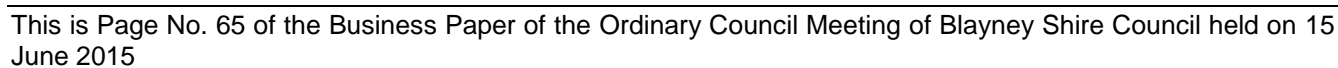
Enclosures (following report)

1 Subdivision Plan - Nyes Gates Road

1 Page

Attachments (separate document)

Nil



19) BRIDGE CONDITION REPORT**Department:** Infrastructure Services**Author:** Infrastructure Manager**CSP Link:** 4.1 Adequate provision of transport, roads, rail, information and communication technologies and community social assets.**File No:** RD.MT.1

Recommendation:

That Council note the Bridge Condition report undertaken by Local Government Engineering Services.

Reason for Report:

To update Councillors on the outcome of the nine (9) Bridge Inspections conducted by Local Government Engineering Services, during March / April 2015. To advise Councillors of Bridge Load Capacity restrictions that will be placed on some of Council's Timber Bridges and immediate actions required to ensure the safety and structural integrity of these structures.

Report:

Council engaged the services of Local Government Engineering Services during March to undertake detailed condition assessment and Load Capacity assessment of nine (9) timber or steel bridges.

These reports:

- Provide information in relation to the overall condition of the structure.
- Provide identification of structure elements in relation to condition rating.
- Provide a suggested maintenance action.
- Detail the structural adequacy of the bridge and identify load carrying capacity of the overall structure in accordance with RMS Bridge Inspection Procedure Manual.

The following table summarises the findings of the reports on each of the nine (9) bridges inspected during April 2015. The actions recommended in this report are provided in two parts; with actions that need to be undertaken in the short term and the proposed actions that are / or will be scheduled in the 10 Year Bridge Replacement and Rehabilitation Program.

A further report will be provided to Councillors recommending changes to the 10 Year Bridge Replacement and Rehabilitation Program. The program will recommend prioritised and costed options for the replacement or rehabilitation of all of Council's Timber and Steel bridges and major culverts. The program

will also include some maintenance activities required on some of Council's concrete bridge structures.

The priority and timing of these works will be determined by:

- Condition of structure
- Load capacity of Structure, and
- Specific issues, such as potential isolation.

The table below provides a summary of the bridge assessment reports provided to Council and details load capacity

Bridge	Condition Rating ¹				Rec Load Cap (t)	Comments	Immediate Action / Longer Term Action
	Girder	Pier / Sill	Abutments	Deck			
Dowsetts L, Coombing Cr	3	2	4	3	10	Minor Abutment maintenance. Understrength girders	10t Load Limit / Replace with Culvert
Hines L, Grubbenbun Cr	4	3	3	4	10	Load Capacity estimate due to Girder at point of imminent failure	10t Load Limit / Replace with Culvert
Kinds L, Grubbenbun Cr	4	3	4	4	10	Based on Proof Loading. 1 Girder requires replacement urgently.	Assess Girder replacement. 10t Load Limit / Replace with Culvert
Lucan Rd, Limestone Cr	Unable to be assessed due to water levels					Appears to be missing a girder. Timbers mostly underwater generally low level of decay.	Clear waterway and reassess / Replace with Culvert
Pitlochry Rd, Unnamed Cr	4	NA	3	4	15	2 Girders need replacement and cracking in Abutments need monitoring.	15t Load Limit / Replace with Culvert or Replace girders and structural deck
Winterbottoms L, Snake Cr	4	3	4	4	10	2 Girders undersized/ need replacement.	10t Load Limit / Replace with Culvert
Matthews L, Cowriga Cr	2	NA	2	2	None	Non Structural kerbing and fencing issues.	Nil / Kerb and Fence replacement

Newbridge Rd, Liscombes Cr	2	NA	3	10	5 or 10	10t capacity if traffic centralised (No Passing). Girder Beams need lateral bracing to remove load cap restriction.	Lateral bracing and convert to single lane. 10t Load Limit / Replace girders and structural deck
Newbridge Rd, Evans Plains Cr	4	NA	3	4	15	Outer Girder Beam damaged requires replacement and barricading.	Barricade outer edge with kerb/Guard rail. 15t Load Limit / Replace on new alignment

¹ Condition score based on 1 to 5 scale (1 = As New, 5 = No longer Serviceable).

² Condition reported is lowest score per element, as this determines load capacity and intervention time frame.

Issues:

Some of the required maintenance issues referred to in this report involve replacement of structural girders. This is not considered a viable option for those bridges with concrete decks, as the work to lift the deck to allow repairs of the Girders may not be practicable or cost effective.

Council will be provided a further report to review the Bridge and Major Culvert program taking into consideration these engineering recommendations.

Budget Implications:

Nil

Enclosures (following report)

Nil

Attachments (separate document)

Nil

**20) MINUTES OF THE BLAYNEY SHIRE SPORTS COUNCIL MEETING
HELD ON THURSDAY 21 MAY 2015 AT THE BLAYNEY COMMUNITY
CENTRE**

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:

1. That the Minutes of the Blayney Shire Sports Council Meeting, held on Thursday 21 May 2015, be received and noted.

**MINUTES OF THE BLAYNEY SHIRE SPORTS COUNCIL MEETING HELD
ON THURSDAY 21 MAY 2015 AT THE BLAYNEY COMMUNITY CENTRE**

Meeting commenced at 5.30pm

PRESENT:

Trevor Jones (Harness Racing Club), Chris Smith (HCS), Peter Wakem (Swimming Club), Rodney Corbett (Junior Soccer), Michael Tyrrell (Golf club), Matthew Lewis (Little Athletics), Andrew Russ (Rugby Union), Andre Riphagen (Orange Equestrian Club & Carcoar Pony Club), Michael Truloff (Millthorpe Junior Cricket), Cheryl Rutherford (Junior Tennis), Rosemary Reid (Senior Tennis), David Kingham (Chair, Blayney Shire Council), Nathan Skelly (Blayney Shire Council).

APOLOGIES:

Tom Williams (Fishing), Adam Hornby (Senior League), Grant Baker (Blayney Shire Council), Jeanne Truloff (Millthorpe Tennis).

RESOLVED: That the apologies be accepted. (Rod Corbett /Trevor Jones).

MINUTES PREVIOUS MEETING – 19 FEBRUARY 2015 (as circulated)

RESOLVED: That the minutes of the previous meeting held 19 February 2015 be accepted. (T Jones/P Waken).

MATTERS ARISING FROM THE MINUTES

- Missing Bubbler – To be replaced by Central Tablelands County Council
- The starter blocks for the swimming pool should arrive next week.
- As yet there has been no feedback from the Council in relation to the Little As roller door.

MEMBERSHIP:

Andre Riphagen welcomed as the delegate for Orange Equestrian Club and Carcoar Pony Club.

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 – The awards are going well. David thanked Mick Tyrrell, Rosemary Reid and Cheryl Rutherford for all the work they put into making the awards successful. Cheryl made mention that more nominations are needed. It was suggested that it be advertised in the paper, possibly in the General Managers report. The Sports Dinner will be held on October 17th. David is looking to secure a guest speaker for the night.

ACTION: Council to follow-up.

- Blayney Little Athletics – Long Jump Runways – A grant has been received for the runways and work will start on these as soon as possible.

ACTION: Blayney Little Athletics have organised for Greg Mitchell to install the Long Jump Runways.

EVENT CALENDAR UPDATE:

- Heritage Country Schools District Cross Country – Blayney Showground, Monday 25th May
- Medibank Junior Tennis Tournament –rescheduled for Sunday June 14th at Blayney Tennis Courts

GRANT FUNDING UPDATE

- A grant has been applied for to upgrade the Newbridge tennis court.
- The Australia Post sponsored 'Our Neighbourhood' Community Grant is now open.

REPORTS:**Swimming:**

The AGM was held on 20th May. There are fifty two financial members with some members coming from Orange. Everything is going well.

Harness Racing:

The last meeting was held on Mother's Day with an eight race program. The day went well despite the weather. November has been allocated for the 2015/2016 season but it is being looked at to go back to February/March meetings. A grant has been received to finish the trotting track fence.

ACTION: Council to undertake to Project Manage the trotting track fence contract.

Rugby Union:

The club has played one game and has good squad numbers. Millthorpe has a junior club which is a feeder club to Blayney. They have an U7 and an U9s team which are going very well. The players are mostly from Millthorpe with some from Blayney.

Senior Tennis:

The Saturday competition is finished but the ladies are still playing on Tuesday. There are some maintenance issues at the club with the toilet roof being damaged by vandals and there is a plumbing problem. Both have been reported to council. On a positive note Blayney Council are now paying the insurance for the club.

ACTION: Council to follow-up maintenance repairs to roof and plumbing problem.

Junior Tennis:

The club has a new coach, Kurt Johns, who is doing very well. The Friday competition has finished but Monday pairs and Tuesday singles are still going. The Medibank Junior Tennis Tournament has been rescheduled for Sunday June 14th at Blayney Tennis Courts.

ACTION: Blayney Junior Tennis Club to provide Council's Communications Officer with Tournament details for promotion on the internet.

Junior Soccer:

The competition has commenced with the first two rounds being deferred away from Blayney due to the trotting meetings. A complaint has been made to the council due to the condition of the fields at the Showground. The club has been billed for the use of Napier Oval for training as well as the showground. The toilet block at Napier Oval is not completed and a request has been made for this to be rectified as soon as possible.

ACTION: Council to follow-up the completion issues at Napier Oval.

ACTION: Council has provided Blayney Junior Soccer Club with a revised Pre-Use Inspection Checklist and asks for Club to return it to Council with explanation of field condition.

Millthorpe Cricket:

A grant has been received for upgrades to Redmond Oval. Once the work has commenced the clubs using the ground will be unable to use them but are willing to do this to allow the work to be completed, as it will benefit the clubs in the long run with the upgraded facilities. Alternate venues were put forward for the use of the Junior Cricket Club. The kiosk will hopefully be finished by December. Traffic flow and parking issues at Redmond Oval will be reviewed in the near future.

Little Athletics:

Not much is happening at the moment as it is the off season. Grant and David inspected parts of the running track and it has been suggested that it could be aerated.

Blayney Golf Club:

The new bore will go in in the next three weeks. A new roof will be put on the clubhouse next weekend. It has been quiet due to the weather.

Orange Equestrian Club:

A jumping competition is held once every two months. The next one will be held on Sunday 28th June.

ACTION: Orange Equestrian Club to provide Council Communications Officer with details of event for promotion on the internet.

Carcoar Pony Club:

Pony Club is held on the first Sunday of the month. Carcoar Pony Club is one of the biggest clubs in the area. New yards are to be built at the showground, hopefully at the beginning of June.

GENERAL BUSINESS

The new scoreboard at King George Oval is to go up in eight weeks. The council is to purchase the Junior League Scoreboard. Trevor Jones voiced his disapproval concerning the decision being made without any consultation with the sports council as it was minuted that Lisa Oborn and Tony Burrell were to provide a Notice of motion prior to May meeting.

Trevor Jones provided information on seating for the showground.

PROJECT PRIORITY LIST**King George Oval:**

- Entry to King George Oval – Put this as a stand alone item and not as part of the security fencing.
- The Show Society is looking at expanding the Cattle Pavilion at the showground.

NEXT MEETING

Thursday 20 August 2015

Meeting closed at 7.00pm

Enclosures (following report)

Nil

Attachments (separate document)

Nil

21) DEVELOPMENT APPLICATION 14/2015 - ERECTION OF A DWELLING - LOT A DP103235 - 29 PILCHER STREET MILLTHORPE

Department: Planning and Environmental Services

Author: Senior Town Planner

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

File No: DB.AB.778

RECOMMENDED:

That Council approve Development Application 14/2015 for a proposed dwelling on Lot A DP 103235, 29 Pilcher Street, Millthorpe, subject to the conditions at **Enclosure 5**.

REPORT

Application Number:	DA14/2015
Development:	Erect new dwelling
Applicant:	L Power
Owner:	L Power
Lodgment date:	5 February 2015
Land:	Lot A DP 103235, 29 Pilcher Street, Millthorpe
Local Environmental Plan:	Blayney LEP 2012
Zoning:	RU5 Village

BACKGROUND

The proposed development is to construct a new single storey dwelling at 29 Pilcher Street, Millthorpe. Pilcher Street is located in the north western portion of the village. Power, water, sewer and telephone are available to the site. See **Enclosure 1**.

The land is vacant and some 631.77sqm in area, and is within the Millthorpe Heritage Conservation Area. A shed has been previously approved for the land under DA 64/2014, to be located at the rear of the block. A retaining wall has been constructed round the rear of the site.

The dwelling would be constructed of timber frame, with hardiplank cladding. The dwelling would have a colorbond roof, and be located on brick piers with brick perimeter subfloor. Internal configuration would include three bedrooms, living areas, pantry, kitchen, study, and amenities.

Access to the site is existing directly off Pilcher Street, and the land slopes down to Pilcher Street. The front setback would be 3m in line with adjoining dwellings. A staircase to the front verandah would fall within that 3m setback. Setback from the eastern boundary would be 1m, and from the western boundary would be 3.22m. See **Enclosure 2**.

Through revised plans, the development proposes excavation at the rear. The finished floor level at the front of the dwelling would be some 1.4m above natural ground level at the south western corner. At 4m back from the front wall of the building the main ridge line rises by 1.5m, at which point it would be almost 6.5m above the ground level at the front wall.

The roof pitch will be 27 degrees. A colour scheme has been provided by the developer for all external elements of the building. Shadow diagrams have been provided to demonstrate the impact on adjoining dwellings to the east and west. See **Enclosure 3**.

Section 79C Assessment:

79C (a)(i) the provisions of any environmental planning instrument

1. State Environmental Planning Policies

There are no particular SEPPs relevant to the proposal.

2. Local Environmental Plans

The land is zoned RU5 Village under the *Blayney Local Environmental Plan 2012*, and the development is permissible in the zone with Council consent. The objectives of the zone are examined as follows:

- To provide for a range of landuses, services and facilities that are associated with a rural village.
Comment: The proposal seeks to build a dwelling within the village of Millthorpe.
- To minimize conflict between land uses within this zone and land uses within adjoining zones
Comment: Adjoining and adjacent development is largely residential, being single storey dwellings with low profiles, set into the landscape. Conflict was possible due to the scale of the development being inconsistent with the building scale of adjacent dwellings and with the streetscape. The developer provided revised survey setout plan, architectural drawings and shadow diagrams which addressed this matter, lowering the floor level by approximately 900mm to a more acceptable height. **See Enclosure 3 & 4.**

- To encourage and provide opportunities for population and local employment growth commensurate with available services
Comment: The development would allow for greater appreciation of an urban premises, providing residential accommodation.
- To minimize the impact of non-residential uses and ensure those uses are in character and compatible with the surrounding residential development.
Comment: This development is not expected to result in a non-residential land use.

Clause 5.10 Heritage conservation

The subject land is located within the Millthorpe Heritage Conservation Area. As such, heritage issues are relevant. There are no heritage listed items in the immediate vicinity. However as the site is within the Millthorpe Heritage Conservation Area, the development should have regard for the heritage significance of the village in general, in the appearance and fabric of the proposed building and its location in the streetscape.

The dwelling is to be located towards the front of the block with a 3m setback in line with adjoining dwellings. The initial proposal contained minimal excavation at the rear of the dwelling so the front façade of the building would have been much higher than the adjoining dwellings.

The impact of the building was such that it was not going to be in scale with the height of either of the adjoining dwellings or the streetscape. The developer provided amended architectural drawings, survey report and shadow diagrams, which showed an increase in excavation at the rear, and a lowering of the overall floor level and the entire front façade of the proposed dwelling.

Prior to granting consent for any such development in a Heritage Conservation Area, the LEP required Council to consider the effect of the proposed development on the heritage significance of the area concerned. This effect is considered and detailed in the following report.

3. Guidelines and policies

The development was notified to adjoining owners. A number of submissions were received, as discussed later in this report.

79C (a)(ii) the provisions of any draft environmental planning instrument

There are no such proposed instruments relevant to this development.

79C (a)(iii) any development control plans

The Millthorpe Development Control Plan No. 2 is relevant to the proposed development.

The aims of this DCP are considered as follows:

- Providing design guidelines for buildings that should be considered when planning new development.

Comment: The guidelines as outlined within this DCP are examined below with respect to the proposed development.

- Outlining significant streetscape elements and building styles for individual streets that should be taken into account when designing new development in the vicinity.

Comment: Streetscape elements and building styles have particular relevance, due to the bulk, scale and height of the proposed dwelling. There are no heritage buildings within the immediate vicinity, so no particular building styles are relevant. Initially, the applicant had not had sufficient regard for the DCP in regard to building design, the proposed building being considerably higher than adjacent dwellings in the street due to the elevated floor level and therefore large front facade. Amended drawings now show the floor level to be much lower, thus reducing the impact of the dwelling on streetscape.

- Requiring submission of Council's "good neighbor" policy with any development application submitted for work in the area that this plan applies to.

Comment: Although this policy has not been utilised, the development has been referred to adjoining owners, with a number of submissions being received. The issues were relayed to the developer who provided responses, which are considered later in this report.

The provisions of the DCP are examined as follows:

Scale – Initially the proposed development was not in keeping with existing development within the street, as it was to be somewhat higher than adjoining dwellings to the east and west due to the raised floor level.

The site is adjacent to a mix of old and newer development in the town. The topography of the street, sloping down from east to west, assists the existing dwellings to have a consistent roof height in the street scape, and a harmonious scale of height and bulk. The proposed dwelling would have dominated the locality, compromising the existing scale and form in the street.

The developer's own shadow diagrams demonstrated the difference in scale of the proposal to the adjoining dwellings. New diagrams provided have now addressed this matter.

The floor area of the dwelling would be 239.1sqm. The land is 625.66sqm in area, which amounts to a 38.22% site coverage. The proposed shed under DA 64/2014 is 51sqm, making the total site coverage 46.37%. The DCP states that the site coverage should be similar to the existing pattern of development. The developer suggests that there is a maximum site coverage figure of 60%, but the DCP does not state this. Adjoining dwellings are variable, but the proposed site coverage is acceptable.

Materials and colours – The building is to be constructed mainly of hardiplank walls, colorbond roof, on piers with enclosed brick perimeter walls. Colours have been suggested by the developer for all external building elements, to complement the existing dwellings in the village. Council's Heritage Advisor has suggested colours for the proponent to consider, and the colours chosen are in muted tones.

Windows – Double hung aluminium framed, Pearl White.

Setbacks – The new dwelling would be constructed 3m back from the front boundary, in line with adjoining dwellings. The front steps would be within this setback. Side boundary setbacks would be 1m from the eastern boundary and 3.22m from the western boundary.

Garages, carports and sheds – Not relevant to this proposal.

Fencing – No particular fencing proposal has been offered as part of this proposal. The block is fenced on three sides with paling fencing which will largely screen the lower part of the dwelling from adjoining dwellings. The front fence is proposed to be post and rail, with emu wire between.

Landscaping – Some landscaping details have been provided with the application, with hedging and lawn proposed for the small front yard. Currently the lot is cleared and grassed.

Utility/service structures – Utility/servicing extension would be required for the development.

Commercial development – The development is not for commercial development.

Rural Residential Development – Not applicable.

Demolition – The development would not include any demolition.

79C (a)(iia) 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,

There are no known 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 known such matters relevant to the development.

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 is construction of new residential development within an urban context. The development would result in a dwelling, located in the village, appropriate for the zone. Adjoining landuses are residential. The site is surrounded by numerous dwellings with landscaped gardens.

The setting is within and part way along a residential street, which slopes down from east to west. Other dwellings in the street are single storey buildings of varying ages, but which have a uniformity of roof line that is compatible with the topography. The built form of Millthorpe derives from the road patterns and the topography. Although a variety of architectural forms exist in the town, the CBD tends to favour two storey large scale buildings, while elsewhere comprises detached single storey dwellings. The coherence of the built form in locations such as Pilcher Street lies with consistent domestic architecture.

A report by Ken Latona in 1976 in the Millthorpe Urban Conservation Study, suggested that *“the Victorian cottages of the late nineteenth century and early twentieth century can be considered the most important buildings in Millthorpe, not because of their architectural and historic merit but because of the consistency in their design, style and general condition”*.

The cottage group in Pilcher Street was identified as an important group of buildings as a good collection of Victorian cottages. One important aspect of the character of the Millthorpe settlement is the architectural consistency (in terms of age and condition) of the majority of buildings within the town. The proposed dwelling, as documented earlier in this report, would have dominated the streetscape due to height and bulk, compromising the scale and form of the adjacent Victorian cottages. The amended architectural drawings provided have addressed this matter and the building is now at a more acceptable level. The uniformity of roof line is now compatible with the topography of Pilcher Street.

Visual Impact

See Context and setting

Access, Transport & Traffic

The allotment would be accessed from Pilcher Street, and Council's Engineer has no upgrading requirements for the existing entrance arrangements, which were undertaken under the previous shed DA.

Utilities

Additional services and utilities are required for the development of the dwelling.

The cost of service enhancement would be borne by the developer.

Heritage

The subject land is vacant and located within the Millthorpe Heritage Conservation Area, and as such heritage issues are relevant. The proposal had the potential to be highly visible along the Pilcher Street building alignment. Adverse impact on the Heritage Conservation Area was expected to be significant in the consideration of the integrity of the existing group of Victorian cottages in the street. The amended plans submitted by the applicant show a lowered floor level, thus addressing the overall height of the building, which would now be at a much more acceptable level.

Council's Heritage Advisor reviewed the application and provided advice as follows:

1. Significance: The site is located with the Millthorpe village Conservation Area and there are traditional cottage buildings with minimal setbacks to each side.

2. Issues:

- The character is generally reflective of the cottages and traditional houses within the village.
- The height of the front verandah near the street boundary is markedly different from the level change evident in the adjoining houses.
- The stairs project into the front space allocated to the garden and are not shown on the site plan.
- No front fence is noted.
- The building verandah balustrade materials and design are not indicated.

3. Recommendations:

- A colour scheme is required for the external materials and elements to ensure that the building fits into the village character. The following colours from the Dulux traditional range would suit: Beige for the walls above floor level and Woodland Grey similar to Millthorpe bluestone basalt for the lower walls, Windspray for the roof, Monument for fascia's and gutters, Wine Cellar (Red) for the doors and windows and the Verandah timber framing and posts and stair handrail and posts and Paperbark for the stair balustrading.
- The levels of the building on the site should be reviewed in order that the floor level as expressed on the frontage can be reduced to achieve a closer similarity with the adjoining cottages which appear to be nominally 1m above the ground level.
- The upper walls are to be clad in a traditional profile weatherboard cladding similar to Hardie Primeline Heritage or Chamfer as these reflect the local examples in the streetscape.
- The lower walls between the ground and floor level to be clad in Hardie wide Stria cladding or similar so as to reflect the traditional basalt coloured foundations.

- The stair and verandah balustrade to use traditional vertical slats similar to the example provided.
- The roofing is to use traditional rolled flashings to the ridge and barge and smooth unperforated quad gutters with circular downpipes painted to match the appropriate wall colours.
- The verandah is to use an expressed timber beam beneath the soffit to link the verandah posts.
- An appropriate front fencing is to be nominated such as timber posts and rails backed by hedge planting.

Developer response to Heritage Advisor: The developer provided detail with regard to external colour schemes and some shadow diagrams. They suggested that the roof pitch was compliant with the Millthorpe DCP, and that the house was sympathetic to the streetscape due to colour and design.

Detail was provided with regard to the front stair balustrading, timber railing and staircase, and a post and rail/wire front fence.

They also suggested that the removal of a large tree within their rear yard now provided increased sunlight to the neighbouring rear yard at No. 27.

Council comment: Council examined the shadow diagrams provided and requested that the developer submit revised drawings to take account of ground levels and contours of the land and adjoining lots, the subfloor of the proposed dwelling, and proposed setbacks. The revised diagrams at **Attachment 3** were provided.

Other Land Resources

There are no known matters arising from this development which might adversely impact other land resources.

Water, Soil, Air and Microclimate

Sediment and erosion control measures would be in place prior to and during construction, and stormwater would be directed to Pilcher Street. No perceived impact to air quality. Also, see Other Land Resources

Flora and Fauna

See Other Land Resources

Waste

No perceived impact.

Natural Hazards

There are no particular known natural hazards affecting the development.

Technological Hazards

There are no particular known technological hazards affecting the development.

There are no particular significant known matters relating to noise and vibration which might apply to this development, beyond the construction stage.

Safety, Security and Crime Prevention

No perceived impact.

Social and Economic Impact on the locality

The economic impacts from this development relate to development of an urban property through the construction of a new dwelling within the village zone, enabling input into the local economy on a number of levels. Impact on adjoining land values is not relevant to this assessment.

The social impacts relate to the development of an urban property, with minimal impact on services and utilities. Due to the scale of the original development land use conflict was possible in visual amenity, protection of heritage character and overshadowing. The revised plans submitted have addressed these issues, lowering the floor level and the overall height of the building and reducing the potential for overlooking.

Construction

The dwelling would be located toward the front of the land, with a front setback of 3m. Access to the front verandah would be via steps within that setback. Construction would be in hardiplank and colorbond, on piers with a brick infill perimeter.

The floor area of the dwelling would be 239.1sqm. The land is 625.66sqm in area.

With the revised drawings provided, the dwelling would be some 6.5m in height to the highest point of the ridge line, above front ground level at the front south eastern corner of the building, and now consistent with other development in the vicinity.

Site coverage would be approximately 46.37%, including the garage, which is not excessive, but other sites in the street have a site coverage closer to 50%. The proposed site coverage is acceptable.

Council requested of the applicant as to why a concrete slab on ground construction including cut and fill of the site was not being considered, as this would significantly reduce the bulk and scale of the proposed dwelling. Council also requested shadow diagrams to demonstrate the impact of the proposal on adjoining dwellings.

Council's Heritage Advisor has commented on the development and made recommendations in regard to colour scheme, timber features, and fencing. He also suggested that the levels of the building on the site should be reviewed in order that the floor level as expressed on the frontage can be reduced to achieve a closer similarity with the adjoining cottages, which appear to be nominally 1m above the ground level.

The developer responded that adjoining dwellings were all built on elevated floors and that cut and fill sites were not practical on steep sloping sites in that era. Even today cut and fill is avoided. Placing floor levels below ground level would create stormwater flooding risks. The proposed dwelling was designed to have minimal cut into the ground at the rear dining room corner.

The floor level would have been 150mm above existing ground level at that point. Excavation is now proposed at 500mm, making the floor level at the front south western corner now 1.4m above natural ground level (some 900mm lower than shown on the original plans).

The developer then made mention of a wheel chair bound family member who would visit and stay regularly, and they wished to cater for this person in access to the rear of the building.

The developer suggests that cut and fill would put the rear of the house at 1.2m below ground level, making ramp construction at the rear quite unsightly. The cut and fill would then require major retaining wall construction and cost, which would eat into the driveway width, would have to remain clear of boundary fences, and have to have protective railings to prevent people falling.

Council notes that the Building Code of Australia provides for adequate treatment of retaining walls relating to batter and height. A retaining wall at the rear is considered more appropriate than a 2m subfloor height at the front of the building. Any retaining wall, including that already constructed around the rear of the property, should have regard for drainage issues and the impacts on adjoining properties. The visual impact of a ramp at the rear of the dwelling is not a planning consideration.

It is also noted that the finished floor level at the front of the dwelling, in its original proposed form, would have been almost level with the side paling fence on the eastern side boundary, and higher than the side fence on the lower western boundary.

Cut and fill construction remains widely utilised on sites appropriate for the scale of development proposed. The comments from Council's Heritage Advisor reiterated the need to lower the floor level of the building. Subsequently the developer provided revised architectural drawings and shadow diagrams which lowered the overall floor level to a more acceptable level.

Site Design and Internal Design

See Construction

Cumulative Impact

No perceived cumulative impact on the locality and surrounding development, climate change or ecologically sustainable development.

Other

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

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

Comment: The site is suitable for residential development generally, being an urban property in the General Residential zone.

However, the initial form of this proposed building and its current bulk and scale was not suitable for the site, when alternative construction methods could have been used to address Council's concerns. The development would create additional residential accommodation within Millthorpe as infill development. Access is appropriate for the level of use.

The 1976 report by Ken Latona, along with extensive community consultation at the time, led to the formulation of Millthorpe Development Control Plan No. 2. One recommendation of the Latona report was that *"no new buildings within the historic precinct can exceed the height of an existing neighbouring building, or exceed two storeys, whichever was the lesser"*. Other recommendations related to maintenance of existing scale and mass of neighbouring buildings, building at natural ground level, and roof forms consistent with those in the immediate area.

The design of the building as originally proposed entailed satisfactory site coverage, but was not in keeping with the bulk and scale of existing development and the streetscape, and the protection of the heritage significance of the existing Victorian cottages in Pilcher Street. Upon request the developer submitted revised architectural drawings and shadow diagrams which largely addressed the bulk and scale of the building, lowering it to a more acceptable level.

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

Adjoining landowners were notified for 14 days from 10 February 2015. A number of submissions were received. The issues raised were considered as follows:

Issue - Roof Design

Objectors' comments: The roof design of this house is completely at odds with all the roofs facing south on Pilcher Street. This is particularly important given the north/south placement of the properties in this cold winter environment, with heavy frost and snow. An important visual characteristic is that each roof cap of all south facing houses on this block, step down to the next with the natural fall of the hill.

It is requested that the roof design reflects the size, shape and pitch, eaves and ridge heights of existing roofs in the locality. Importantly the roof design does not reflect the simple 4 square pyramid and rear skillion of this side of the street. The visual impact of an overly large and dominant dwelling will undermine the characteristic of this street. It requires a suitably designed roof line which echoes all other properties on this street and provides adequate warmth and light to the existing buildings on either side. Conservation works on another dwelling in Pilcher Street has had regard for roof line in keeping with these distinctive cottages in Pilcher Street.

Developer response: Adjoining roof pitches vary from 30 to 40 degrees. The proposed roof pitch is only 27 degrees to keep in perspective with neighbouring properties, and to reduce overshadowing. Roof design, front verandah, appearances all relate to the standard roof designs in the Millthorpe

Development Control Plan. The size of the house is comparable to other new dwellings of today. They believe the colours and design chosen will be sympathetic to the streetscape.

Council comment: The roof design attempts to comply with the DCP to a degree, in pitch and colour. However, with the ridge line being north/south and the elevated floor level, the proposed roof design did not reflect the existing roof profile of the street. Specific roof pitch is not quantified in the LEP. The ridge line of the proposed dwelling was not consistent with the fall in ridge line of existing dwellings in line with topography along the street. The roof lines of other dwellings in the street are a mix of east/west, north/south and square pyramid roof lines. The smaller cottages are generally square pyramid or east/west. It is doubtful that these buildings were designed with availability of sunlight in mind. The small size of the cottages usually related to economy. It would be onerous to request that the square pyramid design be used. The direction of the roof line was of less concern than the raised floor level. Council applies the provisions of the DCP across the Millthorpe Heritage Conservation Area. However, each project is still considered on its merits depending upon surrounding development and landuse conflict, streetscape and architectural merit. The roof design has taken some guidance from the provisions of the DCP, although it remains a modern roof design. However the problem was not with the roof design, but rather with the height of the finished floor level and the increased subfloor height, increasing the overall height of the building. Subsequently the revised drawings provided by the developer have lowered the floor level through excavation at the rear, thus lowering the roof height, bringing it more in line with the roof profile in the street.

Issue – Footprint:

Objectors' comments: It appears from the mud map that the house and large 9 m x 6m garage fill more than 60% of the block. The house extends 5 metres beyond the back of No. 27 and further still beyond No. 31. This is before the future outdoor entertaining area is added. It is requested that the house has a similar footprint to all the properties on this side of Pilcher Street. Concern was expressed for the large footprint on the block, and the effect on overshadowing.

Developer response: The development would be below the allowable footprint of 60%. Adjoining houses are less as they were built at a time when that was all people could afford. Skillions were often added later. The developer should not be asked to build a matching size home. The proposed house is modest in today's era, considering the large new modern homes that have been approved in Elliott Street opposite early 19th Century houses.

Council comment: The footprint of the dwelling and garage amount to approximately 46%, which is acceptable.

The older dwellings in Elliott Street are larger than the cottages in Pilcher Street, and the newer dwellings are in scale with others in that street. The proposed footprint is acceptable, with no maximum limit being set down in the DCP. The DCP does suggest that the footprint should approach that of adjacent dwellings. However, with rear skillions and out buildings of the adjacent footprints vary.

Although the DCP suggests that the footprint should approach that of existing adjacent dwellings, it is unreasonable to expect them to be identical. Many small cottages have a mix of rear skillions that come and go depending upon the requirements of the residents. That is, footprints of the older houses are more likely to vary over time, especially when the skillions are replaced with large inconspicuous rear extensions, as has occurred numerous times in Millthorpe.

Issue – Overshadowing:

Objectors' comments: From the plans provided, it appears that the intention is to build the floor level of No. 29 to the highest level of the block (placing floor level at the same level as No. 27 and with an extended large south/north roof line, this extends beyond the rear of both neighbouring houses. This will place the house and garden in a visually and physically overshadowing position to No. 27, extending 5m, and to No. 31 Pilcher Street by more than 10m. With the current plans, No 27 will lose all winter and summer afternoon sun, increasing heating and cooling costs.

In this cold winter climate access to sun is crucial. The western sun naturally warms the house reducing heating costs at the end of day, this is an environmental concern and a financial cost concern (increased heating requirements). There should be excavation and decreased elevation to place the dwelling half way down the hill between 27 and 31 in line with all other buildings in this row to prevent the overshadowing of the dwellings on either side.

Developer response: Shadow diagrams and a contour plan were provided to address this matter. Adjoining gardens would be unlikely to be overshadowed by this proposal. The result of excavation and decreased elevation would be stormwater and drainage issues, requirement for a large retaining wall, limitations to disabled access. The preference is for piers with an enclosed underfloor area. The roof pitch has been lowered to be less than other dwellings to assist with overshadowing and keep in perspective.

Council comment: Council was concerned in regard to the shadows which might be cast by the proposed dwelling onto adjoining properties. Shadow diagrams provided show that the dwelling at No. 31, on the western side, will have no morning sun on the eastern wall in winter, until approximately 9.45am. As rear yards are north of the dwellings overshadowing is more likely to be impacted upon by existing fencing, vegetation and outbuildings, and not by this development. It may be that there is room for compromise here. The bulk and scale of the building, and any subsequent overshadowing of these small existing cottages, was exacerbated by the high floor level.

The roof design has taken some guidance from the provisions of the DCP. However the problem was not with the roof design than with the raised floor level.

Although not raised in the submissions, due to the height of the finished floor level, there were also concerns for privacy for Nos. 27 and 31, in that windows look directly into and over neighbouring properties. Lowering of the floor level has eased this issue.

Council's attention is drawn to the matter of *Parsonage v Ku-ring-gai* [2004] NSWLEC 347 in regards to the setting of a *Planning Principle: impact on solar access of neighbours*. The Commissioner considered the case of a refusal of a development application which sought to construct a building with a northerly aspect which would have overshadowed the neighbouring property's living areas until 11am at the winter solstice.

The judgement looked at two resource documents in setting the Planning Principle:

- AMCORD – a development should not reduce the sunlight received by the north-facing windows of living areas of neighbouring properties to less than 3 hours between 9am and 5pm at the winter solstice.
- NSW Residential Flat Design Code – applicable only to apartment buildings of 3 storeys and over, which recommends 3 hours of sunlight to the living areas of 70% between 9am and 3pm, only reducing this to 2 hours in dense urban areas.

The Code does not apply to the situation at Millthorpe. However, both documents demonstrate the practice of requiring at least 3 hours of sunlight between 9am and 3pm at the winter solstice being a general minimum requirement.

The case reinforces that sunlight should be assessed “in the context of reasonable development expectations of the proposal and the constraints imposed by the topography and the subdivision pattern.”

The appeal was upheld and consent was granted subject to conditions.

With regards to 29 Pilcher Street, Council is satisfied that there will be at least 3 hours of sunlight to No. 31 Pilcher Street between the hours of 9am and 3pm at the winter solstice. It is also noted the proposed development is anticipated to have minimal impact upon the northern elevation of neighbouring dwellings. Shadow modelling of the proposed development indicates that shadows from the proposed development will have left the northern elevation of number 31 Pilcher Street by approximately 10am and start to encroach upon the northern elevation of number 27 Pilcher Street at approximately 3pm.

Additionally 3 hours of sunlight is also shown to be achieved on the windows within the eastern elevation of 31 Pilcher Street and windows on the western elevation of number 27 Pilcher Street between 9am and 3pm during the winter solstice.

Re-notification

Upon receipt of the revised drawings the development application was then notified again from 19 May 2015 for 14 days to adjoining landowners and those who had made submissions previously.

One submission was received which did not raise any new issues. The concerns raised included a reduction in footprint, scaling of roof mass, and a proposal for a better solar passive design. These matters were discussed at a meeting with the objector, where a number of aspects of the development and Council's position were clarified. It was agreed that the shadowing alone did not warrant refusal. The proposed alternate solar passive design could not be considered as part of the assessment. Council is satisfied that lowering of the floor level will address matters relating to sunlight and privacy.

A further submission was received from this same objector, as well as a petition (8 signatures) after the end of this notification period. Both submissions reiterated concerns with regard to building footprint, roof form and building size. These matters have been assessed previously in this report.

Council's Development Engineer has assessed the survey plan and advised that vehicles will be able exit and enter the site in a forward direction.

79C (e) The public interest

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

CONCLUSION

The above assessment illustrates that the proposed development in its original form was not suitable for the site, in minimizing land use conflict with existing land uses and heritage character, to promote the development, growth and historical significance of Millthorpe in a sustainable manner.

Council's position is always to uphold their policy of conserving the existing historic character of Millthorpe through compliance with the provisions of Millthorpe Development Control Plan No. 2, whilst having regard for comments received from the community during the notification process, and also considering the rights of the private property owner to build whatever type of family home they desire.

Continued support of Council's adopted conservation DCP is essential to the retention of the unique character of Millthorpe. The DCP is a policy for controlled orderly growth where the major consideration is the conservation and enhancement of the existing environmental character of the settlement. Whilst seeking to provide an increase in social and economic opportunities within the community, Council must also consider that it is the wider community who will have to endure the consequences of its decisions.

The proposed original design was not appropriate for the site given the development simply worked off the existing ground level, with an inappropriate sub floor height.

The proposed development was redesigned to incorporate cut and fill, including a rear retaining wall that allows the finished floor level to be reduced significantly. This therefore addresses bulk and scale concerns, overshadowing and privacy impacts, at an equivalent or less construction cost, using a more appropriate design that would suit the locality.

BUDGET IMPLICATIONS

No budget implications.

POLICY IMPLICATIONS

Assessment undertaken as per legislation.

Enclosures (following report)

1	Location Plan	1 Page
2	Site Plan & Elevations	3 Pages
3	Shadow diagrams	4 Pages
4	Survey & contour plans	2 Pages
5	Conditions of consent	5 Pages

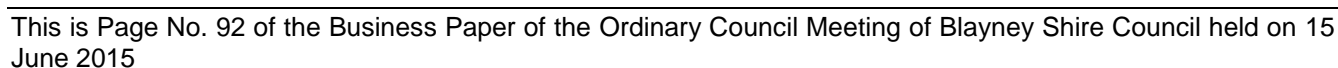
Attachments (separate document)

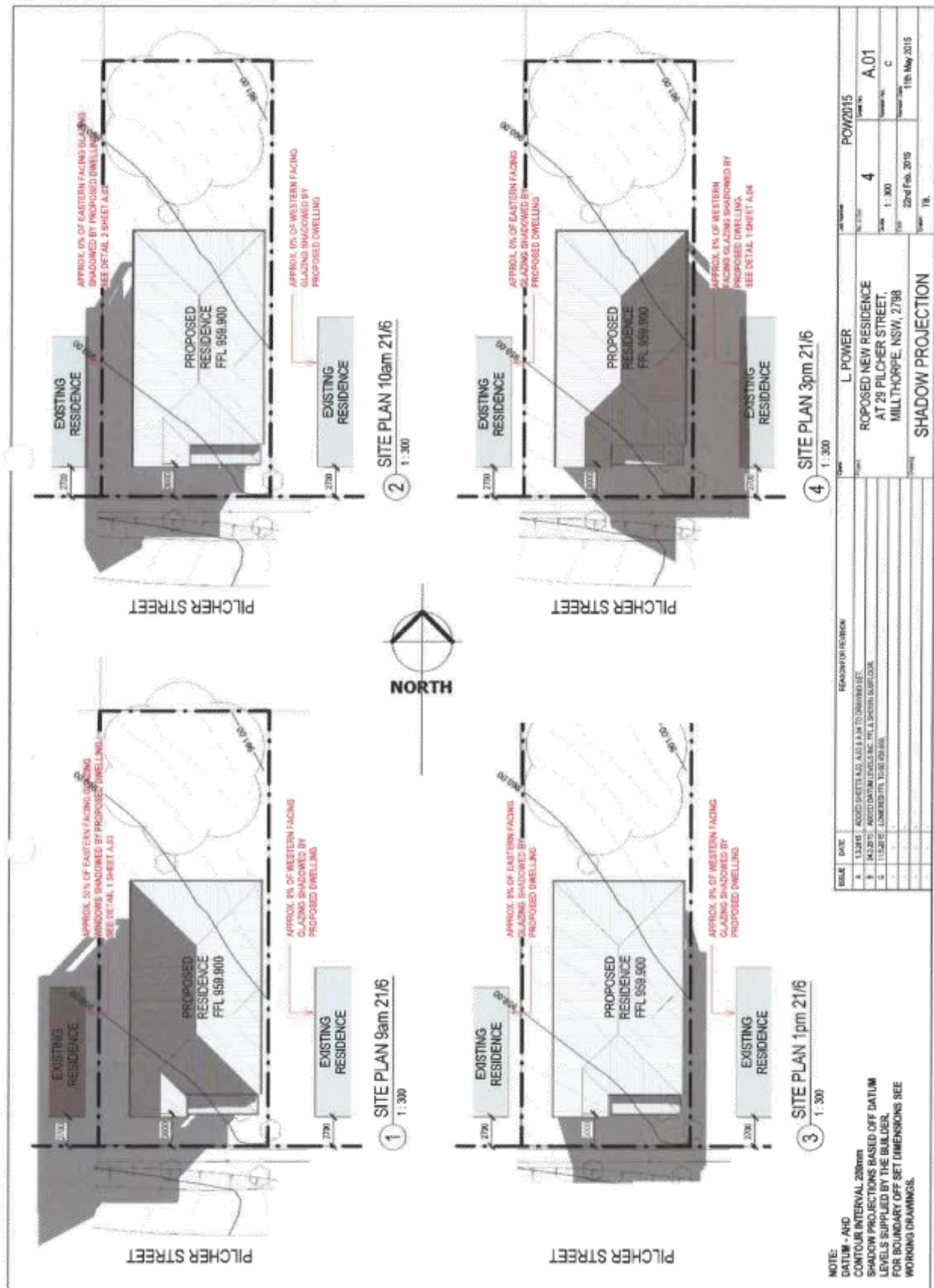
Nil

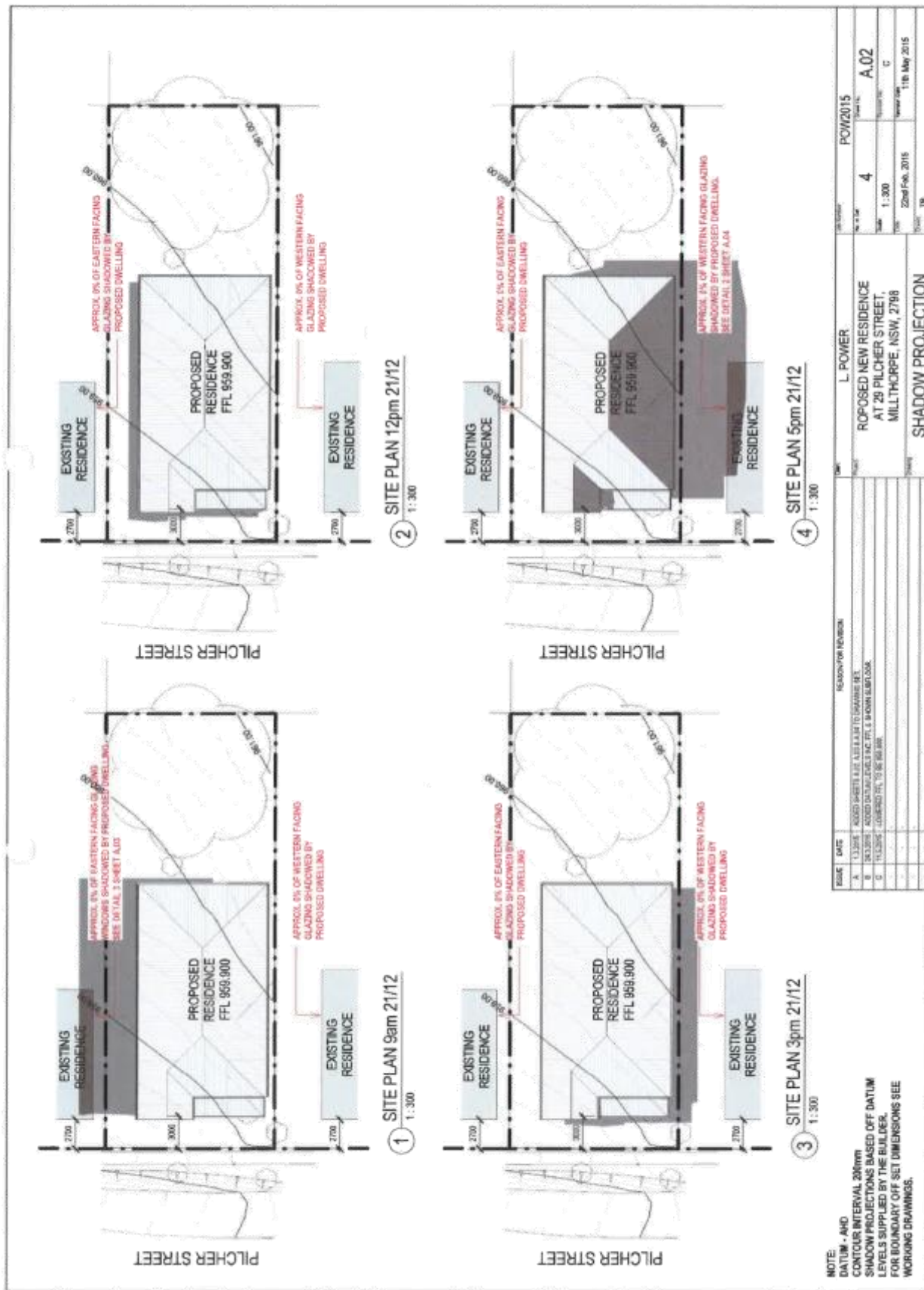


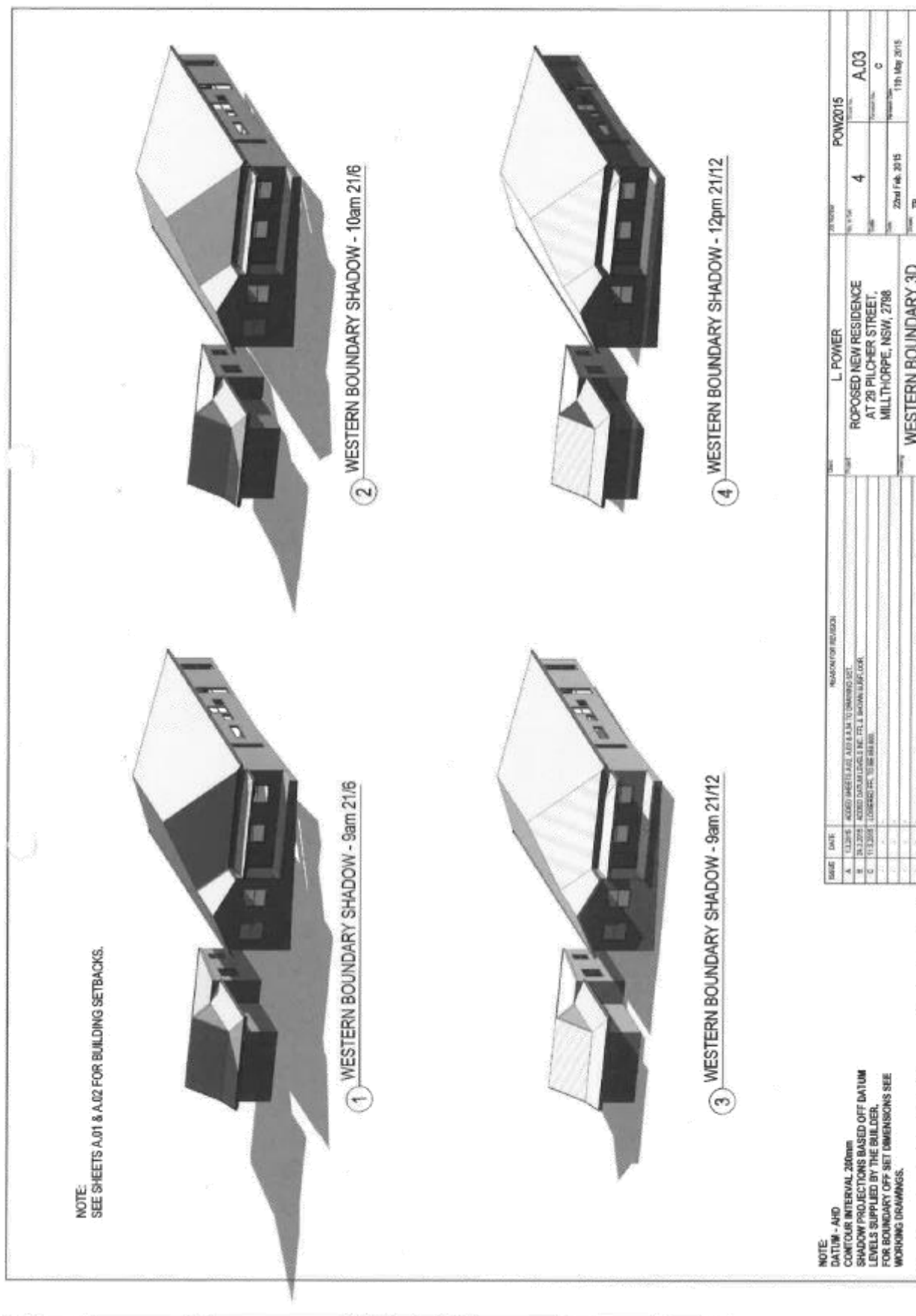
 <p>Blayney</p> <p>Blayney Shire Council PO Box 100 Blayney NSW 2790 Ph: (02) 6321 2200 Fax: (02) 6321 2200 Web: www.blayney.nsw.gov.au</p>	<p>Created By: Peter Hagan</p> <p>Prepared By: GARY J (NSW) 22</p> <p>Date: 14/04/2015</p>	<p>29 Pilcher Street, Millthorpe</p>	
	<p>© Blayney Shire Council © 2015 Department of Planning and Infrastructure, Infrastructure Services, Planning, 2790, www.blayney.nsw.gov.au While every care is taken to ensure the accuracy of this product, Blayney Shire Council and the Local / State / Federal Government, departments and non-government organisations, whom supply datasets, make no representation or warranties about its accuracy, reliability, completeness or suitability for any particular purpose and disclaim all liability (including without limitation, liability in negligence) for all losses, costs, damages (including indirect or consequential damage) and costs which you might incur as a result of the product being inaccurate or incomplete in any way and for any reason.</p>		

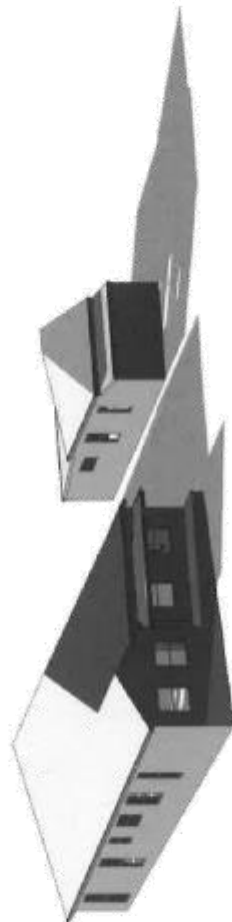
29. Pilcher St. Millthorpe





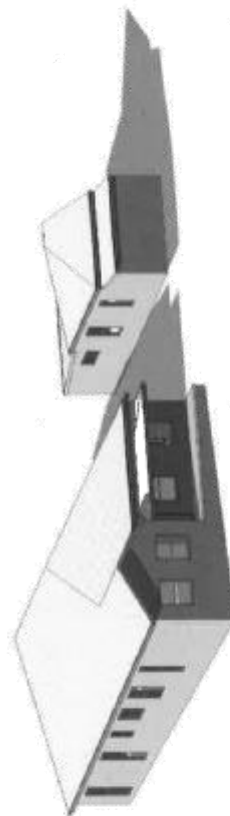






EASTERN BOUNDARY SHADOW - 30m 21/6

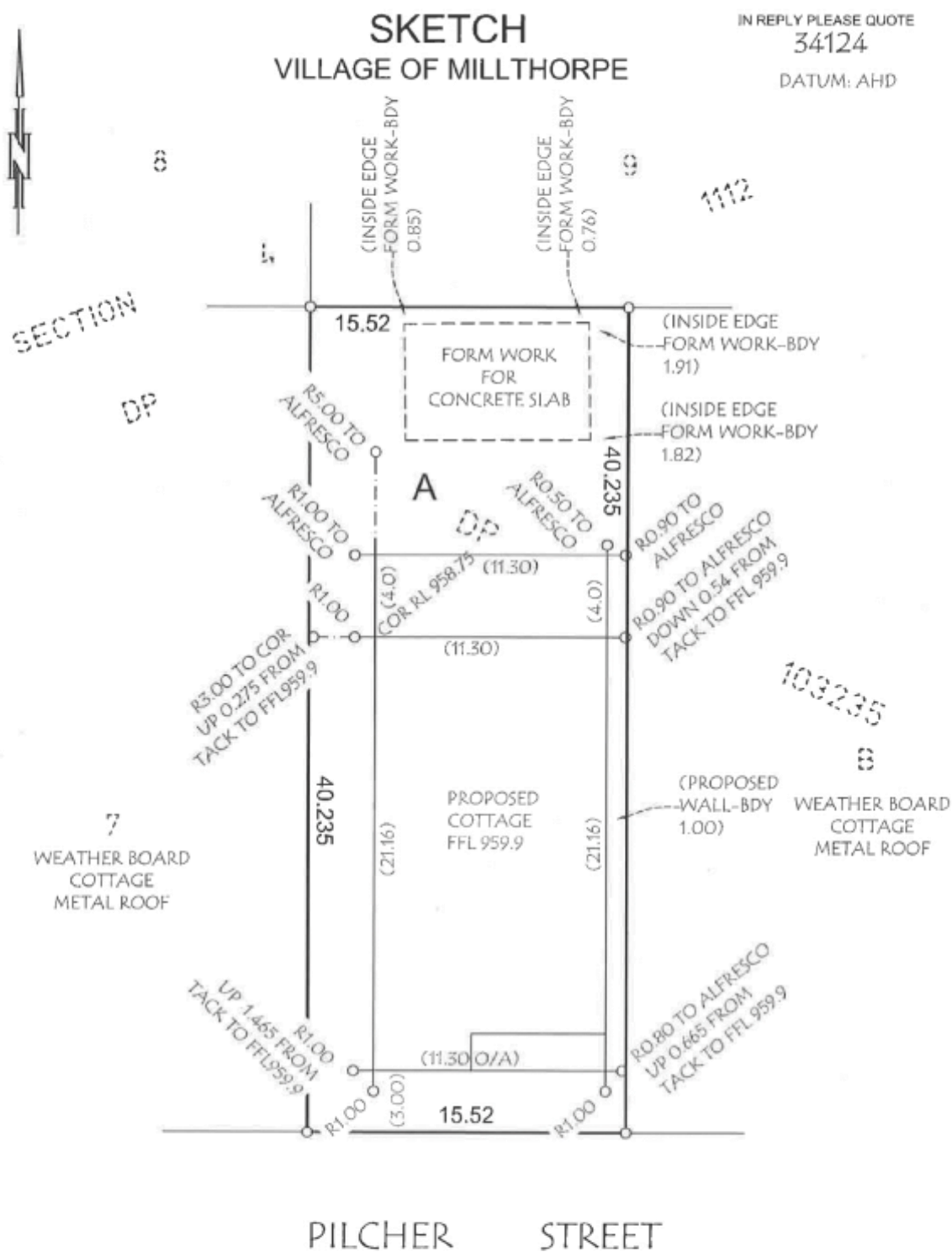
NOTE:
SEE SHEETS A.01 & A.02 FOR BUILDING SETBACKS.



EASTERN BOUNDARY SHADOW - 5pm 21/12

NOTE:
DATUM - A/D
CONTOUR INTERVAL 200mm
SHADOW PROJECTIONS BASED OFF DATUM
LEVELS SUPPLIED BY THE BUILDER.
FOR BOUNDARY OFF SET DIMENSIONS SEE
WORKING DRAWINGS.

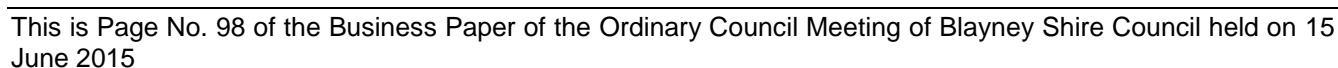
[illegible]



CARPENTER, COLLINS & CRAIG
CONSULTING SURVEYORS, ENGINEERS,
SUBDIVISION DESIGN & MANAGEMENT
64 McManara Street
P.O. Box 685, Orange, NSW 2800

Telephone: (02) 6363 1111
Facsimile: (02) 6361 3647
email: ccc@netconnect.com.au

RATIO 1:250



SCHEDULE A
CONDITIONS ISSUED WITH DEVELOPMENT APPLICATION NO. 14/2015

STATUTORY**REASON: Statutory and legislative requirements**

1. Development is to take place in accordance with the attached stamped plans (Ref No. DA 14/2015), documentation submitted with the application and subject to the conditions below, to ensure the development is consistent with Council's consent.

*Note: Any alterations to the approved development application plans must be clearly identified **WITH THE APPLICATION FOR A CONSTRUCTION CERTIFICATE**. The Principal Certifying Authority (PCA) for the project may request an application for modification of this consent or a new application in the event that changes to the approved plans are subsequently made.*

2. The building shall be constructed and maintained in accordance with the requirements of the Building Code of Australia.

3. Prior to commencement of any works, a Construction Certificate is to be obtained and where Council is not the PCA, a copy is submitted to council.

4. Prior to the occupation or use of the building an Occupation Certificate is to be obtained and where Council is not the PCA a copy is submitted to Council.

5. The developer is to provide a clearly visible sign to the site stating:

- a) Unauthorised entry to the worksite is prohibited;
- b) Street number or lot number;
- c) Principal contractor's name and licence number; or owner builders permit number;
- d) Principal contractor's contact telephone number/after-hours number;
- e) Identification of Principal Certifying Authority, together with name, address & telephone number.

Note: Any such sign is to be maintained while the building work, subdivision work or demolition work is being carried out.

6. In the case of residential building work for which the Home Building Act 1989 requires there to be a contract of insurance in force in accordance with Part 6 of the Act, evidence that such a contract of insurance is in force is to be provided by the Principal Certifying Authority before any building work authorised to be carried out by the consent commences.

7. Residential building work within the meaning of the *Home Building Act 1989* must not be carried out unless the principal certifying authority for the development to which the work relates (not being the Council) has given the Council written notice of the following information:

- a) in the case of work for which a principal contractor is required to be appointed:
 - 1. The name of the licence number of the principal contractor, and

2. The name of the insurer by which the work is insured under Part 6 of that Act,
- b) in the case of work to be done by an owner-builder:
 1. The name of the owner-builder, and
 2. The name of the owner-builder is required to hold an owner-builder permit under that Act, the number of the owner-builder permit.

If arrangements for doing the residential building work are changed while the work is in progress so that the information under this condition becomes out of date, further work must not be carried out unless the principal certifying authority for the development to which the work relates (not being the council) has given the council written notice of the updated information.

8. Toilet facilities must be available or provided at the work site before works begin and must be maintained until the works are completed at a ratio of one toilet, plus one additional toilet for every 20 persons employed at the site.

Each toilet must:

- i. be a standard flushing toilet connected to a public sewer, or
- ii. have an on-site effluent disposal system approved under the Local Government Act 1993, or
- iii. be a temporary chemical closet approved under the Local Government Act 1993.

9. The developer is to relocate, if necessary, at the developer's cost, any utility services.

10. The applicant is to submit to Council, at least two (2) days prior to the commencement of any works, a notice of commencement of building or subdivision works and Appointment of Principal Certifying Authority (PCA).

11. A Certificate of Survey prepared by a registered surveyor, setting out the boundaries of the site and the actual situation of the building on the site, must be submitted to Council to certify the building is set back from the boundaries of the allotment in accordance with the approved building plans; and such Certificate is to be submitted prior to pouring any footings or any in-situ reinforced concrete building element.

In this regard, the Survey Certificate shall also confirm that the floor level of the dwelling is in accordance with the levels on the plans approved by Council in the Development Consent.

Note: It is recommended that a registered surveyor is utilised in the setting out of the footings and/or slab.

CONSTRUCTION

REASON: Statutory and legislative requirements

12. All excavation and backfilling associated with the erection of the building must:
 - a) be executed safely and in accordance with appropriate professional standards, and
 - b) be properly guarded and protected to prevent them from being dangerous to life or property.

In this regard, a separate Construction Certificate is to be submitted to Council for the proposed retaining walls.

13. Noise generating construction activities are to be restricted to the hours of:-

- Monday to Friday 7am to 6pm
- Saturday 8am to 5pm
- Sundays and Public Holidays Nil

14. All road and inter allotment drainage is to be conveyed to the open drain located in Pilcher Street, in accordance with *WBC Guidelines for Engineering Works*.

15. The applicant is to apply for a water service to this property. This service will be at the developer's cost.

16. Plumbing work is to be carried out so that the land has a separate and distinct house drainage service connected to Council's sewer main within the boundaries of that lot, in accordance with the Local Government (Approvals) Regulation 1999.

DRAINAGE

REASON: To comply with Council's requirements to ensure the site/buildings are adequately protected from storm water.

17. The overflow for the rainwater tank is to be connected to a drainage line and conveyed to the street gutter, common drainage line or otherwise disposed of on site in accordance with Australian Standard 3500 in a manner that is not adversely affecting adjacent land.

Note 1: The rainwater tank should be maintained and protected against mosquito infestation.

Note 2: NSW Department of Health does not recommend the use of tank rainwater for drinking, showering, the washing of clothes and/or eating utensils.

Note 3: If a pump is required it must be located and operated so as not to cause a noise nuisance to adjoining properties.

18. Storm water disposal drains shall be connected to all roof gutter & down pipes following installation of the down pipes and/or the construction of hard standing areas and prior to the final inspection, as may be appropriate, to discharge roof water to the approved method of disposal.

Where kerb and gutter is constructed, an approved PVC or galvanised steel kerb adaptor (either roll over kerb adaptor or upright kerb adaptor) shall be installed in the kerb.

Two copies of a plan showing the location of the storm water disposal system are to be submitted to Council before occupation.

Note: 'Pump-out' storm water drainage systems are not acceptable.

19. All dwelling drainage and plumbing work shall be carried out in accordance with the Plumbing Code of Australia.

20. All plumbing and drainage work shall be carried out by a licensed plumber and drainer.

21. A works as executed drainage plan drawn to the scale of 1:200 is to be submitted to Council at the time of inspection.

ENVIRONMENTAL

REASON: Statutory and legislative requirements

22. Prior to the commencement of works, the applicant shall install and maintain adequate sediment and soil erosion controls in accordance with *WBC Guidelines Engineering Works*. (<http://www.blayney.local-e.nsw.gov.au/>)

21. All rubbish and debris associated with the development, including that which can be windblown, must be contained on site in a suitable container at all times. The container shall be erected on the development site prior to work commencing.

Materials, sheds or machinery to be used in association with the development must be stored and stacked wholly within the worksite unless otherwise approved by Council.

Note 1: No rubbish or debris associated with the development will be placed or permitted to be placed on any adjoining public reserve, footway or road.

Note 2: Offenders are liable for prosecution without further warning.

22. There shall be no burning of waste material, felled trees or other material on the site.

23. All the required commitments shown on the BASIX Certificate No: 578437S_02, dated 25 January 2015, and approved plans, are to be implemented prior to issue of an Occupation Certificate.

ADVICE AND NOTES

Inspection Schedule

The Principal Certifying Authority (PCA) is required to ensure all work is carried out in accordance with the consent, Building Code of Australia (BCA), and relevant standards, which is done during inspections at nominated stages of the work. The "Inspection Schedule" lists the mandatory and other required inspections that must be carried out by Blayney Shire Council during construction of the work.

As Certifying Authority, for water and sewer connections Council must undertake inspections of the various stages of construction as follows:

- a. Internal and external sanitary drainage.
- b. Slab/footing inspection when steel is laid prior to the pouring of concrete.
- c. Subfloor bearers & joists prior to laying the flooring.
- d. Frame inspection.
- e. Hot and cold water prior to internal lining.
- f. Waterproofing prior to tilling.
- g. Final/stormwater inspection at time of completion of all works.

Notice of Commencement.

Notice of commencement of building works – The attached form needs to be completed and faxed or mailed to Council at least 2 days before any work commences on the site.

Reference to the Building Code of Australia

A reference to the *Building Code of Australia* is a reference to that Code as in force on the date the application for the relevant construction certificate is made

22) LOCAL HERITAGE ASSISTANCE FUND 2014-2015

Department: Planning and Environmental Services

Author: Senior Town Planner

CSP Link: 3.3 Heritage sites in the natural and built environment are identified and understood.

File No: GS.AP.2

Recommendation:

That Council receive and note the Local Heritage Assistance Fund 2014-2015 report.

Reason for Report:

That Council receive and note the Local Heritage Fund 2014-2015 information.

Report:

Blayney Shire Council, in conjunction with the Office of Environment and Heritage (NSW Heritage Office), has continued to offer the Local Heritage Assistance Fund (LHAF).

The Blayney Local Heritage Assistance Fund was set up in 1995. Prior to this, projects in the Blayney Local Government Area (LGA) received funding via the NSW Heritage Assistance Program, run by the then NSW Department of Planning.

The aim of the program is to assist and encourage positive conservation work on places and buildings of heritage significance within the Blayney Shire Local Government Area.

Funding provides grants on a \$ for \$ basis, and has been up to the value of \$1,000 per project, with other projects as nominated on occasion by Council's Heritage Advisor for additional funding.

During the past financial year, Council has received and processed eight (8) applications seeking funding to assist positive work on places and buildings of heritage significance within the Blayney LGA, and issued grants accordingly.

Please refer to the attached schedule which outlines a summary of the grants issued during this period.

Council is about to issue an expression of interest for the 2015-2016 LHAF.

Issues:

Nil

Budget Implications:

The 2014-2015 Management Plan allocated funding for the Local Heritage Assistance Fund expenditure.

Enclosures (following report)

1 Report - Schedule

1 Page

Attachments (separate document)

Nil

Blayney Shire Council Local Heritage Fund for 2014-15 Financial Year

SUMMARY REPORT ON ALL COMPLETED PROJECTS

APPLICANT	HERITAGE ITEM ADDRESS	PROJECT DESCRIPTION	TOTAL PROJECT COST	APPLICANTS CONTRIBUTION	LOCAL HERITAGE FUNDING
Jill Cole, Carcoar Hospital Museum & Restoration Committee	Carcoar Hospital, 7 Eulamore Street, Carcoar	Replace flooring, door frames, skirting boards, plastering & painting	\$2,740.00	\$1,740.00	\$1,000.00
Mark & Catherine Yeoman	70 Adelaide Street, Blayney	Paint front facade	\$10,000.00	\$9,000.00	\$1,000.00
Millthorpe Anglican Church	52 Park Street, Millthorpe	Stormwater drainage upgrade, & access ramp	\$14,500.00	\$12,500.00	\$2,000.00 (\$1,000.00 paid)
Barry Progress Association	Barry Community Hall, Selwyn Street, Barry	Internal painting	\$930.00	\$465.00	\$465.00
Ann Harrison	Millthorpe village	Book	\$3,000.00	\$2,000.00	\$1,000.00
Peter Christie	18-20 Selwyn Street, Barry	External painting & timber repair	\$3,960.00	\$2,960.00	\$1,000.00
Vince Barbagallo	69 Adelaide Street, Blayney	Fireplace restoration	\$5,009.00	\$4,009.00	\$1,000.00
Vince Barbagallo	69 Adelaide Street, Blayney	Stormwater upgrade	\$8,000.00	\$6,000.00	\$2,000.00
		TOTAL	\$48,139.00	\$38,674.00	\$9,465.00

23) WBC ALLIANCE EXECUTIVE OFFICER REPORT

Department: Executive Services

Author: Acting EA to GM

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 May 2015 be received and noted.

Reason for Report:

Attached is a report from the WBC Alliance Executive Officer that notes the activities and actions of the Wellington, Blayney Cabonne (WBC) for the previous month.

Budget Implications:

Nil

Enclosures (following report)

1 WBC Alliance Executive Officer Report

4 Pages

Attachments (separate document)

Nil

WBC EXECUTIVE MANAGER'S REPORT

Fit for the Future:

I have been spending the bulk of my time since the last Board meeting providing support mostly to Blayney and Cabonne in their preparation for the 30 June submission of Fit for the Future.

Wellington have had consultancy firm Morrison Low preparing their response so I have been less involved there and as CTW are not required to provide a submission I haven't been providing as much service as I would normally.

We are however still seeing the benefit of the Alliance cooperation through this process as I've been able to share ideas and tools across Wellington, Blayney and Cabonne as they prepare their submissions and go to their communities. Work we have done previously has been useful and we have built up such a wealth of resources over time that have proved very useful during this process.

Some of the key activities I've been involved in include:

- 16/17 March - LG NSW FFF Bootcamp – Dubbo
- 20 March – Blayney FFF project team meeting
- 25 March – Cabonne Workshop with team
- 14 April – Cabonne team meeting
- 17 April – Blayney team meeting
- 21 April – Cabonne Councillor workshop
- 24 April – attend LG Professionals Hot Topics workshop – Sydney
- 29/30 April – co facilitator and presenter LG NSW “Regional Collaboration and Shared Services workshop” – Sydney
- 1 May – Blayney team meeting
- 5 May – Briefing to Cabonne Councillors on process
- 6 May – facilitated staff workshop Cabonne
- 13/14 May – Assist with Cabonne Community consultations process and meetings
- 15 May – IPART workshop – Dubbo
- 26 May – Cabonne Council meeting
- 29 May – Blayney project team meeting
- 3 June – Blayney peer review workshop (coordinated by Blayney GM).

Centroc, the JO and Shared Services:

I have been approached by Centroc asking if we could share some of our resources and experiences with shared services as they are currently preparing a "tool kit" for Councils on shared services. I'm not sure of the objectives of this work or what resources we have that could be useful. I have referred the matter to the General Managers at this stage and for now, with other priorities more pressing, I haven't met with them to discuss this.

Shared position – temporary arrangement:

Another great example of the benefits of the WBC arrangement recently evolved. Wellington Council have a short term need (4 months) for media and communications support services. They had approached Dubbo but the fee being proposed by them was very expensive.

Cabonne have a full time Media and Communications officer, Dale Jones who is also a Wellington resident. The General Managers of Wellington and Cabonne have negotiated a 4 month arrangement where Dale works 1 day a week for Wellington on a fee for service basis (basically its cost recovery for Dale cost plus a 10% administration fee which is the agreement for such arrangements between the WBC partners).

Dale commenced on 15 May at Wellington and feedback so far is that the arrangement is working very well.

Operator Workshop

On 31 March we arranged a plant operator workshop as a way of engaging some the outdoor staff and sharing ideas and practices. Cabonne hosted the day in Cudal with a focus on road compaction techniques and analysis as well as grader navigation technology. We had 12 participants who spent the morning on "theory" and after a BBQ lunch to provide time for networking and yarning the guys went on site for some practical demonstrations.

The staff that attended have provided good feedback on the day and we hope to arrange another similar event in a couple of months. Thanks to Bob Cohen, Mick Fitzgerald and Kath Coughlin from Cabonne for organising the day.



Nomination for Award

We nominated the Alliance in this year's LG Professionals Excellence awards in the category of "Partnerships for Growth". The Awards dinner was held in Sydney on the 23 April and the General Managers of CTW and Blayney, the Chairman CTW and myself attended. Whilst we did not win the Award this year it was a good experience and highlighted to us the great work the broader local government sector is involved in.



Presentation at the LG NSW Regional Collaboration and Shared Services Workshop.

As previously reported I was asked to co-facilitate and present at this forum held in Sydney on 29/30 April. About 60 people attended the two day event and it was a privilege to present a case study of the alliance and also the work we have done on Shared Services research and development. The attendees were very interested in our model and our successes.

It did demonstrate to me that shared services is being discussed extensively across the sector as a future strategy to strengthen the sustainability of councils. We have known for some time that there are opportunities in this area and the work we have done on models etc is very valuable work. This work should be cited in the member councils submissions as it is a real strength for the future. Whilst there is some discussion about JO's "getting into shared services" there is equally some concern about how that would operate and if these new organisations will be the best platform for delivery of services.

Whatever the future holds for the individual councils and the Alliance the research and development we have done in this area has been so worthwhile and I have no doubt that there are many people in the sector and broader who recognise us as leaders in this space. Something to be particularly proud of.

Future of the WBC Alliance

The WBC Board meeting is scheduled for Thursday 11 June. As part of the response to Fit for the Future Wellington Council have advised they will be withdrawing from the Alliance effective 31 December 2015. This means that the 1/3rd of funding provided by Wellington to support the WBC Executive Manager costs and other Alliance costs will cease. The Board will be discussing this at their Board meeting and making recommendations back to their councils on future options.

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.

24) TENDER FOR CONDITION ASSESSMENT OF SEWER AND STORMWATER MAINS USING CCTV - CENTROC

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.

25) TENDER FOR CONDITION ASSESSMENT OF SEWER SERVICE LINES USING SMOKE TESTING - CENTROC

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.

26) GENERAL MANAGERS INTERIM HALF YEARLY PERFORMANCE REVIEW

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.