

# Blayney Shire Council



8 September 2014

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 Tuesday, 16 September 2014 at 6.00pm for consideration of the following business -

- (1) Acknowledgement of Country
- (2) Recording of Meeting Statement
- (3) Apologies for non-attendance
- (4) Confirmation of Minutes - Ordinary Council Meeting held on 11.08.14
- (5) Matters arising from Minutes
- (6) Disclosures of Interest
- (7) Public Forum
- (8) Mayoral Minute
- (9) Notices of Motion
- (10) Reports of Staff
  - (a) General Manager
  - (b) Corporate Services
  - (c) Engineering Services
  - (d) Environmental Services
- (11) Committee Reports
- (12) Delegates Reports
- (13) Questions from Councillors
- (14) Closed Meeting

Yours faithfully

Alan McCormack  
**ACTING GENERAL MANAGER**

## **MEETING CALENDAR**

### **September**

Time	Date	Meeting	Location
4.00 pm	23 September 2014	Local Emergency Management Committee	Community Centre

### **October**

Time	Date	Meeting	Location
10.30 am	8 October 2014	Central Tablelands Water	Blayney
5.00 pm	9 October 2014	Economic Development Committee	Community Centre
6.00 pm	13 October 2014	Ordinary Council Meeting	Community Centre
9.00 am	15 October 2014	Audit Committee	Community Centre
10.00 am	17 October 2014	Traffic Committee Meeting	Community Centre
10.00 am	30 October 2014	GMAC	Orange

### **November**

Time	Date	Meeting	Location
	7 November 2014	Association of Mining Related Councils	Cessnock
6.00 pm	10 November 2014	Ordinary Council Meeting	Community Centre
5.00 pm	13 November 2014	Cemetery Forum Committee	Community Centre
6.30 pm	13 November 2014	Cemetery Forum Committee	Community Centre
4.00 pm	18 November 2014	Local Emergency Management Committee	Community Centre
5.30 pm	20 November 2014	Sports Council	Community Centre
10.00 am	27 November 2014	Centroc Board	Blayney

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**HELD ON TUESDAY 16 SEPTEMBER 2014**

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**MAYORAL MINUTES**  
**PRESENTED TO THE BLAYNEY SHIRE COUNCIL**  
**MEETING HELD ON TUESDAY, 16 SEPTEMBER 2014**



01)            **EXTRAORDINARY COUNCIL MEETING**  
(Mayor)

**RECOMMENDED:**

1. That an Extraordinary Meeting to interview short listed candidates for the position of General Manager be held on 20 September 2014.
2. That this Mayoral minute be noted.

**REPORT:**

Applications for the position of General Manager closed on 5 September 2014.

Council nominated a panel comprising the Mayor, Deputy Mayor, Cr Braddon and Cr Radburn to review the applications and prepare a short list of candidates for interview.

That panel has met and determined the short list. The candidates chosen will all be interviewed on 20 September 2014 at an Extraordinary Meeting of Council. Details of the candidates chosen will be forwarded to all Councillors.

**Attachments**

Nil

**GENERAL MANAGER'S REPORTS**  
**PRESENTED TO THE BLAYNEY SHIRE COUNCIL**  
**MEETING HELD ON TUESDAY, 16 SEPTEMBER 2014**



02) **ELECTION OF MAYOR**  
(Acting General Manager)

**RECOMMENDED:**

1. That Council accept the nomination(s) for position of Mayor;  
and
2. That if more than one nomination is received for the position of Mayor, the method of voting is by open means (such as on voices or show of hands).

**REPORT**

In accordance with Section 225 and 290 Local Government Act 1993, Council is required to elect a Mayor. This election is required to be held annually in September. Councillors have been advised by letter of the election of Mayor procedure and the invitation to nominate.

Under Councils Code of Meeting Practice Clause 14.5 – Open Voting at Council excepting Elections states:

- (5) *Voting at a council meeting, including voting in an election at such meeting, is to be by open means (such as on the voices or by show of hands). However the council may resolve that the voting in any election by councillors for mayor or deputy mayor is by secret ballot. (Regulation 251(5)).*

Should Council require a secret ballot then Part 11 of this Regulation provides that a Council is to resolve whether an election by the Councillors for Mayor or Deputy Mayor is to be by preferential ballot, or ordinary ballot (clause 394 and clause 3 of Schedule 7).

**BUDGET IMPLICATIONS**

Nil effect.

**POLICY IMPLICATIONS**

Nil effect.

**IP&R LINK**

DP 6.1.1 Councillors to exhibit leadership on Council and participate in committees and community organisations.

DP 6.3.1 Provide a framework for the efficient and effective administration of Council.

**Attachments**

1 Regulations 4 Pages

03) **ELECTION OF DEPUTY MAYOR**  
(Acting General Manager)

**RECOMMENDED:**

1. That Council elect a Deputy Mayor for the forthcoming Mayoral term.
2. That Council accept the nomination(s) for position of Deputy Mayor; and
3. That if more than one nomination is received for the position of Deputy Mayor, the method of voting is by open means (such as on voices or show of hands).

**REPORT**

In accordance with Section 231 Local Government Act 1993, Council may elect a Deputy Mayor. This election is required to be held annually in September. Councillors have been advised by letter of the election of Deputy Mayor procedure and the invitation to nominate.

Under Council's Code of Meeting Practice Clause 14.5 – Open Voting at Council excepting Elections states:

- (5) *Voting at a council meeting, including voting in an election at such meeting is to be by open means (such as on the voices or by show of hands). However the council may resolve that the voting in any election by councillors for mayor or deputy mayor is by secret ballot. (Regulation 251(5)).*

Should council require a secret ballot then Part 11 of this Regulation provides that a council is to resolve whether an election by the Councillors for Mayor or Deputy Mayor is to be by preferential ballot, or ordinary ballot (clause 394 and clause 3 of Schedule 7).

**BUDGET IMPLICATIONS**

Nil effect.

**POLICY IMPLICATIONS**

Nil effect.

**IP&R LINK**

DP 6.1.1 Councillors to exhibit leadership on Council and participate in committees and community organisations.

DP 6.3.1 Provide a framework for the efficient and effective administration of Council.

**Attachments**

Nil

04) **MEETING DATES AND TIMES FOR ORDINARY MEETING OF COUNCIL FOR THE FOLLOWING 12 MONTHS**  
(Acting General Manager)

**RECOMMENDED:**

1. That the dates meeting dates and times for Ordinary Meetings of Council for the next 12 months be adopted.

**REPORT**

As outlined in the Local Government Act, Section 365, and Council's Code of Meeting Practice, Council is required to consider and set the meeting dates and times for Ordinary meetings of Council for the forthcoming 12 month period.

Accordingly, the following dates and times are recommended for Ordinary Meetings of Council over the following 12 month period:

Monday 13 October 2014

Monday 10 November 2014

Monday 8 December 2014

Monday 9 February 2015

Monday 9 March 2015

Monday 13 April 2015

Monday 11 May 2015

Monday 15 June 2015 (Queens Birthday holiday is Monday 8 June 2015)

Monday 13 July 2015

Monday 10 August 2015

Monday 14 September 2015.

Ordinary Meetings of Council commence at 6.00 pm in the Council Chambers, Blayney Shire Community Centre, 44 Church Street, Blayney.

**BUDGET IMPLICATIONS**

Nil effect.

**POLICY IMPLICATIONS**

As per Section 365 of the Local Government Act and Council's Code of Meeting Practice, Council is required to determine the meeting dates for ordinary meetings of Council for the forthcoming 12 month period.

**IP&R LINK**

- DP 6.1.1 Councillors to exhibit leadership on Council and participate in committees and community organisations.
- DP 6.2.1 Identify and engage with Shire Community Groups.
- DP 6.2.3 Develop communications between Councillors and the community to provide community opinion.
- DP 6.3.1 Provide framework for the efficient and effective administration of Council.

**Attachments**

Nil

05) **NSW STATE ELECTION 2015**  
(Acting General Manager)

**RECOMMENDED:**

1. That a list of priorities be determined and researched in order to present to candidates in the next State Election.

**REPORT**

The NSW State Election will be held in March 2015. It is proposed that Council determine a list of priorities to put before all candidates. Staff will then research and format those presentations.

Should Councillors agree to this approach the final list can be determined next meeting.

Some suggestions are:

- Neville Road
- Blayney/Demondrille Rail Line
- Future of Blayney Shire (following Independent Review Panel report).
- Security of mine rates collected.
- Upgrading of road to Sealink site.
- Roundabout Adelaide/Martha Street
- Planning for Blayney Heavy Vehicle traffic relief route.

**BUDGET IMPLICATIONS**

Negligible.

**POLICY IMPLICATIONS**

Nil.

**IP&R LINK**

DP 6.3.1 Provide a framework for the efficient and effective administration of Council.

**Attachments**

Nil

06) **COMMUNITY INFRASTRUCTURE POLICY**  
(Acting General Manager)

**RECOMMENDED:**

1. That Council adopt a new policy called the Community Infrastructure Policy.

**REPORT**

It is proposed that Council introduce a policy for dealing with applications by organisations and community groups in relation to the construction of new assets or renewal of assets on Council owned or controlled land. The policy will not cover routine maintenance of assets and amenities which are the responsibility of the community or sporting group.

In view of the administrative time and costs involved only eligible projects with a total cost exceeding \$2,000 GST exclusive will be considered under the policy.

This policy will permit the burden of the goods and services tax (GST) to be carried and claimed by Council if strict conditions are met.

Council will give preference to projects that are in accord with the priorities established under the Integrated Planning and Reporting process.

This policy will cease to operate if there are changes to the GST law which prevent Council from carrying out the steps required under the policy.

**BUDGET IMPLICATIONS**

Negligible effect on budget.

**POLICY IMPLICATIONS**

This is a proposed new policy.

**IP&R LINK**

DP 2.2.1 Encourage active participation in sport.

DP 4.1.13 Maintain and improve Council owned building assets.

**Attachments**

1 Community Infrastructure Projects Policy 3 Pages

07) **MEASURING COUNCIL PERFORMANCE**  
(Acting General Manager)

**RECOMMENDED:**

1. That the information provided by the Division of Local Government be noted.

**REPORT**

The Division of Local Government produces annually comparisons between NSW Councils. The report seeks to compare Councils with similar Councils. For example Blayney is in a group which also comprises, amongst others, Oberon, Wellington, Upper Lachlan and Forbes. This comparison is for the 2012/2013 year.

The attachments are taken directly from the report (and are not of the highest quality).

For the most part Council is performing well by comparison.

General Managers have been asked to bring the report to the attention of Councillors and staff.

**BUDGET IMPLICATIONS**

Nil.

**POLICY IMPLICATIONS**

Nil.

**IP&R LINK**

DP 6.3.1 Provide a framework for the efficient and effective administration of Council.

**Attachments**

- 1 Performance Monitoring Report 4 Pages

**08) CENTROC MEETING**  
(Acting General Manager)

**RECOMMENDED:**

1. That this report be noted.
2. That Mr John Cobb be thanked for facilitating the discussions with Parliamentary representatives.

**REPORT**

Cr Somerville, representing Central Tablelands Water, and I attended the regular meeting of Centroc which was held on 26 August 2014 at Parliament House, Canberra.

The Local Federal Member, Mr John Cobb, facilitated the meeting.

As well as conducting the regular meeting, Centroc was addressed by, and had the opportunity to raise questions to, Local Members John Cobb (Calare), Mark Coulton (Parkes) and Angus Taylor (Hume), Ian Macfarlane (Minister for Industry), Barnaby Joyce (Minister for Agriculture), Paul Fletcher (Parliamentary Secretary Communications) and Warren Truss (Deputy Prime Minister).

Centroc has specific projects to raise, viz

- Ongoing commitment to Bells Line of Road.
- Ongoing commitment to the Inland Rail project.
- An aviation strategy for Central NSW.
- Funding for securing urban water.
- Medicare locals and support for Beyond the Range Programme.
- Mobile Phone Blackspot Programme.
- Growing the economy of the Region.
- Future of Regional Development Australia (RDA).

The Parliamentary Representatives did supply information of relevance i.e.

**1. Blackspots on Roads**

The allocation for Blackspots has been doubled and is not limited to 5 per Council.

**2. Road to Recovery (R2R)**

Will continue and be doubled.

**3. Federal Assistance Grants**

Quantum is the responsibility of the Federal Government, individual allocations are the responsibility of States.

**4. Inland Rail**

\$300m has been provided for the Inland Rail.

**5. RDAs**

The role of RDAs will change from assessment of applications to assisting with applications, particularly for smaller communities.

**6. Blackspots Mobile Phones**

\$100m has been made available to remove blackspots.

The Centroc representatives were pleased with the opportunities presented on the day.

**BUDGET IMPLICATIONS**

Nil effect.

**POLICY IMPLICATIONS**

Nil effect.

**IP&R LINK**

DP 6.1.2 Promote resource sharing and collaboration with regional organisations.

**Attachments**

Nil

09) **COUNCIL CHRISTMAS SHUTDOWN**  
(Acting General Manager)

**RECOMMENDED:**

1. That Council approve the Christmas Shutdown and notification is prepared for media outlets and Council's electronic media.

**REPORT**

Council's determination is requested to allow Council Offices and the Depot to close for the Christmas Shutdown period commencing at 12.00 noon on Friday 19 December 2014, with employees returning to work on Monday 5 January 2015. An outdoor staff skeleton crew will be working during the Christmas/New Year period to ensure that Council is able to respond to any urgent situation over this period. The closure days include Monday 22, Tuesday 23, Wednesday 24, Monday 29, Tuesday 30 and Wednesday 31 December 2014 and 2 January 2015.

As has been the practice in previous years the emergency numbers, as detailed below, will be advertised in the local press, on Council's web page, electronic media and on the front doors of Council's office during the month of December.

Emergency Contact Numbers:

Ranger	0407 295 604
Engineering/Roads	0409 307 041
Sewerage	0428 287 509

**BUDGET IMPLICATIONS**

Costs associated with public holidays will be borne by budget approved in Council's Operational Plan and staff taking annual and other leave entitlements.

**POLICY IMPLICATIONS**

Nil.

**IP&R LINK**

DP 6.3.1 Provide a framework for the efficient and effective administration of Council.

**Attachments**

Nil

**CORPORATE SERVICES REPORTS**  
**PRESENTED TO THE BLAYNEY SHIRE COUNCIL**  
**MEETING HELD ON TUESDAY, 16 SEPTEMBER 2014**



10) **REPORT OF COUNCIL INVESTMENTS AS AT 31 AUGUST 2014**  
 (Manager Financial Services)

**RECOMMENDED:**

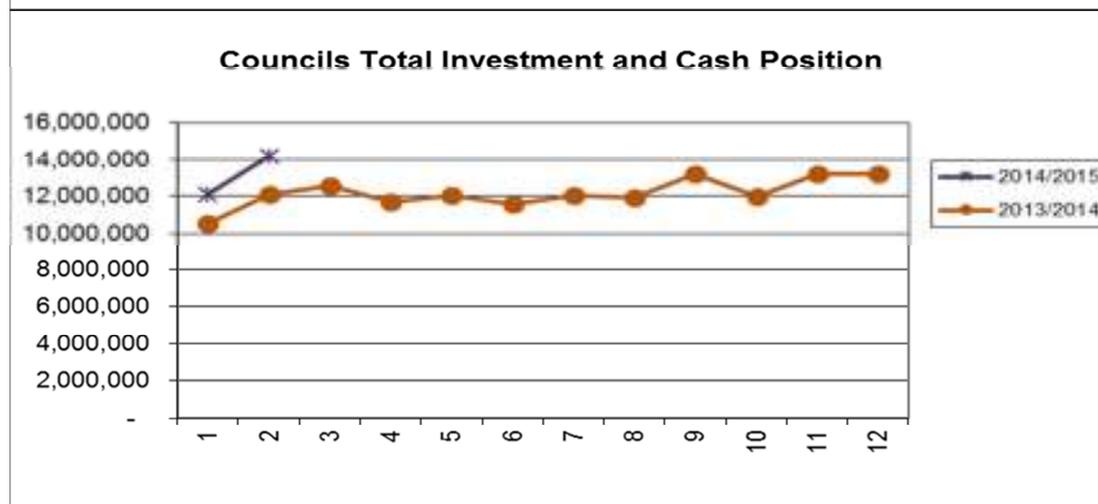
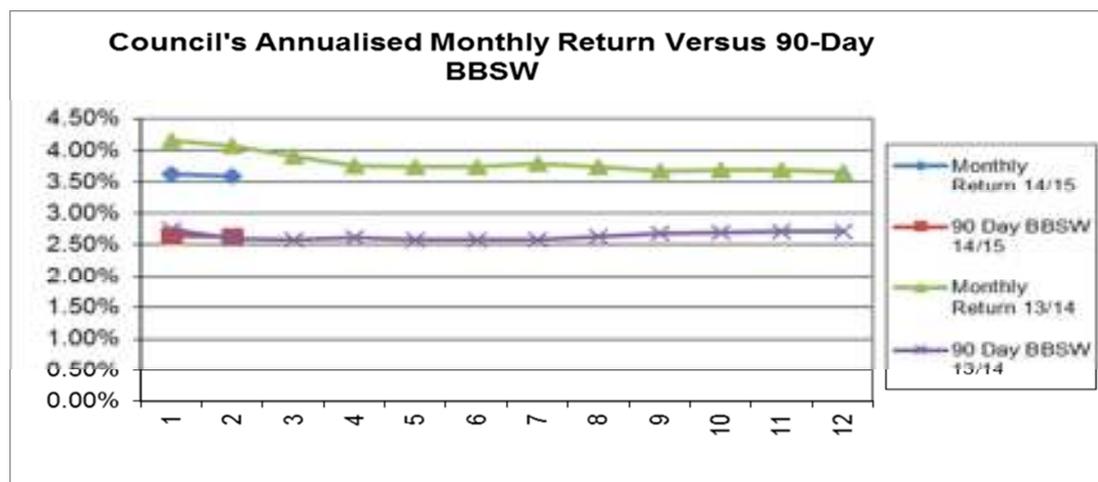
1. That the report indicating Council’s investment position as at 31 August 2014 be received and noted.
2. That the certification of the Responsible Accounting Officer be noted and the report be adopted.

**REPORT**

This report provides details of Council’s Investment Portfolio as at 31 August 2014.

Council’s total investment and cash position as at 31 August 2014 is \$14,178,077.53. Investments earned interest of \$37,255.54 for the month of August 2014.

Council’s monthly net return on Term Deposits annualised for August of 3.60% outperformed the 90 day Bank Bill Swap Rate of 2.63%.



**REGISTER OF INVESTMENTS AND CASH AS AT 31 AUGUST 2014**

Institution	Maturity	Amount \$	Monthly Net Return Annualised
<b><u>Term Deposits</u></b>			
NAB	9/09/2014	500,000.00	3.82%
Bankstown City Credit Union	9/09/2014	500,000.00	3.75%
ME Bank	1/09/2015	500,000.00	3.50%
Bank of Queensland	29/06/2015	500,000.00	3.50%
Railways Credit Union	16/12/2014	500,000.00	3.56%
Westpac Bank	21/10/2014	500,000.00	3.65%
Gateway Credit Union	9/09/2014	500,000.00	3.46%
B & E Ltd	9/09/2014	500,000.00	3.50%
ING	4/11/2014	500,000.00	3.64%
Peoples Choice Credit Union	25/11/2014	500,000.00	3.52%
Bendigo & Adelaide Bank	18/11/2014	500,000.00	3.35%
Wide Bay Australia Ltd	6/01/2015	500,000.00	3.60%
Goldfields Money Ltd	9/10/2014	500,000.00	3.50%
AMP Bank Limited	6/01/2015	500,000.00	3.50%
Beyond Bank Australia	18/11/2014	500,000.00	3.47%
Macquarie Bank	2/09/2014	500,000.00	3.50%
Bananacoast Credit Union	18/11/2014	500,000.00	3.70%
Bank of Sydney	5/02/2015	500,000.00	3.70%
Rural Bank	2/09/2014	500,000.00	3.70%
Mystate Financial Credit Union	2/09/2014	500,000.00	3.70%
WAW Credit Union	7/10/2014	500,000.00	3.60%
Police Credit Union	16/12/2014	500,000.00	3.65%
<b>Total Investments</b>		<b>11,000,000.00</b>	<b>3.59%</b>
Benchmark: BBSW 90 Day Index			2.63%
Commonwealth Bank - At Call Account		203,164.09	2.70%*
Commonwealth Bank Balance - General		2,974,913.44**	2.45%*
<b>TOTAL INVESTMENTS &amp; CASH</b>		<b>14,178,077.53</b>	

\* % Interest rates as at 31/08/2014

\*\* Higher cash held at 31/08/2014 due to large volumes of rates payments made in late August (first instalment due date).

<b>Summary of Investment Movements - August</b>		
Financial Institution	Invst/(Recall) Amount \$	Commentary
<b><u>Term Deposits</u></b>		
Australian Defence Credit Union	(508,850.68)	Term Deposit Matured 05/08/2014
Bank of Sydney	500,000.00	Term Deposit Invested 06/08/2014
Bank of Queensland	(509,100.00)	Term Deposit Matured 12/08/2014
ME Bank	(508,975.34)	Term Deposit Matured 26/08/2014
ME Bank	500,000.00	Term Deposit Reinvested 26/08/2014
Investec Bank	(509,623.56)	Term Deposit Matured 26/08/2014
Bank of Queensland	500,000.00	Term Deposit Invested 27/08/2014

<b><u>RESTRICTED CASH, CASH EQUIVALENTS &amp; INVESTMENTS</u></b>	
	\$ 000's
External Restrictions - Sewer	4,416
External Restrictions - Other	2,459
	<b>6,875</b>
Internal Cash Restrictions	6,306
Available Working Capital	997
	<b>7,303</b>
<b>TOTAL CASH &amp; INVESTMENTS</b>	<b>14,178</b>
* Restrictions represent balance as at 1 July 2014	

**CERTIFICATION – RESPONSIBLE ACCOUNTING OFFICER**

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

**BUDGET IMPLICATIONS**

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

**POLICY IMPLICATIONS**

Nil effect.

**IP&R LINK**

DP6.3.2 Maintain a stable and secure financial structure for Council.

**Attachments**

Nil

11) **PAYMENT OF EXPENSES AND THE PROVISION OF FACILITIES TO THE MAYOR AND COUNCILLORS POLICY**  
(Director Corporate Services)

**RECOMMENDED:**

1. That the payment of Expenses and the Provision of Facilities to the Mayor and Councillors policy be adopted and included in Council's policy register.

**REPORT**

Following Council's July Ordinary Meeting, Council's Draft Payment of Expenses and the Provision of Facilities to the Mayor and Councillors Policy was placed on public exhibition and the public were invited to make submissions.

At the close of the exhibition period Council had not received any submissions in relation to this policy.

The policy was tabled for consideration as part of its statutory obligation to adopt a policy concerning expenses and facilities on an annual basis pursuant to section 253 of the Local Government Act 1993. Upon adoption Council must submit its policy with the Council resolution with any submissions to the Office of Local Government.

A copy of the Draft Payment of Expenses and the Provision of Facilities to the Mayor and Councillors Policy has been provided as an attachment to this business paper.

**BUDGET IMPLICATIONS**

Nil effect.

**POLICY IMPLICATIONS**

As outlined above.

**IP&R LINK**

DP 6.3.1 Provide a framework for the efficient and effective administration of Council.

**Attachments**

1	Payment of Expenses and the Provision of Facilities to the Mayor and Councillors Policy	14 Pages
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12) **QUARTERLY PERFORMANCE REPORT - JUNE 2014**  
(Director Corporate Services)

**RECOMMENDED:**

1. That the Quarterly Review of Council's 2013/2014 Operational Plan as at 30 June 2014 be noted.

**REPORT**

Under S.404(5) of the Local Government Act Council is required to report on progress of its Delivery Program including the Operational Plan. The Operational Plan identifies the specific actions to be completed in 2013/2014 under each of the four year objectives expressed in the delivery program. It comprises actions with performance measures and budget required to achieve these.

The purpose of the quarterly review of the Operational Plan performance measures is to inform Councillors of Council's progress to achieve the specific actions planned. This report also allows members of the community to form their own assessment of Council's performance.

Reporting to Council of its financial performance is the subject of a separate report on the Audited Financial Statements.

Following this report is the update of those performance targets set out in the 2013/2014 Operational Plan covering the June 2014 quarter. In the case of the fourth quarter review, this information obviously refers to the actual position.

**BUDGET IMPLICATIONS**

Nil.

**POLICY IMPLICATIONS**

Nil.

**IP&R LINK**

DP 6.3.2 Maintain a stable and secure financial structure for Council.

**Attachments**

1 Quarterly Performance Report 25 Pages

**13) 2013/2014 FINANCIAL STATEMENTS**  
(Manager Financial Services)

**RECOMMENDED:**

1. That Council adopt the 2013/2014 Financial Statements and accept the Auditor's Report, as submitted by Intentus Chartered Accountants.
2. That the 2013/2014 transfers to and from Council's internally restricted cash be adopted.

**REPORT**

Section 413(3) of the Local Government Act 1993, requires Council to prepare Financial Reports and refer those reports to audit within four (4) months after the end of the financial year (s416 (1)). On completion, section 419 of the Act requires Council to present its audited financial statements, together with the signed auditor's reports, at a meeting of the council. The date of the above meeting must be no more than five (5) weeks after the signing of the auditor's report.

For the 2014 financial year Council has presented a net operating result of \$306,000, with a net operating result before the inclusion of grants and contributions for capital purposes of (\$2,035,000).

After the exclusion of non-cash items incorporated into the income statement there is a cash surplus from operating activities of \$5,263,000. This operating cash surplus contributed to funding Council's capital works program for the year, with the remainder of the required funding coming from the proceeds from asset sales and Council's reserves.

Council expended \$4,708,000 on non-financial assets throughout the year. A large amount of this was spent on improving Council's road infrastructure and ongoing expenditure on plant and fleet replacement.

A copy of the Auditors report for the 2013/2014 Financial Statements is included as an attachment.

**Income Statement for the financial year ended 30 June 2014**

	Actual 2014 \$ '000	Actual 2013 \$ '000
<b>Income from Continuing Operations</b>		
Rates & Annual Charges	7,796	7,457
User Charges & Fees	2,018	1,425
Interest & Investment Revenue	480	482
Other Revenues	213	227
Grants & Contributions provided for Operating Purposes	2,076	3,815
Grants & Contributions provided for Capital Purposes	2,341	1,636
Net Gains from Disposal of Assets	283	-
<b>Total Income from Continuing Operations</b>	<b>15,207</b>	<b>15,042</b>

**Expenses from Continuing Operations**

Employee Benefits & On-Costs	4,920	4,951
Borrowing Costs	172	155
Materials & Contracts	3,026	3,357
Depreciation & Amortisation	4,718	4,627
Other Expenses	2,065	1,843
Net Losses from the Disposal of Assets	-	24
<b>Total Expenses from Continuing Operations</b>	<b>14,901</b>	<b>14,957</b>

**Operating Result for the Year****306**      **85****Net Operating Result for the year before Grants & Contributions provided for Capital Purposes****(2,035)**      **(1,551)****Balance Sheet as at 30 June 2014**

	<b>Actual 2014</b>	<b>Actual 2013</b>
	<b>\$ '000</b>	<b>\$ '000</b>
<b>Current Assets</b>		
Cash & Cash Equivalents	2,181	4,144
Investments	11,000	7,233
Receivables	772	642
Inventories	768	900
Other	18	149
<b>Total Current Assets</b>	<b>14,739</b>	<b>13,068</b>
<b>Non-Current Assets</b>		
Investments	-	-
Receivables	32	61
Inventories	-	-
Property, Plant & Equipment	184,665	184,173
Intangible Assets	281	263
<b>Total Non-Current Assets</b>	<b>184,978</b>	<b>184,497</b>
<b>Total Assets</b>	<b>199,717</b>	<b>197,565</b>
<b>Current Liabilities</b>		
Payables	963	641
Borrowings	183	98
Provisions	1,812	1,233
<b>Total Current Liabilities</b>	<b>2,958</b>	<b>1,972</b>
<b>Non-Current Liabilities</b>		
Payables	113	123
Borrowings	2,506	1,710
Provisions	52	506
<b>Total Non-Current Liabilities</b>	<b>2,671</b>	<b>2,339</b>
<b>Total Liabilities</b>	<b>5,629</b>	<b>4,311</b>

<b>Net Assets</b>	<b>194,088</b>	<b>193,254</b>
<b>Equity</b>		
Retained Earnings	60,889	60,583
Asset Revaluation Reserve	133,199	132,671
<b>Total Equity</b>	<b>194,088</b>	<b>193,254</b>

### Performance Indicators

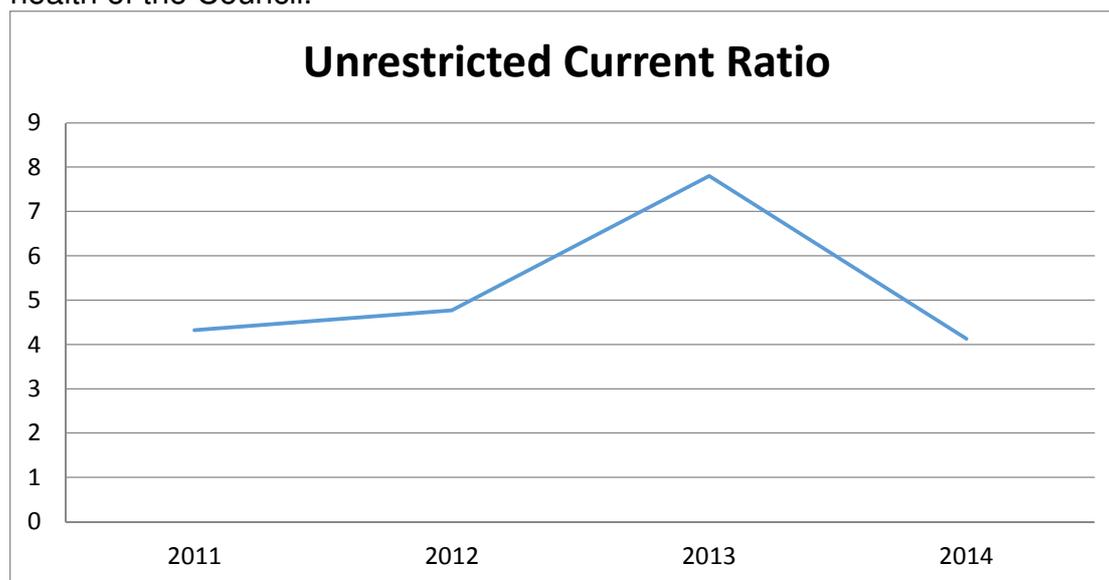
These indicators are intended to be indicative of the financial health and presence of good business management practices being conducted at Council.

#### 1. Unrestricted Current Ratio

2013/14 Result: 4.13

Accepted industry benchmark: >2.0

This ratio demonstrates the ability of Council to satisfy its financial obligations in the short term. The higher the ratio the stronger the short-term financial health of the Council.

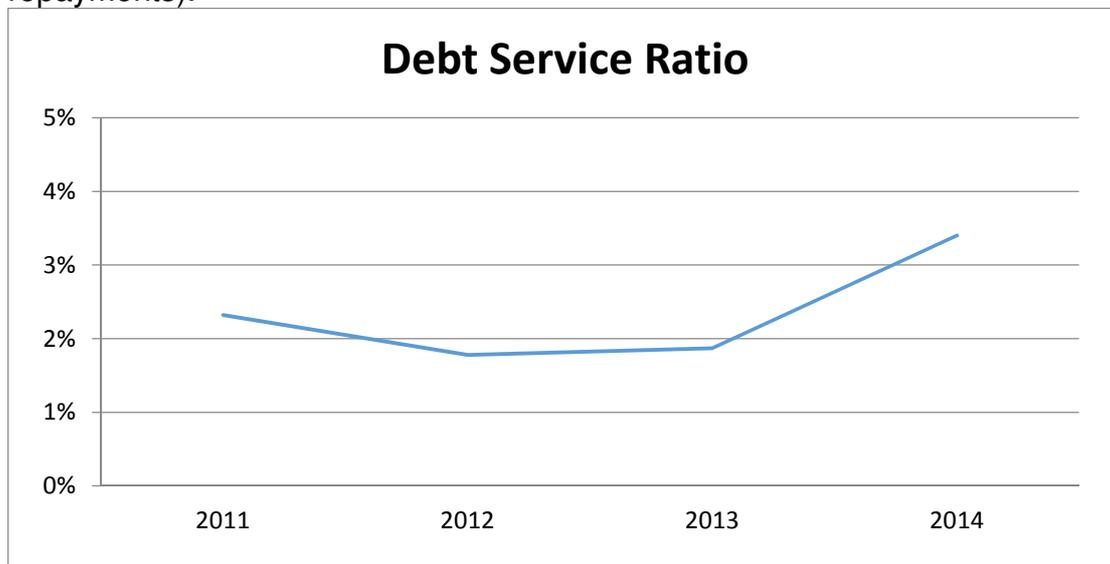


**2. Debt Service Ratio**

2013/14 Result: 3.4%

Accepted industry benchmark: <10%

This ratio reflects the ability of Council to service its debt. It shows the amount of annual revenue necessary to service annual debt obligations (loan repayments).

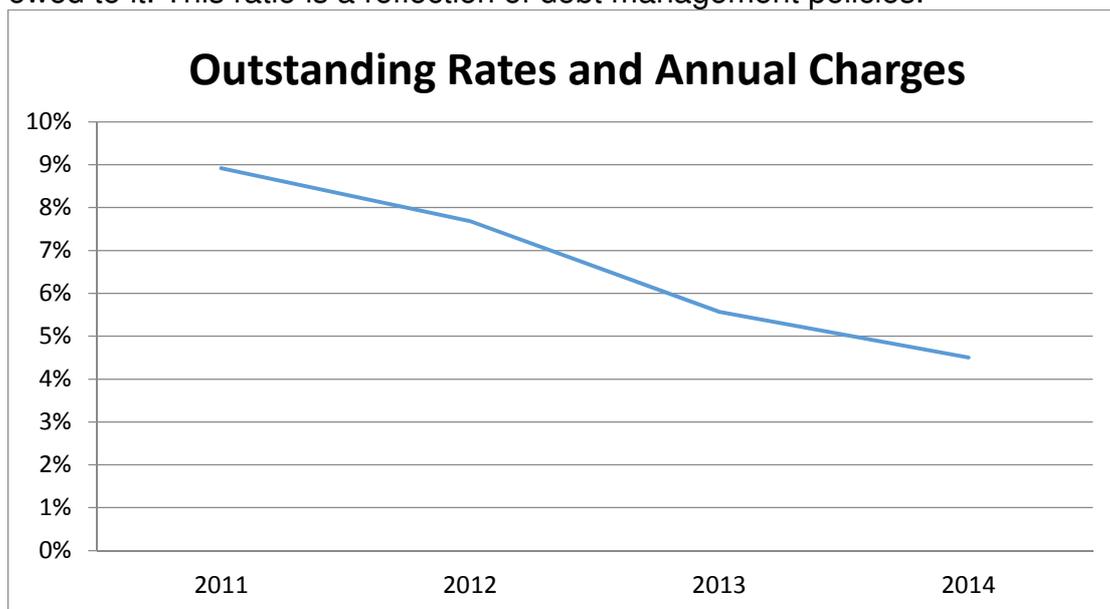


**3. Outstanding Rates and Annual Charges**

2013/14 Result: 4.5%

Accepted industry benchmark: <10%

This ratio measures the effectiveness of Council in recovering debts legally owed to it. This ratio is a reflection of debt management policies.



**Internally Restricted Cash 30 June 2014**

2014 \$ '000	Opening Balance	Transfers to Restrictions	Transfers from Restrictions	Closing Balance
<b>Internal Restrictions</b>				
Plant & Vehicle Replacement	1,751	-	(92)	1,659
Employees Leave Entitlement	564	-	-	564
Asset Replacement Reserve	1,670	706	-	2,376
Blayney Town Works	185	-	-	185
Cemeteries	6	-	-	6
Construction of Buildings	8	-	-	8
Election Reserve	12	16	-	28
Financial Assistance Grant	1,192	-	(1,192)	-
Golden Gully	23	-	-	23
Grant Matching Reserve	25	-	-	25
Inala Units	12	35	-	47
I.T Reserve	40	-	-	40
Local Museums	15	-	-	15
Multipurpose Centre	163	90	-	253
Property Account	468	-	(11)	457
Quarry	330	20	-	350
Showground Improvement Fund	6	-	-	6
Tourism Promotion Fund	60	154	-	214
Waste	-	50	-	50
<b>Total Internal Restrictions</b>	<b>6,530</b>	<b>1,071</b>	<b>(1,295)</b>	<b>6,306</b>

**BUDGET IMPLICATIONS**

Council produced a budget surplus for 2013/14 with the surplus restricted to the asset replacement reserve.

**POLICY IMPLICATIONS**

Nil effect.

**IP&R LINK**

DP 6.3.2 Maintain a stable and secure financial structure for Council.

**Attachments**

1 Financial Statements 131 Pages

**14) UPDATE ON COUNCIL BORROWINGS AS AT 30 JUNE 2014**  
(Manager Financial Services)

**RECOMMENDED:**

1. That the report on the update of Council borrowings as at 30 June 2014 be received and noted.

**REPORT**

Council has used numerous borrowings in the past to address funding gaps caused by large investments in infrastructure and to manage ongoing cash flow requirements.

As at the 30 June 2014 Council held a total of five (5) loans with an original principal borrowing amount of \$3.4M and an outstanding principal amount of \$2.69M. The individual balances loan details of each of the loans are as follows:

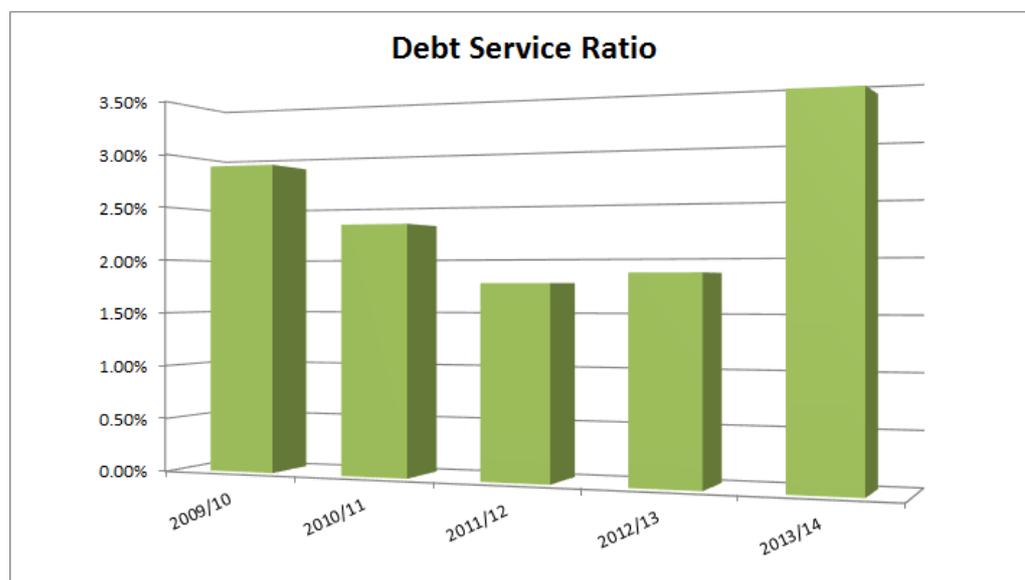
<b>Purpose</b>	<b>Loan Date</b>	<b>Original Principal (\$,000)</b>	<b>Outstanding Principal (\$,000)</b>	<b>Interest Rate (%)</b>	<b>Repay Period (yrs)</b>
Millthorpe Sewer*	30/06/03	300	176	5.54	20
New Works Depot	04/12/03	600	382	6.73	20
New Works Depot	20/12/05	600	401	6.00	20
Millthorpe Sewer	26/02/08	900	752	8.05	20
Bridges Loan	22/01/14	1,000	978	1.73**	10

\* Loan to be paid out early in 2014/15 (waiting on bank for finalisation).

\*\*% Inclusive of Local Government Infrastructure Interest Subsidy (LIRS).

**Debt Service Ratio**

The debt service ratio tabled below is used to show the percentage of annual revenue necessary to service Council’s annual debt obligations (loan repayments).



A debt service ratio of 3.4% for 2014 indicates that Council has strong capacity to repay its debts as and when they fall due. This is well below the accepted industry benchmark of 10%.

**BUDGET IMPLICATIONS**

All loan repayments contained within this report are budgeted for in Council's long term financial plan.

**POLICY IMPLICATIONS**

Nil.

**IP&R LINK**

DP 6.3.2 – Maintain a stable and secure financial structure for Council.

**Attachments**

Nil

15) **DRAFT INVESTMENT POLICY AND STRATEGY**  
(Director Corporate Services)

**RECOMMENDED:**

1. That the draft Investment Policy be placed on public exhibition for a period of at least 28 days.

**REPORT**

Council's current investment policy, titled 4B, is in need of review following an internal assessment of Council's investment strategy. Council's current strategy limits the investment of funds to \$500K maximum per institution, increasing the number of investments exposed to unrated financial institutions and adversely affecting investment returns.

The original policy has been amended due to the large number of financial institutions required to be invested in caused by the above limit. The amendments inserted can be summarised as follows:

- Removal of outdated Transitional Provisions clause relating to investments made prior to 31 July 2008 Ministerial Order;
- Removal of \$500K limit per institution;
- Introduction of a ratings based system limiting the maximum holding values and target credit quality;
- Introduction of a ratings based system limiting the maximum holding values for individual financial institutions restricted by credit rating.

The new Policy is a continuation of a very conservative strategy by Council that places greater emphasis on the credit quality of the financial institution. The new policy will assist to reduce administration and enable a larger percentage of Council funds to be invested in higher grade financial institutions. The risk of which will be further mitigated by the Governments \$250K deposit guarantee scheme.

Ratings will in no way guarantee the investments or protect Council against losses. However, ratings provide the best independent information available for Council to assess risk.

The draft policy is a significant statement by Council on its investment strategy and the standard by which Council will conduct its investing activities.

The Policy is fully compliant with the Ministerial Investment Order issued pursuant to section 625 of the Local Government Act 1993 which serves to outline the types of investments that Council is permitted to invest in.

A copy of the draft Investment Policy as amended has been provided as an attachment to this business paper. This document shows an audit trail of amendments to the original document.

**BUDGET IMPLICATIONS**

Nil effect.

**POLICY IMPLICATIONS**

As outlined above.

**IP&R LINK**

DP 6.3.2 Maintain a stable and secure financial structure for Council.

**Attachments**

- 1 Draft Investment Policy 7 Pages

16) **NSW LIBRARY FUNDING - FURTHER ACTION NEEDED**  
(Director Corporate Services)

**RECOMMENDED:**

1. That Council continue its support to the campaign mounted by the NSW Public Library Associations for increased State funding to local government for public libraries by:
  - a. Making further representation to the local State Member in relation to the need for additional funding from the NSW State Government for the provision of public library services, noting that the 2014 State budget did not address recurrent funding needs;
  - b. Writing to the Hon. Troy Grant, Minister for the Arts, noting the allocation of \$15m over 4 years for a public library infrastructure grants program, and calling upon the Government to implement the Reforming Public Library Funding submission of the Library Council of NSW in 2012 for the reform of the funding system for NSW public libraries;
  - c. Continuing to encourage and support the distribution of NSW Public Library Associations campaign information at Council's library;
  - d. Taking a lead role in activating the campaign locally and encouraging community participation.

**REPORT**

*(This report was provided by the NSW Public Library Association of NSW.)*

There has been widespread support by Councils across the state for the NSW Library Funding Campaign, which is being coordinated on behalf of NSW Councils and their libraries by the NSW Public Libraries Association (NSWPLA), representing country and metropolitan libraries across the state. Launched on 7 April 2014, this targeted campaign has benefited from exceptional community support and has also met with some success in bringing the critical library funding situation to the attention of politicians and funding decision makers to address the problem.

The NSW State budget, announced on 17 June, delivered a \$15m infrastructure public library grant program over the 4 years from 2014-15 to 2017-18. Whilst this is welcome news, it only reinstates the grant funding program to the level that it was in 2005-06 and is a fixed-term program that needs to be recurrent to provide the certainty required for this all-important annual grants program.

The better news is that the NSW Public Library Funding Campaign is clearly influencing state government funding decisions. Over 100 NSW councils have resolved to support the Campaign. In the 3 months between the launch of the Campaign and early August, 50,000 NSW residents had signed the Campaign

petition. This number continues to grow, and is evidence of the interest, support and concern of residents across the state about the future of their libraries.

Three tranches of petitions have been presented to Parliament, resulting in Parliamentary debates about the library funding issue on 7 August and 11 September.

Local Government NSW (LGNSW) and the Australian Library and Information Association (ALIA) are assisting NSWPLA in this campaign, and local supporters of public libraries including Friends of the Library groups and library users have been engaged in the campaign to lobby State Members.

#### Further action is required

The next target for the Funding Campaign is to address the problem of the recurrent elements of library funding – the \$1.85 per capita legislated payment (both in quantum and indexation) as well as the Disability & Geographic Adjustment fund, which combine to form the annual funding that is provided directly to NSW councils. These allocations are not indexed to population growth or CPI, so there is no source to fund the annual increase resulting from additional NSW population. This will lead to the first actual reduction in direct funding to NSW councils (in 2015-16) if the attrition is not addressed.

**The period between now and November, the pre-State Government election phase, will be the most critical phase of the NSW Library Funding Campaign.** It is the time for all NSW Councils to redouble their Campaign lobbying efforts. This really is the “last-ditch effort” to ensure that NSW public libraries achieve the sustainable state government funding base that they so badly need to continue providing current levels of service to communities across the state. We are seeing examples of library service reductions in many NSW Councils, ranging from decreased levels or qualifications of staff; diminished collections budgets; shortened opening hours, less public programs, and reduced mobile library service schedules. **Without increased state funding, the situation is likely to deteriorate further.**

Over the next 4 months, the NSW Library Funding Campaign Committee will be contacting Councils and libraries to ask for targeted support in specific areas to further strengthen this already successful campaign. A small amount of dedicated effort from each and every stakeholder will help to ensure that our libraries get the funding deal that they need and deserve. As the major beneficiaries of any State funding increase, Local Government is the primary stakeholder in this campaign.

#### Conclusion

There is currently a high degree of uncertainty as to the level of ongoing funding for public libraries in NSW from the State Government. The intent of the NSW Library Act in 1939 was for equal funding from state and local governments to provide library services. Since that time local government has increasingly carried the funding burden and the situation has deteriorated

significantly over the past few decades. Without urgent action from local government and NSW Public Library Associations, this situation will continue and local councils will once again be forced to pick up the funding shortfall.

**BUDGET IMPLICATIONS**

The uncertainty surrounding the future funding of library services has the potential to have detrimental effects to Council's budget.

**POLICY IMPLICATIONS**

As outlined above.

**IP&R LINK**

DP 2.3.4 Provide library services in the Blayney Shire.

DP 6.3.2 Maintain a stable and secure financial structure for Council

**Attachments**

Nil

17) **A RECOGNISED BRAND FOR BLAYNEY SHIRE**  
(Casual Economic Development Officer)

**RECOMMENDED:**

1. That Council publicly exhibit the Branding proposed for Community use for a period of 28 days.
2. That Council publicly exhibit the Branding proposed for Council use, to be used on all Council stationery, literature, advertising and electronic media for a period of 28 days.

**REPORT**

Council in its Community Strategic Plan 2025 has the following strategic outcome as determined in consultation in with the community:

*CSP 1.4 Internationally recognised brand for Blayney Shire.*

The following action has been identified in Council's Delivery Program to achieve the above outcome:

*DP 1.4.1 Work with the community and organisations within the region to develop a recognised brand for the Blayney Shire.*

A number of meetings were held with tourism, local businesses and the community in general in addition to Council's Economic Development Committee and Towns & Villages Committee. The purpose of these meetings was to identify a single, unifying 'message' that was both consistent with and symbolised the character of the Blayney Shire.

While considering many of the prior slogans used within the Shire and the key messages in the Blayney Community Strategic Plan, the single, consistent message was one of its collection of villages and 'Blayney – the Village Shire' was therefore chosen as the preferred option.

The design of the brand itself was to be suitable for use by all villages across the shire to promote their village, tourism, shows and other events. The design would also enable Council to refresh its present logo to bring it more in-line current design practice.

A local graphic artist was engaged to develop a number of concepts and colour options from which the preferred selections were chosen. Details are provided in the attached style guides.

Artwork has also been prepared for the updating of Council's stationery – letterhead, business cards, compliment slips and numerous forms, invoices and statements to ensure consistency with the Shire branding. It should be emphasised that Council's traditional logo will still be used as its common seal for the purpose of execution of contractual and legal documents.

As part of Council's commitment to transparency it is recommended that the 'style guide' documents be placed on public exhibition

### **BUDGET IMPLICATIONS**

Cost associated with the development of the new brands was \$935 and production of the artwork for new stationery and style guides was \$1,182. This cost accommodated within Council's existing budget provision. It is not intended to 'reprint' any stationery, but instead to update existing supplies when exhausted and print further stock as required. In this way, implementation of the new brand will be limited to the amount spent to date (\$2,107).

### **POLICY IMPLICATIONS**

Nil.

### **IP&R LINK**

DP 1.4.1 Work with the community and organisations within the region to develop a recognised brand for the Blayney Shire.

### **Attachments**

- 1 Community Brand Style Guide 5 Pages
- 2 Council Brand Style Guide 5 Pages

18) **MILLTHORPE RAILWAY STATION PUBLIC AMENITIES**  
(Director Corporate Services)

**RECOMMENDED:**

1. That Council note the Licence arrangement with John Holland Rail Pty Ltd for the Millthorpe Railway Station Public Amenities and Car Park.

**REPORT**

The Millthorpe Railway Station (including the public toilets) was leased from John Holland Rail Pty Ltd by Edgecombe Wines who run a Cellar Door as a commercial operation. Council had been working towards a sub-lease arrangement with the Lessee since 2011 as part of a solution to the continued provision of a public amenities facility.

Negotiations towards a sub-lease arrangement had been protracted and became problematic. Council at its meeting held 9 September 2013, minute number 1309/013, resolved the following:

***RESOLVED:***

1. *That correspondence be sent to Edgecombe Wines reaffirming Council's position that it is unable to offer a full indemnity due to the associated uninsured risk exposure to Council; and*
2. *That Council investigate further potential leasing options of the toilet block.*

An alternate solution was found through the negotiation of a licence arrangement with John Holland Rail Pty Ltd with the consent of Edgecombe Wines.

The Licence arrangement negotiated was for Council to take responsibility for the public amenities and car park. A licence preparation fee of \$500 (excl. GST) was payable and an annual fee of \$500 (excl. GST) with a 3% p.a. escalation clause. The Licence took effect on 1 September 2014 and Council has commenced responsibility for insuring and ongoing maintenance from this date.

This licence arrangement will see Council provide public amenities facilities from this location on an ongoing basis and brings lease negotiations to conclusion.

**BUDGET IMPLICATIONS**

Provision for insurance, licence costs, cleaning and associated maintenance has been made in the 2014/15 Operational Plan.

**POLICY IMPLICATIONS**

Nil.

**IP&R LINK**

DP 4.1.5 Implement the Blayney Shire Council Asset Management Plans

**Attachments**

Nil

**INFRASTRUCTURE SERVICES REPORTS**  
**PRESENTED TO THE BLAYNEY SHIRE COUNCIL**  
**MEETING HELD ON TUESDAY, 16 SEPTEMBER 2014**



19) **PURCHASE OF TWO (2) WATER CARTS**  
(Infrastructure Manager)

**RECOMMENDED:**

1. That Council accept the Quotation provide by ISUZU AUSTRALIA LIMITED for the supply two (2) FYJ 2000 MEDIUM AUTO ISUZU TRUCKS both fitted with BARRY BURROWS steel water cart bodies for a total cost of \$243,907.27 (exc. GST) each, to replace Plant Numbers 33 and 34.
2. That Council approve the sale of the existing two (2) water carts and one (1) tipping truck via auction.

**REPORT**

Blayney Shire Council undertook a Request for Quotation through **Local Government Procurement** for the replacement of two (2) WATER CARTS. These being a 1999 Hino Ranger 6x4 Water cart (341,120km) and the other a 2001 'P' Series Scania 6x4 water cart (395,355km), both of which have gone past their replacement dates, as scheduled in Councils Plant Replacement Program.

Previously Councils had replaced water carts by converting older tipping trucks into water carts; however, this has resulted in:

- Trucks not specifically designed for water cart applications, seriously reducing payload and increasing risk of overloading.
- High to extremely high maintenance costs, and
- Associated 'downtime' impacting on productivity and requiring the hire of external water carts.

The **Local Government Procurement** Vendor Panel process allows Council access to an extensive supplier network and accounts for due diligence and probity issues, thus removing the need for a formal tendering process.

The Request for Quotation received eight (8) conforming submissions from a total of nine (9). The quoted truck/water cart combinations all have a Gross Vehicle Mass of 27,500kg (15 tonne net payload) compared to that of Plant Numbers 33 and 34 which have a current Gross Vehicle Mass of 22,500kg (maximum 12 tonne net payload). This will provide greater efficiencies in providing water at periods of peak demand to road construction and maintenance projects throughout the Blayney Shire.

**Submissions Summary**

Suppliers were requested to submit prices for the supply of two (2) 8 X 4 Trucks with two (2) drive axels, two (2) steer axels and fitted with a water tank and spray and pumping equipment ("water cart body").

Nine (9) submissions were received from:

- DAF TRUCKS AUSTRALIA (Inland Truck Centres), (DAF);
- FUSO TRUCK AND BUS (West Orange Motors), (FUSO);
- ISUZU AUSTRALIA LIMITED (Tracserv Trucks PTY LTD), (ISUZU);
- MACK TRUCKS SYDNEY (MACK);
- MERCEDES BENZ TRUCKS (MERCEDES);
- PACCAR KENWORTH (KENWORTH);
- VOLVO TRUCK AND BUS (VOLVO);
- WESTERN STAR TRUCKS AUSTRALIA (WESTERN STAR)
- SCANIA AUSTRALIA (SCANIA) [non-conforming].

#### Analysis of Quotes

One quotation was excluded as it did not conform. The full analysis of the remaining tenders was undertaken based on assessment of: whole of life cost (including the quoted price); operator evaluation; workshop evaluation; environmental evaluation; product comparison; and warranty, service and backup parts evaluation.

An initial assessment of all the conforming quotations was undertaken, resulting in the ISUZU FYJ 2000 and the MACK METROLINER being shortlisted as the best conforming truck and body combinations. Council staff then inspected these two (2) to determine their mechanical serviceability, suitability for the operators and capacity to perform the tasks required.

The results of the assessments on the best performing two (2) quotations are detailed below:

<b>Assessment Criteria</b>	<b>ISUZU FYJ 2000</b>	<b>MACK METROLINER</b>
<b>1. Whole of life cost 30%</b> Net tendered price plus maintenance costs	150	60
<b>2. Operator assessment 20%</b> Input on ergonomics and features of roller related to task	71.85	56.30
<b>3. Mechanical / Workshop Assessment 20%</b> Passive safety, serviceability	93.33	66.67
<b>4. Environmental 10%</b> Engine Emissions	75.00	60.00
<b>5. Warranty, service &amp; Parts availability 10%</b> Standard warranty, after sales service and parts	54.00	66.00
<b>TOTAL</b>	<b>444.20</b>	<b>309.00</b>

The assessment clearly shows that the Isuzu FYJ 2000 provides the best value for Council.

**Sale of Existing Plant Item**

It is proposed to dispose of the existing two (2) Water carts (Plant numbers 33 and 34) through auction. It is also proposed to sell the Tipper Truck (Plant Number 49) through auction. This had previously been ear marked for conversion into a Water cart, but is not economically viable due to its age (2004) and odometer reading of 386,553km.

**BUDGET IMPLICATIONS**

The replacement of the water carts (plant no.s 33 and 34) is able to be funded from Council's 2014/15 budget allocation.

**POLICY IMPLICATIONS**

Nil effect.

**IP&R LINK**

DP 4.1.1 Manage Local Road Network to agreed service levels.

DP 4.1.2 Manage Regional and State Road Network to agreed service levels.

**Attachments**

Nil

20) **CONVERSION OF QUEEN STREET BLAYNEY TO ONE WAY**  
(Infrastructure Manager)

**RECOMMENDED:**

1. That Council:
  - a. Provides in principle support for the conversion of Queen Street to a one way lane in a north to south direction, from Water Street to approximately 20m south of the existing Bollards, then two way from 20m south of the existing Bollards to Charles St.
  - b. Writes to the property owners along Queen Street and the Local Traffic Committee considers any responses and advises Council of its recommendation before implementing any changes.
  - c. Installs at full cost to the Developer appropriate signage, including 'NO ENTRY' (r2-4) (both sides of the road facing to the south from 20m south of the existing bollards), 'GIVE WAY TO PEDESTRAINS' (r2-10) (both sides of the road facing to the north at the entry from Water Street).
  - d. Provides at full cost to the Developer delineation in the form of a painted 'fog line' between vehicles and pedestrians on the one way segment of the street.
  - e. Then monitors the implementation of the proposal and considers further traffic calming devices, if deemed necessary.

**REPORT**

The applicant for a DA has requested the conversion of Queen St, Blayney from two, two way streets. The laneway is currently 'bollarded' in the middle, so is not a through road.

The laneway from the north is a single lane, two way lane, approximately 3m wide. The laneway from 20m south of the Bollards to Charles Street is a two way street of sufficient width for two way traffic.

The Local Traffic Committee (LTC) considered a report from council staff, at its 20 June 2014 meeting relating to the conversion of 'mid-block laneways' to one way and recommended that LTC endorse council investigating these on a case by case basis. This was endorsed by Council at its Ordinary Meeting in August 2014.

The applicant had requested the following:

*"In keeping with Blayney Shire Councils objectives to utilise service lanes and to ensure safe pedestrian and motor vehicle movement associated with any development, we request the following changes be considered to the portion of Queen Street between Charles and Water Street;*

- *The removal of bollards that prevent vehicular through traffic between Charles and Water Street.*

- *The narrow width of the street (down to 3 meters) limits the opportunity for passing therefore we suggest this block of Queen(s) street be restricted to one way traffic. It has been suggested that traffic be limited to moving from Water to Charles (Street North to South), avoiding traffic exiting onto Water street adjacent the school and pedestrian crossing.*
- *Given the narrow width of the street and the fact the street is a popular thoroughfare for school children with no foot path we suggest a reduced speed limit of 40km/h would be appropriate.”*

At an on-site (extraordinary) meeting on 26 August 2014, the LTC considered the following issues:

- That the current configuration of 2 two way segments are not considered satisfactory as the northern end of the roadway is not wide enough;
- Roads and Maritime Services advise that it was very unlikely that the street would meet the warrants for a reduction in Speed Zone, or an extension of the School 40km/h zone down the street;
- The risk of poor driver behaviour in opening the street to through traffic; and
- The interaction of pedestrian and vehicular traffic on the narrow part of Queen Street.

The LTC recommended Council:

- Endorses the conversion of Queen Street to a one way lane in a north to south direction, from Water Street to approximately 20m south of the existing Bollards, then two way from 20m south of the existing Bollards to Charles St.
- Installs appropriate signage, including ‘NO ENTRY’ (r2-4) (both sides of the road facing to the south from 20m south of the existing bollards), ‘GIVE WAY TO PEDESTRAINS’ (r2-10) (both sides of the road facing to the north at the entry from Water Street).
- Provide some form of delineation between vehicles and pedestrians on the one way segment of the street.
- Undertake community consultation outlining the proposal with all property owners along Queen Street.
- Monitors the implementation of the proposal and considers further traffic calming devices, if necessary.

### **BUDGET IMPLICATIONS**

Nil.

### **POLICY IMPLICATIONS**

Nil effect.

### **IP&R LINK**

DP 4.1.1 Manage Local Road Network to agreed service levels.

DP 4.1.2 Manage Regional and State Road Network to agreed service levels.

### **Attachments**

Nil

**PLANNING AND ENVIRONMENTAL SERVICES REPORTS**  
**PRESENTED TO THE BLAYNEY SHIRE COUNCIL**  
**MEETING HELD ON TUESDAY, 16 SEPTEMBER 2014**



- 21) **PROPOSALS TO AMEND BLAYNEY LOCAL ENVIRONMENTAL PLAN 2012 AND BLAYNEY LOCAL ENVIRONMENTAL PLAN 1998**  
(Director Planning and Environmental Services)

**RECOMMENDED:**

1. That Council proceed to prepare Planning Proposal(s) to address the amendments recommended in this report (subject to the analysis and further studies to justify those amendments).

**REPORT**

This report seeks approval for Council staff, with the assistance of consultants to prepare a number of Planning Proposals to amend the *Blayney Local Environmental Plan 2012* ('BLEP2012'). These can be briefly summarised as follows (with further description below):

1. **Zone E3 to Zone RU1:** Removal of Zone E3 Environmental Management from BLEP2012 and corresponding Land Zoning Maps (only utilised for drinking water catchment areas) and replacement with Zone RU1 Primary Production;
2. **Former Zone 1(c) to Zone R5:** Incorporation of all of the land in Zone 1(c) Rural Small Holdings along Browns Creek Road and Forest Reefs Road under *Blayney Local Environmental Plan 1998* ('BLEP1998') into Zone R5 Large Lot Residential with a 2 hectare minimum lot size and the replacement of BLEP1998 with BLEP2012;
3. **Heritage Amendments:** Amendments to Schedule 5 of BLEP2012 and the corresponding Heritage Maps for a limited range of lots/items/heritage conservation areas.

It is intended to keep each of these Planning Proposals separate in case any one proposal is held up by further consultation or further studies to justify the amendment. However, ideally all of the proposals would proceed through the Gateway Process at the same time to conserve Council resources.

Further justification and consideration of impacts will occur in the preparation of each Planning Proposal to support each amendment and Council will be given a further opportunity to review (and possibly amend) those Draft Planning Proposals prior to lodgement with the Department of Planning & Environment in accordance with the 'Gateway Process'.

The 'Gateway Process' is the defined process for the preparation of Planning Proposals in accordance with the Environmental Planning and Assessment Act 1979.

As these Planning Proposals are being initiated by Council there will be no cost recovery from the private land owners that may benefit from these amendments in accordance with Council's Fees and Charges. Council will also need to engage specialist strategic planning consultants to undertake most of the work. However, these amendments are deemed necessary to encourage an efficient and effective planning system for the Blayney Shire.

### **Planning Proposal 1: Zone E3 to Zone RU1**

Zone E3 Environmental Management was used in the preparation of BLEP2012 to replace the original zone in BLEP1998 for the drinking water catchments around Lake Rowlands and for Suma Park Dam (in Orange LGA). Zone E3 was utilised to provide some additional protection in terms of prohibited land uses in those important catchments. Council staff has suggested that the protections may not be necessary as there is sufficient protection in Clause 6.5 and the Drinking Water Catchment Maps / Overlay to allow a merit based assessment with flexibility for compatible land uses. As this zone is only utilised for the drinking water catchments it may be suitable to remove Zone E3 in its entirety from BLEP2012.

The use of the E3 zone has inadvertently placed restrictions on normal agricultural which would have minimal impact on the water catchment.

As a result it is proposed to rezone these areas to Zone RU1 Primary Production. As with all of the other Zone RU1 areas and Zone E3, a minimum lot size of 100 hectares will be retained. This would retain the drinking water catchment overlay and Clause 6.5 to achieve a similar outcome without the prescriptive prohibitions in Zone E3. This aims to provide increased flexibility of permissible land uses with appropriate environmental controls to achieve the desired outcomes and simplify the planning process.

Please note that this proposal is inconsistent with the recommendations of the Subregional Strategy, however, preliminary discussions with the Department of Planning & Environment suggest they may be able to deem the drinking water catchment overlay and Clause 6.5 as sufficient to meet the intent of those recommendations.

### **Planning Proposal 2: Former Zone 1(c) to Zone R5**

The GHD (2008) *Councils of Blayney, Cabonne and Orange City – Sub-Regional Rural and Industrial Land Use Strategy* ('Subregional Strategy') was adopted by Council and approved by the former Department of Planning & Infrastructure. The Subregional Strategy made recommendations to amend the zoning and minimum lot sizes of former Zone 1(c) Rural Small Holdings land along Browns Creek Road and Forest Reefs Road.

In preparing BLEP2012 these recommendations were included and publicly exhibited but due to disagreement over the impact of these amendments on existing land owners, the amendments were removed near the end of the LEP process and the original controls and zoning in BLEP1998 were retained. These areas were treated as 'Deferred Matters' in BLEP2012 (see Land Zoning Maps in BLEP2012).

The Department of Planning & Environment supported these ‘Deferred Matters’ on the basis that issues were resolved within a reasonable time after BLEP2012 commenced. It has now been more than 20 months since BLEP2012 first commenced and there is some pressure to have this matter resolved and replace BLEP1998 so that Council no longer has two (2) local environmental plans in operation.

This amendment would seek to transfer the area in the former Zone 1(c) in BLEP1998 into Zone R5 Large Lot Residential (the most relevant translation in zone) in BLEP2012. The amendment would retain a minimum lot size of 2 hectares for the entire area.

By removing Zone 1(c) from BLEP1998 the former LEP would have no purpose and would be replaced by BLEP2012 so only one (1) local environmental plan applied to the Shire and the planning process is simplified. Please note that this proposal is inconsistent with the recommendations of the Subregional Strategy but the Department of Planning & Environment may be able to consider it as a ‘translation’ of the existing controls. A brief analysis of the resulting supply/demand and potential impacts will be included in the Planning Proposal. This requires further discussion with the Department but preliminary discussions appear supportive.

### **Planning Proposal 3: Heritage Amendments**

This Planning Proposal seeks to amend Schedule 5 of BLEP2012 and the corresponding Heritage Maps for a limited range of lots/items/areas. The amendments range from removal of some heritage items, removal of a heritage conservation area in Newbridge, addition of one (1) new item (with land owner consent), and correction of any misdescription of items in the schedule. The aim is to ensure BLEP2012 accurately reflects the heritage significance of items or heritage conservation areas and to remove heritage assessment which are unlikely to improve the development assessment outcomes.

These amendments may need to be supported by individual heritage assessments prepared in accordance with heritage guidelines and further consultation with the Heritage Council and other relevant stakeholders. The list and preliminary reasoning for amendment may include:

<b>No</b>	<b>Item</b>	<b>Address, description</b>	<b>Proposal</b>
1	1 59 Blayney Abattoirs and former saleyards	31 Gerty Street, Blayney Lot 1 DP 134341, Lots 4, 6 DP871015, Lot 2 DP 881855	Property description wrong. Remove from LEP. Saleyards gone. Onerous for abattoir buildings
2	1 78 Cottage	274 Millthorpe Road, Blayney Lot 1 DP 168843	Demolition by Nestle under DA 59/2014. Remove from LEP
3	Lime Siding Cottage	252 Millthorpe Road, Blayney Lot 1 DP 168844, Lot 1	Significance established. Bring into LEP. Owner

		DP 931585	amenable.
4	I 358 Cadia Cemetery	Lot 100 DP 576778	Remove street address from LEP
5	I 357 Cadia Engine House	Lot 100 DP 576778, part curtilage only	Remove street address, alter LEP description
6	I 365 Forest Reefs Cemetery	Off Convent Lane, Forest Reefs Lot 1 DP 668340, Lot 1 DP 668339, Lot 1 DP 668341, Lot 7300 DP 1146833	Remove reference to Calvert Lane
7	I 327 Cottage	9 Macquarie Street, Neville Lot 2 Section 1 DP 37459	Remove from LEP – request of owner
8	I 331 State Pine Forest	Mount Macquarie Road, Neville Various lots	Remove from LEP – not appropriate
9	Newbridge Heritage Conservation Area	Newbridge village	Remove from LEP – not appropriate

Please note that during the preparation of the Planning Proposal there may be additional items added or some removed subject to detailed heritage advice.

### **BUDGET IMPLICATIONS**

It is estimate that the cost to prepare the abovementioned 3 Planning Proposals will be a total of approximately \$11,000.00

### **POLICY IMPLICATIONS**

The proposed Planning Proposals would remove the need for Blayney Local Environmental Plan 1998, alter the content of Blayney Local Environmental Plan 2012 and may alter the GHD (2008) *Councils of Blayney, Cabonne and Orange City – Sub-Regional Rural and Industrial Land Use Strategy* ('Subregional Strategy'). All these matters will be discussed and addressed in greater detail in the subsequent Planning Proposals.

### **IP&R LINK**

DP 3.4.1 Pursue sustainable land use practices based on the protection and restoration of natural resources, innovative land use policies and government and community partnerships.

### **Attachments**

Nil

- 22) **PROPOSAL FOR THE REZONING OF LAND FROM RU2 RURAL LANDSCAPE TO R5 LARGE LOT RESIDENTIAL - 36 AVONLEE LANE BLAYNEY (LOT 430 DP 1132460)**  
(Director Planning and Environmental Services)

**RECOMMENDED:**

1. That Council decline the request to support the rezoning of Lot 430, DP 1132460 to R5 Large Lot Residential on the basis that it is inconsistent with Council's adopted land use strategy.

**REPORT**

M & R Folpp have applied to Council by letter dated 12 August 2014 (attachment 1) seeking to rezone their land (9.2 ha / 23 acres) from the existing Zone RU2 Rural Landscape in *Blayney Local Environmental Plan 2012* ('BLEP2012') to what would translate to Zone R5 Large Lot Residential, with the intent to subdivide the land into 5-8 acre lots and a lot for their existing dwelling. This letter seeks to justify the proposal in terms of the inconsistency of their land with the objectives of Zone RU2 Rural Landscape. A letter of support from Williams Machin / First National Real Estate is also supplied.

The site is known as 36 Avonlee Lane, Blayney or Lot 430 DP1132460. The allotment is north of township Blayney, just of the Guyong Road and is shown hatched blue in attachment 2.

Any proposal to rezone land requires a Planning Proposal to be prepared and approved by Council and the Department of Planning & Environment in accordance with the 'Gateway Process'. Generally a Planning Proposal should be consistent with any relevant land use strategy for that land except in exceptional circumstances.

As the proposed land use is for large lot residential and the location of this land is outside the area covered by the *Blayney Settlement Strategy 2012* then the relevant land use strategy is the GHD (2008) *Councils of Blayney, Cabonne and Orange City – Sub-Regional Rural and Industrial Land Use Strategy* (Subregional Strategy). This strategy generally applies to large lot residential development that is not immediately adjacent to a town or village.

The Subregional Strategy sets out future growth areas for industry and large lot residential in and around the town of Blayney (see attachment 3). It is important to note that the site is not included in an identified growth area for large lot residential or industry.

Strategy Area SA8 is located further north on Guyong Road. However, the Site is located adjacent to Strategy Area SAF which is a potential industrial growth area off Marshalls Lane North adjacent to the existing industrial area in north Blayney.

Therefore, the site is not in an identified large lot residential growth area, is adjacent to a potential industrial area which would produce potential land use conflicts with future industrial expansion, and the application would be inconsistent with the adopted recommendations of the Subregional Strategy.

Whilst its lot size and proximity to Blayney may assist the applicants' argument, the Subregional Strategy would have considered this in identifying future growth areas.

Any alteration of these recommendations would require an approved amendment to the Subregional Strategy in consultation with Cabonne and Orange City Councils. No further consideration of merits of this proposal should be considered unless it is as part of a review of the Subregional Strategy. This appears to be the current position of the Department of Planning & Environment.

The Applicant is free to apply directly to the Department of Planning & Environment for consideration of this proposal (even if Council does not support the application) but the fees for this application are considerable and the same planning merits would apply and would be decided by a Regional Panel.

### **BUDGET IMPLICATIONS**

Nil.

### **POLICY IMPLICATIONS**

Nil.

### **IP&R LINK**

DP 3.4.1 Pursue sustainable land use practices based on the protection and restoration of natural resources, innovative land use polices and government and community partnerships.

### **Attachments**

<b>1</b>	Letter Requesting Council Consider Rezoning of Land	3 Pages
<b>2</b>	Location Map Showing Allotment and Proximity to Blayney	1 Page
<b>3</b>	Excerpt of Figure 6.13 from the GHD (2008) Councils of Blayney, Cabonne and Orange City - Sub-Regional Rural and Industrial Land Use Strategy	1 Page



**COMMITTEE REPORTS**  
**PRESENTED TO THE BLAYNEY SHIRE COUNCIL**  
**MEETING HELD ON TUESDAY, 16 SEPTEMBER 2014**



23) **MINUTES OF THE BLAYNEY SHIRE AUDIT COMMITTEE  
MEETING HELD 30 JULY 2014**  
(Director Corporate Services)

**RECOMMENDED:**

1. That the minutes of the Blayney Shire Audit Committee meeting held 30 July 2014 be received and noted.

**REPORT**

The minutes of the Blayney Shire Audit Committee meeting held on 30 July 2014 are attached and Councillor's attention is drawn to the following items:

- Risk Management update. Council is to focus its Audit Committee budget to the Strategic Risk Initiatives Framework as identified in the adopted Continuous Improvement Pathway with a view to development of a comprehensive Risk Register.
- Risk Management update. Workshop(s) to further develop Council Risk Register rather than undertaking reviews to be undertaken. This will give Council a better awareness of its risks.

**BUDGET IMPLICATIONS**

Costs associated with holding of Audit Committee meetings and associated service reviews have been provided for in Council's 2014/15 budget.

**POLICY CONSIDERATIONS**

Nil effect.

**IP&R LINK**

DP6.3.1 Provide a framework for the efficient and effective administration of Council

**Attachments**

1 Blayney Shire Audit Committee Minutes 2 Pages

24) **MINUTES OF THE BLAYNEY TRAFFIC COMMITTEE**  
**MEETING HELD ON 15 AUGUST 2014**  
(Infrastructure Manager)

**RECOMMENDED:**

1. That the recommendations of the Blayney Traffic Committee meeting held on 15 August 2014 be adopted.

**REPORT**

The minutes of the Blayney Traffic Committee meeting held on Friday 15 August 2014 are attached and Councillors attention is drawn to the following item:

- Recommendation for Council to write to Metcash IGA expressing Council's concerns.

**Attachments**

1 Traffic Committee Minutes 15/08/2014 3 Pages

25) **MINUTES OF THE BLAYNEY SHIRE ACCESS ADVISORY COMMITTEE MEETING HELD ON 21 AUGUST 2014**  
(Director Planning and Environmental Services)

**RECOMMENDED:**

1. That the recommendations of the Blayney Shire Access Advisory Committee meeting held on 21 August 2014 be adopted.

**REPORT**

The minutes of the Blayney Shire Access Advisory Committee meeting held on Thursday 21 August 2014 are attached and Councillors attention is drawn to the following items:

- Access Maps
- Council Website
- Disability Week
- Heritage Park
- Adelaide Street Paving

**Attachments**

1	Blayney Shire Access Advisory Committee Minutes 21/08/2014	2 Pages
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26) **MINUTES OF THE BLAYNEY SHIRE CEMETERY FORUM  
COMMITTEE MEETING HELD ON 21 AUGUST 2014**  
(Director Planning and Environmental Services)

**RECOMMENDED:**

1. That the recommendations of the Blayney Shire Cemetery Forum Committee meeting held on 21 August 2014 be adopted.

**REPORT**

The minutes of the Blayney Shire Cemetery Forum Committee meeting held on Thursday 21 August 2014 are attached.

**Attachments**

1	Blayney Shire Cemetery Forum Committee Meeting Minutes 21/08/2014	2 Pages
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27) **MINUTES OF THE BLAYNEY SHIRE SPORTS COUNCIL  
MEETING HELD ON 21 AUGUST 2014**  
(Director Infrastructure Services)

**RECOMMENDED:**

1. That the recommendations of the Blayney Shire Sports Council meeting held on 21 August 2014 be adopted.

**REPORT**

The minutes of the Blayney Shire Sports Council meeting held on Thursday 21 August 2014 are attached.

**Attachments**

- 1 Sports Council Minutes 21/08/2014 3 Pages
- 2 Priority List 2 Pages

**DELEGATES REPORTS**  
**PRESENTED TO THE BLAYNEY SHIRE COUNCIL**  
**MEETING HELD ON TUESDAY, 16 SEPTEMBER 2014**



28) **WBC ALLIANCE EXECUTIVE OFFICER REPORT**  
(Acting General Manager)

**RECOMMENDED:**

1. That the report from the WBC Alliance Executive Officer be received and noted.

**REPORT**

Attached is a report from the WBC Alliance Executive Officer that notes the activities and action of the WBC.

**BUDGET IMPLICATIONS**

Council makes provision in its annual Financial Plan to fund activities and shared services with the WBC Councils.

**POLICY IMPLICATIONS**

Nil.

**IP&R LINK**

DP 6.1.2 Promote resource sharing and collaboration with regional organisations.

**Attachments**

1 WBC Alliance Executive Officer Report 2 Pages

**CONFIDENTIAL MEETING REPORTS**  
**PRESENTED TO THE BLAYNEY SHIRE COUNCIL**  
**MEETING HELD ON TUESDAY, 16 SEPTEMBER 2014**



- 29) **NETWASTE TENDER F1159 - TENDER FOR PROCESSING OF GARDEN ORGANICS, WOOD AND TIMBER**  
*This matter is considered to be confidential under Section 10A(2) (di) of the Local Government Act, as it deals with commercial information of a confidential nature that would, if disclosed (i) prejudice the commercial position of the person who supplied it.*