

11) REPEAL OF DISASTER MANAGEMENT RECOVERY PLAN POLICY

Department: Corporate Services

Author: Director Corporate Services

CSP Link: 6.3 A well-run Council organisation.

File No: RM.PL.1

Recommendation:

That Council endorse the repeal of Policy 9H Disaster Management Recovery Plan and the Policy Register be updated.

Reason for Report:

For Council to consider the repeal of policy 9H Disaster Management Recovery Plan Policy.

Report:

Council at its August meeting received a report from the Blayney Shire Audit Committee noting the development of a draft Business Continuity Plan. This document was adopted as a procedure by the Council management executive team on 12 July 2016. The development of this document has rendered the Disaster Management Recovery Policy (policy 9H) obsolete and warrants removal from the policy register.

The Disaster Management Recovery Policy was developed in 2007 and was last endorsed in 2012. Its objective was to outline responsibilities for staff should an event occur which renders any of Council's work premises uninhabitable. It has however been found to be deficient in some key areas to accommodate a response program in the event of an incident.

The Business Continuity Plan is considered an operational document and has been included into Council's Procedures and Guidelines Register. This assists to effect amendments as warranted through the General Manager rather than seeking endorsement of Council.

Council approval for repeal of the 9H Disaster Management Recovery Plan is sought accordingly.

Issues:

Nil

Budget Implications:

Nil

Enclosures (following report)

Nil

Attachments (separate document)

Nil

12) DIRECTOR INFRASTRUCTURE SERVICES MONTHLY REPORT

Department: Infrastructure Services

Author: Director Infrastructure Services

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

File No: GO.ME.1

Recommendation:

That the Director of Infrastructure Services Monthly report for September 2016 be received and noted.

Reason for Report:

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

Report:

Topical Issues

Changes to Energy Tariffs

Council has recently received advice from Essential Energy that it will be required to make changes to Council's energy tariffs, in order to comply with new Australian Energy Market Commission rules, and network pricing requirements.

The criteria for identifying affected sites is based upon the previous 12-month consumption data, and must exceed 160MWh per annum.

Blayney has 2 facilities that satisfy this criteria, being the Centrepoint Sport and Leisure Centre and the Blayney Sewerage Treatment Works.

The change in tariff for these facilities will bring them both onto the same demand based tariff, that enables Essential Energy to "*recover costs involved in building and maintaining the network with a capacity reserve that can support customers' differing, and often intermittent, high peak demands*".

The change in tariff and future energy consumption may result in billing increases to these sites, however at present Council is unable to determine the impact due to the limited availability of information.

To date, Council has only been informed in writing of this change, and Council officers have provided input through a customer engagement webinar undertaken by an external consultant.

The implementation of these changes is due to be finalised by 1 July 2017.

Blayney Shire Men's Shed

As previously advised the Chair of the Blayney Men's Shed Inc. (the Chair) had commenced discussions with Crown Lands and provided 2 written requests seeking further information in order to progress this matter.

It has recently become evident that Crown Lands have not received this correspondence and arrangements have now been made to ensure this correspondence is delivered and actioned in a timely fashion.

As the matter is ongoing a report to Council in relation to the road closure has not been prepared to date.

Funding Applications

Council was recently notified of its success in seeking funding from the Crown Lands Public Reserves Management Fund (PRMF) to undertake 2 projects within the Blayney Shire, including the provision of a new water bore at Redmond Oval (\$29,283), and for the construction of concrete paving and provision of new seating at the Blayney showground (\$47,168).

Council has also been notified of its success in receiving \$1.5 million from the NSW Government under Fixing Country Roads (Round 2), and a further \$1.5 million from the Australian Governments Heavy Vehicle Safety and Productivity Package. This funding is allocated to Browns Creek Road, and reduces Council's required contribution by \$1.5 million over the coming 4 years.

Council has submitted the final application to the NSW Government Resources for Regions program to complete the upgrade and sealing of the Southern Cadia Access Route from the Mid-Western Highway along Errowanbang Road, Panuara Road and Cadia Road to the Shire boundary, including the replacement of the Dirt Hole Creek Bridge on Errowanbang Road.

Staff have submitted funding applications for 3 projects identified in Council's Active Movement Strategy under the NSW Governments 2017/18 Walking and Cycling Programs. These include: -

- Construction of Shared Path from Lyndhurst Primary School to the Lyndhurst Sportsground;
- Planning and design of the next stage of the Blayney township shared pathway network from the end of this year's project to the north side of the railway line;
- Planning and design of new and relocated pedestrian refuge and intersection treatment for the Gold Street / Olive Street intersection in Mandurama.

Ongoing wet weather impacts

Council staff continue to respond to community safety concerns during these challenging times, working throughout the night and over weekends to monitor flood levels, ensuring roads are safe for use, and supporting SES where required.

Disaster Recovery

Council has submitted an application for Natural Disaster Funding under the Australian Governments Natural Disaster Relief and Recovery Arrangements (NDRRA).

The recent events have resulted in a natural disaster, being declared for LGA's in the region.

Sporting Ovals

As a result of the wet conditions, access to playing fields has been significantly restricted this winter.

By restricting access, Council was able to provide quality playing surfaces for the recently conducted finals season, and ensured the work required to deliver fields for the summer season was minimised.

Sewerage Treatment

The wet weather continues to impact on flows through the Sewerage Treatment Plant. Discharges to the Belubula River are still being observed and we continue to report on the quality of these flows as per our EPA license requirements. The testing to date on these flows are well within our license requirements predominantly due to the flows being primarily storm water. The infiltration through our gravity pipe network during wet weather is the most likely cause of these high flow events.

Major Works

Council staff have been attending to tree clearing, and associated road damage attributed to ongoing wet weather. This is delaying the commencement of a number of projects identified for completion in the 2016/17 financial year. Further notes on projects are provided below: -

- Carcoar Road Cowriga Creek Wet Crossing: Council has received advice from Crown Lands that the land in question has not had the Native Title extinguished, and its reserve purpose is 'Future Public Requirements'. This purpose precludes any activity on the land other than foot traffic and grazing.
As a result of this classification, Council is unable to proceed with any works across this land.
Council Officers will investigate alternative options and develop a detailed design and costings for an alternate solution along the existing road alignment. Previous investigations demonstrated that any alternate option will likely be in excess of the current \$60,000 budget.
- Gap Road Drainage Works: Council staff have been undertaking remediation works along Gap Road as a result of erosion due to the recent wet weather. The erosion threatened the structural stability of the road and required urgent intervention to prevent a loss of the road.

Major Contracts

Redmond Oval Canteen Fitout

Council is currently seeking prices for equipment, and will project manage installation using internal resources and plumbing and electrical contractors where required.

Redmond Oval Upgrade

- Works on Redmond Oval still remain on hold. We continue to notify the community through various mediums of the delays and to ensure the community works will commence once weather permits.

- Works to deliver the recently funded water bore to fill the tank for irrigation purposes have commenced, with a license application submitted to begin this process. It is expected this should be complete early in the new year.

Building Maintenance Works

- Commencement of works for the Redmond Oval Rotunda is programmed to occur shortly with a qualified contractor engaged to remove the existing kiosk and ceiling lining of the rotunda, prior to Council undertaking renewal works.
- Council staff will also undertake renewal works to the Redmond Oval amenities building.
- Relining of the eaves at the Mandurama Recreation Ground toilet block have been undertaken.

Wastewater

Sewer pipe CCTV Camera

Council has now received the new CCTV pipe camera and staff are undertaking training and familiarisation with the equipment. Investigations of the gravity network with the new CCTV pipe camera will be undertaken over the coming year with the intention to complete approximately 15% of the network this financial year. With this data Council will be able to more accurately define the areas that require remediation and allocate budget and resources to effect the repairs.

Assets

Council has completed an inspection of the kerb and gutter network. This has resulted in a condition grading being assigned to all kerb and gutter segments (generally a full block) and the identification of individual defects that require attention. Council staff will assess these findings to determine priorities for the kerb and gutter renewal and maintenance programs for the current financial year. Defects are assessed by type and severity, with attention being prioritised on the basis of intervention levels, which require differing response times.

Council staff have completed asset components of the 2015/16 end of year financial reporting for all asset classes. Council staff are in the process of establishing a program for the identification, capture and condition assessment of all stormwater assets in the Shire.

Heavy Plant and Fleet

- Council has identified an issue with the recently delivered Volvo truck relating to its payload being less than expected. This issue was identified during the routine weighing following delivery as part of Council's Chain of Responsibility obligations. Council officers are working with the supplier to resolve this issue;
- Council has recently sold the following items of plant:

- Case 721C loader for \$46,970. This amount is well above the \$30-35,000 expected, and demonstrates that Council's maintenance of plant is at a very high level;
- 2 front deck mowers, for \$4,678 and \$5,132. This was in line with expectations;
- 2 finishing mowers for \$3,770 and \$3,315. This was in line with expectations;
- Council has advertised for a new front deck mower
- Council has had a fuel trailer stolen in the past month. This has been reported to the police and investigations are continuing

Issues:

Nil

Budget Implications:

Nil

Enclosures (following report)

Nil

Attachments (separate document)

Nil

13) ERROWANBANG ROAD - MID-WESTERN HIGHWAY LAND ACQUISITION

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.DC.1

Recommendation:

That Council approve the acquisition of lands in order to formalise the road reserve over the current Errowanbang Road “physical” alignment between the Mid-Western Highway and the Belubula River.

Reason for Report:

Council has been made aware that the land acquisition for the current intersection of Errowanbang Road and the Mid-Western Highway is incomplete.

Council’s approval is required for the acquisition and transfer of lands associated with the, road alignment safety improvement project undertaken between 1996 and 1998.

Report:

In 1996 Council was successful in lobbying the former NSW Roads and Traffic Authority (RTA) to relocate the intersection of Errowanbang Road and the Mid-Western Highway due to poor safety records, and an increased number of accidents and near misses. A locality sketch is provided. **(Enclosure 1.)**

Council agreed to undertake project delivery, and commenced negotiations with the current land owner to acquire the land for the proposed road reserve, with the existing road reserve to be vested back to the land owner as part compensation.

A land valuation was prepared by a Registered Valuer, and agreement reached between Council and the land owner on the amount of compensation. Council records indicate, and anecdotal confirmation recently received from the land owner, that the financial transaction was completed.

A plan was prepared and registered (DP1000547) **(Enclosure 2.)** for the road reserve proposed to be closed. However, transfer to the adjoining land owner remains outstanding.

A plan was prepared, and the original linen plan, for the proposed subdivision, to create the new road reserve is unable to be located. A copy of the plan located at Crown Lands, Orange office identifies Council has signed the subdivision certificate and the Company seal of the adjoining land owner affixed and signed **(Enclosure 3.)**.

In the vicinity of the old bridge over the Belubula River at the northern extent of the project a small piece of land was to be acquired from the Crown. (circled on Enclosure 3.). Agreement was reached with the NSW Department of Land and Water Conservation; however, it would appear Council never progressed the formal transaction required for the acquisition of the land from the Crown.

Council records would suggest that progress on the matter then ceased as Australian Government funding became available for the construction of the current Ashburtons Bridge, and focus on the realignment project lost.

Council was recently contacted by the affected land owner, seeking to formalise the road reserve transaction, as a result, Council, in consultation with its legal representative has developed the following procedure.

Stage 1 - Acquisition of new road alignment

- i. Prepare Plan of the road to be acquired.
- ii. Lodge plan to obtain Lot and DP number to describe the parcel being acquired.
- iii. Execute s30 (Local Government Act 1993) Agreement to acquire the land described in “ii”.
- iv. Land owner disclose the s30 Agreement in its sale documentation and if needed arrange for the purchaser to execute a Deed with Council acknowledging that it will do all things necessary for the completion of the acquisition and make no claim for compensation.
- v. Complete the dedication of the land as public road.

Stage 2 - Transfer of old road alignment

- i. Confirm approval in principle for closure of the road with Crown Lands that being. Lot 1 DP 1000547
- ii. Upon the transfer of the new road alignment and dedication as public road have Crown Lands Gazette the closure of the road.
- iii. Transfer Lot 1 DP 1000547 to the adjoining land owner.

Stage 3 - Compulsory Acquisition of Crown Land

- i. Prepare Plan of the Crown Land to be acquired.
- ii. Confirm agreement for acquisition from the Crown by compulsory acquisition.
- iii. Undertake the Compulsory Acquisition process in accordance with Departmental Guidelines.

It is noted that the stages can run concurrently.

As Council had not completed the process previously the work now required will incur additional costs to Council.

In the best interests of both parties, and in good faith, it is recommended that Council adopt the proposed recommendation, and fund the survey and legal costs associated with finalisation of the acquisition.

A further report will be required seeking a more detailed resolution from Council once a Lot and DP have been obtained for the land proposed to be acquired.

Issues:

The affected land owner is currently seeking to move toward sale of part of the subject land, and therefore wishes to complete the matter in a timely manner.

Budget Implications:

Council will incur survey and legal costs to undertake preparation of a new plan of survey in order to progress the acquisition. These costs would not have otherwise been incurred, had the original plan been progressed to completion. It is estimated that these costs will be in the order \$10,000 to \$15,000.

Enclosures (following report)

- | | | |
|---|--|--------|
| 1 | Enclosure 1. - Locality Sketch | 1 Page |
| 2 | Enclosure 2. - Old Road (DP1000547) | 1 Page |
| 3 | Enclosure 3. - Proposed Land Acquisition | 1 Page |

Attachments (separate document)

Nil

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Enclosure 1. Locality Sketch

Projection: GDA94 / MGA zone 55

Date: 9/09/2016

Created By: Grant Baker

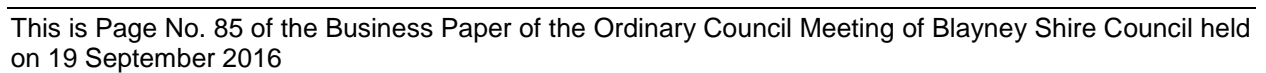


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14) PURCHASE OF 2 X 4 WHEEL DRIVE TRACTORS

Department: Infrastructure Services

Author: Manager Operations

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

File No: PS.TE.23

Recommendation:

1. That Council accept to replace its 2 John Deere 5720 tractors with the quotation provided by Hutcheon and Pearce for the supply of 2 John Deere 6095MC tractors for a cost of \$147,666.90 (excl. GST) and dispose of 2 John Deere 5720 tractors via trade in to Hutcheon and Pearce for \$35,000 (excl. GST)
2. That Council approve the vote of expenditure of \$147,666.90 (excl. GST) and income of \$35,000 (excl. GST) into the 2016/17 budget from the Plant Reserve.

Reason for Report:

The replacement of Plant Number 70 and 76 – John Deere 5720 tractors in Councils fleet. The replacement of this item of plant is in accordance with Councils Plant Replacement Strategy.

Report:

Executive Summary

Blayney Shire Council undertook a Request for Tender (7/2016) through advertisements in the following newspapers: Sydney Morning Herald, Central Western Daily, Blayney Chronicle, and the Western Advocate for the purchase of two (2) new tractors. These new tractors will replace 2 John Deere 5720 tractors.

The Request for Tender received 9 submissions.

Submissions Summary

Suppliers were requested to submit prices for the supply of 2 Tractors to Councils specification, in total 9 submissions were received from the following 6 suppliers:

- ADCO Tractors, Blayney (McCormick).
- GWS Machinery, Sydney (Massey Ferguson)
- Harts Machinery, Orange (John Deere)
- Hutcheon and Pearce, Cowra (John Deere)
- New Era Machinery, Orange (Deutz Fahr)
- South West Tractor and Turf, Breakwater (VIC) (Massey Ferguson)

Analysis of Quotes

After an initial analysis of the submissions, it was apparent that there was a large range of specifications offered with regards to engine power, transmission type, physical size, and cabin make up. From Council's initial screen, 7 tractors were assessed locally.

Assessments on the 7 locally available tractors allowed for the full analysis of these products to take place and be based on assessment of: the initial overall product comparison; whole of life cost (includes the quoted price); operator evaluation; workshop evaluation; capacity for application; and warranty, service and backup parts evaluation.

The 7 tractors were all assessed locally in Orange, Bathurst and Blayney. From these "hands on" assessments the usability, durability and safety features of each machine were studied together with; transmission functionality, cabin size and layout, the tractors physical size and manoeuvrability. Judgement was made in order to score each tractor as to its performance under working conditions. This gave those undertaking the assessment process a clear picture of what was being offered and what was required from the available products. From these detailed assessments the John Deere 6095MC was chosen.

The assessments highlighted the John Deere 6095MC's combination of its transmission, overall physical size and operators cabin (providing ergonomic, user friendly controls and space the operators required) as being the "best fit" in comparison to the other tractors assessed. The proven durability of the more flexible chassis builds (found on the tractors currently in use) of the John Deere 6095MC, against the more common rigid bolt together build of all the other tractors submitted, highlighted that the John Deere 6095MC would be best suited for the application required.

This method of construction allows for less vibration transmission, better traction over hard ground and less wear and tear on control linkages and rods etc. The John Deere 6095MC's safe and easy daily check points and its easy daily and workshop serviceability offer high levels of operator safety, and efficient maintenance of this machine.

The results of the assessments on the best performing four (4) quotations are detailed below:

Assessment Criteria	John Deere 6110M	John Deere 6095MC	Deutz Fahr Agroplus 420	McCormick X5.30
1. Whole of life cost 30% Net tendered price plus maintenance costs	21.79	23.35	26.54	24.13
2. Operator assessment 20% Input on ergonomics and features and capacity to work	16.73	19.82	16.91	19.27
3. Mechanical / Workshop Assessment 20% Passive safety, serviceability, environmental	13.33	18.67	12.89	14.22
4. Environmental impact 15% Engine emissions and oil capacities etc.	12.00	12.00	15.00	15.00
5. Warranty, service & Parts availability 15% Standard warranty, after sales service and parts	15.00	15.00	15.00	15.00
TOTAL	78.85	88.84	86.34	87.62

The assessment shows that the John Deere 6095MC provides best value for Council.

Sale of Existing Plant Item

It is proposed to dispose of the existing tractors (P70 and P76) via trade-in, with \$35,000 (excl. GST) being offered.

Issues:

The replacement of the tractors (plant no. 70 and plant no. 76) had a budget of \$142,943 in the 2015/16 financial year for the net change over which is within the Plant Reserve.

Budget Implications:

Requires a vote for expenditure of \$147,666.90 (excl. GST) and income of \$35,000 (excl. GST) into the 2016/17 budget from the Plant Reserve.

Enclosures (following report)

Nil

Attachments (separate document)

Nil

**15) MINUTES OF THE BLAYNEY SHIRE SPORTS COUNCIL MEETING
HELD THURSDAY 18 AUGUST 2016**

Department: Infrastructure Services

Author: Director Infrastructure Services

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

File No: PR.ME.1

Recommendation:

1. That the Minutes of the Blayney Shire Sports Council Meeting, held on 18 August 2016, be received and noted.
2. That sports council advises all user groups that the use of, or parking of motor vehicles on sporting grounds is not approved, in accordance with Blayney Shire Council Licence Agreement – Section 19, and at the discretion of Blayney Shire Council for special events and subject to prevailing conditions.

**MINUTES OF THE BLAYNEY SHIRE SPORTS COUNCIL MEETING
HELD ON THURSDAY 18 AUGUST 2016 AT THE
BLAYNEY COMMUNITY CENTRE CADIA ROOM**

Meeting commenced at 6.00pm.

PRESENT:

Grant Baker (Blayney Shire Council), Chris Smith (Heritage Country Schools), Rodney Corbett (Blayney Junior Soccer), Andrew Russ (Blayney Rugby Union), Cheryl Rutherford (Blayney Junior Tennis), Karen Webster (Carcoar Pony Club), Trevor Jones (Blayney Harness Club), Cr Shane Oates (Blayney Shire Council), Rosemary Reid (Blayney Tennis Club)

APOLOGIES:

Matt Lewis (Blayney Little Athletics), Michael Truloff (Millthorpe Public School/Millthorpe Junior Cricket), Pete Wakem (Blayney Swimming Club), Mick Tyrell (Blayney Golf Club)

RECOMMENDED: That the apologies be accepted. (Rod Corbett/Andrew Russ)

MINUTES PREVIOUS MEETING – 19 May 2016 (as circulated)

RECOMMENDED: That the minutes of the previous meeting held 19 May 2016 be accepted. (Rod Corbett/Andrew Russ)

MATTERS ARISING FROM THE MINUTES

No matters arising.

DISCLOSURES OF INTEREST

Nil

CORRESPONDENCE:

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

Sports Awards – April, May, June, July

More nominations are needed. Blayney 2BS Awards are also available for Junior Sports people.

EVENT CALENDAR UPDATE

- Blayney Shire Sports Council Awards Dinner – 29 October 16.
- Carcoar Cup – 6 November 2016.
- Blayney Golf Open – 20 November 2016.
- Blayney Senior Tennis Fun Day – 18 September 2016.
- Blayney Harness Club – 13 & 20 November 2016.

GRANT FUNDING UPDATE

RECOMMENDED: That the Grant Funding Update be noted. (Cheryl Rutherford/Rosemary Reid).

PROJECT UPGRADES

RECOMMENDED: That the update on current projects be noted. (Rod Corbett/Cheryl Rutherford).

REPORTS**Carcoar Pony Club**

The club has been affected by the wet weather with some cancellations of events. The number of members is still increasing. On the weekend of the 22nd – 23rd October there will be a Zone 3 Jumping event and a gymkhana.

Heritage Country Schools

The Small Schools Athletics Carnival and the District Carnival have now been held. The Gala Touch Football Day and the Small Schools Gala Sport Day will be held at the end of the term.

Junior Soccer

With two rounds left the two competitive teams are both in the semi-finals. The club are changing the structure of their AGM and will elect a committee at their Presentation Night. Grants are being sourced to get funds to make Napier into a dedicated soccer ground.

Harness Racing

The club will hold two meetings on the 13th & 20th November. The trotting track has been resealed with money from Harness Racing NSW, who have been updating minimum standards of tracks.

Rugby Union

For the second year in a row the club are hosting the Grand Finals which are on Saturday 27th August.

Junior League

The Group 10 semi-finals will be held this Saturday with up to 3000 people attending.

Senior League

The ladies league tag are in third place.

Junior Tennis

The Junior Development tournament will be held on Sunday 9th April, 2017. The Monday pairs and Tuesday singles are being played at the moment.

Senior Tennis

Have applied for the grant and are hoping that with the Council's involvement they may be lucky enough to get it. A Fun Day will be held on the 18th September and the new competitions will start in October.

GENERAL BUSINESS

Sporting Fields – Blayney Shire

RECOMMENDED: That sports council advises all user groups that the use of, or parking of motor vehicles on sporting grounds is not approved, in accordance with Blayney Shire Council Licence Agreement – Section 19, and at the discretion of Blayney Shire Council for special events and subject to prevailing conditions. (Rosemary Reid/Unanimous).

Project Priority List

RECOMMENDED: That the Project Priority list be noted as the current priorities.
(Rod Corbett and Cheryl Rutherford)

NEXT MEETING

Thursday 17 November 2016 at 6.00pm.

FUTURE MEETING DATES

Thursday 17 November 2016.

Meeting closed at 7.08pm

Enclosures (following report)

Nil

Attachments (separate document)

Nil

16) MINUTES OF THE BLAYNEY TRAFFIC COMMITTEE MEETING HELD FRIDAY 19 AUGUST 2016

Department: Infrastructure Services

Author: Manager Infrastructure

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

File No: TT.ME.1

Recommendation:

1. That the Minutes of the Blayney Traffic Committee Meeting held on Friday, 19 August 2016, be received and noted.
2. That Council investigate current signage along the Spring Terrace Road bus route and install appropriate signage.
3. That Orange Cycle Club as part of their conditions item (d) need to notify the Police directly not through Council.
4. That Council's Road Safety Officer and RMS Safety Arounds Schools Officer investigate parking around Blayney Public School on 1st September and report to be tabled at the next Blayney Shire Traffic Committee Meeting.
5. That Council write to Newcrest Orange Challenge advising that their submission for the 2017 Challenge will need to be received by Council prior to the LTC Meeting on 21 October 2016.
6. That Council write to Orange Cycle Club advising approval of events February to December 2017 subject to the following conditions:
The Event Organiser is to comply with the following:
 - a. That Council receive certified and signed Traffic Control Plans.
 - b. Development and implementation of a Traffic Management Plan (including Traffic Control Plans). Implementation of Traffic Control Plans to be completed by persons qualified to do so.
 - c. Approval is to be obtained from the Roads and Maritime Services Traffic Operations Manager.
 - d. Approval is to be obtained from NSW Police.
 - e. Council is to be provided with a copy of a \$20M Public Liability Insurance Policy indicating Blayney Shire Council's, Police & RMS interests, with the date and location of the event.
 - f. The Event Organiser is to notify all Emergency Services of the event including Blayney Hospital.
 - g. The Event Organiser is to notify all business proprietors and residents affected by the event at least 7 days prior to the event.
 - h. The Event Organiser is to comply with the requirements of the "Guide to Traffic and Transport Management for Special Events" (Version 3.4), 2 August 2006, for a class 1 event.
 - i. The Event Organiser is to comply with the requirements of the "Guide for Bicycle Road Races" NSW 1 January 2004.

**MINUTES OF THE BLAYNEY TRAFFIC COMMITTEE MEETING
HELD ON FRIDAY 19 AUGUST 2016 AT BLAYNEY COMMUNITY CENTRE**

Meeting commenced at 10.00am

PRESENT

Jackie Barry (Roads & Maritime Services), Reg Rendall (Paul Toole Representative), Iris Dorsett (Roads Safety Officer) Cr Allan Ewin (Chair), Geoff Paton (Blayney Shire Council), Nikki Smith (Blayney Shire Council).

APOLOGIES

Peter Foran (NSW Police).

CONFIRMATION OF MINUTES

RESOLVED: That the minutes of the previous Traffic Committee Meeting held on Friday, 17 June 2016 be confirmed to be a true and accurate record of that meeting. (Jackie Barry/Reg Rendall)

MATTERS ARISING

20160819:01IGA/Farm Lane

- Council wrote to Bernardi's advising liability risk is increased by not complying with the approval Traffic Control Plan – subsequently Council has monitored and noticed they are now deploying traffic controllers.

**20160819:02 Newman's Bus Service – Caution Bus Turning Sign
(Spring Terrace Road)**

RECOMMENDED: That Council investigate current signage along the Spring Terrace Road bus route and install appropriate signage. (Reg Rendall/Jackie Barry)

20160819:03 Orange Cycle Club – Bicycle Races 5 & 19 November 2016

RECOMMENDED: That Orange Cycle Club as part of their conditions item (d) need to notify the Police directly not through Council.

TRAFFIC REGISTER

Update provided and information noted.

CORRESPONDENCE

20160819:04 – Blayney Public School - Parking

RECOMMENDED: That Council's Road Safety Officer and RMS Safety Arounds Schools Officer investigate parking around Blayney Public School on 1st September and report to be tabled at the next Blayney Shire Traffic Committee Meeting. (Jackie Barry/Reg Rendall)

GENERAL BUSINESS**20160819:05 – Carcoar Cup Running Festival**

The LTC notes the intention to run the Carcoar Cup Running Festival, 2016. Following a review of the submission from the 2015 event, LTC wishes to draw the organisers attention to the following:

- Police approval for a class 2 event at least 3 months prior to the event.
- Council requires public liability of a minimum of \$20M.
- That it is the event organisers responsibility to conduct a letter box drop to all affected residents and businesses at least 14 days prior to the event.
- Submission for 2016 Carcoar Cup Running Festival to be received by Council and recommendation approval to be sort by Local Traffic Committee electronically.

20160819:06 – Newcrest Orange Challenge – 5 March 2017

The Newcrest Orange Challenge advises Council the next challenge is the 5 March 2017.

RECOMMENDED: That Council write to Newcrest Orange Challenge advising that their submission for the 2017 Challenge will need to be received by Council prior to the LTC Meeting on 21 October 2016.

20160819:07 – Orange Cycle Club Submission to hold Bicycles Races in 2017

RECOMMENDED: That Council write to Orange Cycle Club advising approval of events February to December 2017 subject to the following conditions:

- a. The Event Organiser is to comply with the following:
- b. That Council receive certified and signed Traffic Control Plans.
- c. Development and implementation of a Traffic Management Plan (including Traffic Control Plans). Implementation of Traffic Control Plans to be completed by persons qualified to do so.
- d. Approval is to be obtained from the Roads and Maritime Services Traffic Operations Manager.
- e. Approval is to be obtained from NSW Police.
- f. Council is to be provided with a copy of a \$20M Public Liability Insurance Policy indicating Blayney Shire Council's, Police & RMS interests, with the date and location of the event.
- g. The Event Organiser is to notify all Emergency Services of the event including Blayney Hospital.
- h. The Event Organiser is to notify all business proprietors and residents affected by the event at least 7 days prior to the event.
- i. The Event Organiser is to comply with the requirements of the "Guide to Traffic and Transport Management for Special Events" (Version 3.4), 2 August 2006, for a class 1 event.
- j. The Event Organiser is to comply with the requirements of the "Guide for Bicycle Road Races" NSW 1 January 2004. (Jackie Barry/Reg Rendall)

INFORMAL MATTERS

20160819:08 - Monthly Road Safety Reports – May, June and July 2016.
Report noted.

20160819:09 - Chifley Local Area Command – Serious/Fatal Motor Vehicle Accidents Reports – July 2016.
Report noted.

FUTURE MEETING DATES - 2016

- Friday 21 October 2016
- Friday 9 December 2016

MEETING CLOSED

The meeting closed at 11:35am.

Enclosures (following report)

Nil

Attachments (separate document)

Nil

17) ELECTRONIC MINUTES OF THE BLAYNEY TRAFFIC COMMITTEE MEETING HELD WEDNESDAY 7 SEPTEMBER 2016

Department: Infrastructure Services

Author: Manager Infrastructure

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

File No: TT.ME.1

Recommendation:

1. That the Minutes of the Blayney Traffic Committee Meeting, held on 7 September 2016, be received and noted.
2. That the Local Traffic Committee recommends that Council supports the 2016 Carcoar Cup Running Festival event, subject to the following conditions:
 - a. Development and implementation of a Traffic Management Plan which shall include a Traffic Control Plan. All implementation and Traffic Control works and Plans are to be completed by persons qualified to do so.
 - b. Approval is to be obtained from NSW Police, with all instructions issued by Police complied with and obeyed.
 - c. Council is to be provided with a copy of a \$20M Public Liability Insurance Policy indicating Blayney Shire Council's interests, with the date and location of the event.
 - d. The Event Organiser is to notify all Emergency Services of the event and associated road closures, including Blayney Hospital.
 - e. The Event Organiser is to notify all business proprietors and residents affected by the event at least 7 days prior to the event.
 - f. The Event Organiser is to provide and publish the direct contact number of the event organiser/clerk of the course, for in the event of an emergency, residents and emergency services may need to access the route.
 - g. The Event Organiser is to comply with the requirements of the "Guide to Traffic and Transport Management for Special Events" (version 3.4), 2 August 2006, for a Class 2 event.
 - h. The Event Organiser will, advertise the temporary road closures, at least seven days prior to the event, in the local media.
 - i. The requirement to not place permanent markings on the road way (as per Section 138 of Roads Act 1993) and provide Council with a Risk Assessment for the person(s) marking the road.

MINUTES OF THE ELECTRONIC BLAYNEY TRAFFIC COMMITTEE
MEETING FOR CARCOAR CUP RUNNING FESTIVAL

PRESENT

Jackie Barry (Roads & Maritime Services), Reg Rendall (Paul Toole Representative), Iris Dorsett (Roads Safety Officer) Cr Kevin Radburn (Chair), Geoff Paton (Blayney Shire Council), Nikki Smith (Blayney Shire Council).

20160819:05 – Carcoar Cup Running Festival

RECOMMENDED: That the Local Traffic Committee recommends that Council supports the 2016 Carcoar Cup Running Festival event, subject to the following conditions:

- a. Development and implementation of a Traffic Management Plan which shall include a Traffic Control Plan. All implementation and Traffic Control works and Plans are to be completed by persons qualified to do so.
- b. Approval is to be obtained from NSW Police, with all instructions issued by Police complied with and obeyed.
- c. Council is to be provided with a copy of a \$20M Public Liability Insurance Policy indicating Blayney Shire Council's interests, with the date and location of the event.
- d. The Event Organiser is to notify all Emergency Services of the event and associated road closures, including Blayney Hospital.
- e. The Event Organiser is to notify all business proprietors and residents affected by the event at least 7 days prior to the event.
- f. The Event Organiser is to provide and publish the direct contact number of the event organiser/clerk of the course, for in the event of an emergency, residents and emergency services may need to access the route.
- g. The Event Organiser is to comply with the requirements of the "Guide to Traffic and Transport Management for Special Events" (version 3.4), 2 August 2006, for a Class 2 event.
- h. The Event Organiser will, advertise the temporary road closures, at least seven days prior to the event, in the local media.
- i. The requirement to not place permanent markings on the road way (as per Section 138 of Roads Act 1993) and provide Council with a Risk Assessment for the person(s) marking the road.
(Reg Rendall/Jackie Barry)

Enclosures (following report)

Nil

Attachments (separate document)

Nil

18) DISPOSAL OF MANDURAMA RURAL FIRE SHED

Department: Infrastructure Services

Author: Director Infrastructure Services

CSP Link: 6.4 A safe community.

File No: ES.SP.1

Recommendation:

1. That Council approve
 - a. the sale of the existing Mandurama Rural Fire Station structure, by public tender, and,
 - b. that all funds raised be returned to the Mandurama Rural Fire Service Brigade for provision of equipment as determined by them.

Reason for Report:

This report seeks Council approval to undertake the sale of the existing Mandurama Fire shed structure, and for any proceeds to be returned to the Mandurama Rural Fire Service (RFS) Brigade for future investment into the fitout of a new shed.

Report:

As part of the NSW Rural Fire Service – Canobolas Zone (RFS), annual capital works program, and incorporated within the Blayney Shire Council 2016/17 Operational Plan, it is proposed to construct a new standard 2B rural fire station at Mandurama to replace the existing shed.

In order to deliver the project, the existing shed is proposed to be demolished.

Blayney Shire Council and RFS have received community enquiries about the possibility of purchasing the existing shed structure.

Advice provided from members of the Mandurama RFS brigade is that the existing shed was constructed circa. 1970's as a result of fundraising by the local Mandurama community. At that time the RFS was an entirely volunteer based organisation and RFS has confirmed it does not hold any records that would indicate otherwise.

The RFS capital works program is delivering 7 new stations across the Canobolas Zone, with a new standard 2B shed at Mandurama and shed extension at Neville within the Blayney Shire.

The Canobolas Stations 2016/2017 Project Board has been established with representatives from the four LGA's within the Canobolas Zone, a Project Manager, and the Zone Manager from RFS.

Council is currently processing a Development Application for the construction of the new 2B standard shed.

In accordance with S55 of the Local Government Act 1993 a council must invite tenders before entering into a contract for the disposal of property of the council.

Therefore, it is proposed that the sale of the shed be undertaken by way of Public Tender, by advertising in the Blayney Chronicle immediately following the September Council meeting, on 22 September, with tenders to be submitted by 29 September.

Issues:

Council is currently investigating Work Health and Safety obligations with Safework NSW in order to manage risk with the successful tenderer, and ensure it maximises the return on the asset.

A review of Council's Asbestos Register has identified a resin based asbestos electrical switchboard, which will be removed by approved contractor under the direction of RFS.

The RFS is on a tight schedule to procure and deliver the capital works program, and has indicated that removal of the existing Mandurama shed be completed by 14 October 2016.

Under existing arrangements, fire sheds are an asset of the host Council and contained within our asset register.

As the existing shed appears to have been built entirely from volunteer funds, it seems appropriate that any funds raised from the sale be returned to the Mandurama brigade for the fitout of the new shed. Therefore, a Council resolution is sought to progress the matter.\

Budget Implications:

The funds recovered from the sale of the existing shed will be returned to the Mandurama RFS Brigade for procurement of equipment considered as additional items, above and beyond those identified by RFS Canobolas Zone as part of the standard fitout of the station.

Council has allocated \$260,000 toward the provision of the replacement of the Mandurama Rural Fire Station in its 2016/17 Operational Plan.

Enclosures (following report)

Nil

Attachments (separate document)

Nil

19) PLANNING PROPOSAL: RURAL AND LARGE LOT RESIDENTIAL LANDS

Department: Planning and Environmental Services

Author: Director Planning and Environmental Services

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

File No: LP.RS.3

Recommendation:

1. That Council, following consideration of the submissions received during the community consultation, proceed to endorse the amendment to the Blayney Local Environmental Plan 2012 (BLEP 2012) by:
 - a. Transferring all land which is shown as “Deferred Matter” in BLEP 2012 (land is zoned 1(c) Rural Small Holdings under the Blayney Local Environmental Plan 1998) in the vicinity of Forest Reefs Road, Millthorpe, to R5 Large Lot Residential under the Blayney Local Environmental Plan 2012, with a Minimum Lot Size of 2 Hectares.
 - b. Transferring all land which is shown as “Deferred Matter” in BLEP 2012 (land is zoned 1(c) Rural Small Holdings under the Blayney Local Environmental Plan 1998) in the vicinity of Browns Creek Road Blayney, to R5 Large Lot Residential under the Blayney Local Environmental Plan 2012, with a Minimum Lot Size of 20 Hectares.
 - c. Rezone Lot 300 DP750390 from RU2 Rural Landscape to R5 Large Lot Residential under the Blayney Local Environmental Plan 2012.
 - d. Extending the period of time specified in Clause 4.2A (4) of the Blayney Local Environmental Plan 2012 from 3 to 5 years,
 - e. Incorporating a new standard instrument boundary adjustment clause to permit simple boundary adjustments in rural areas on lots below the minimum lot size and/or greater than 10% variations in lot size.
 - f. Amending Clause 4.2A (3)(c) to add the words ‘under an environmental planning instrument’ before the words ‘before this Plan’, and,
2. If points 1a) and 1b) are adopted, to revoke Blayney Local Environmental Plan 1998.
3. That Council, in exercising its delegation under Section 59 of the Environmental Planning and Assessment Act 1979, as endorsed by NSW Planning & Environment in the Gateway Determination, forward the relevant documents to Parliamentary Counsel for opinion, to make amendments to Blayney Local Environmental Plan 2012 as detailed above and the making of a Local Environmental Plan.

Reason for Report:

For Council to consider the proposed amendments to the Blayney Local Environmental Plan 2012 after undertaking consultation required in the Gateway Determination which resulted in 9 submissions being received for consideration.

Report:

At its Ordinary Meeting of 21 March 2016, Council resolved to forward a Planning Proposal to the Minister for Planning & Environment seeking a number of amendments to the Blayney Local Environmental Plan 2012 in relation to Rural and Large Lot Residential Lands within the Blayney Shire.

Council received the favourable Gateway Determination on 5 May 2016. **See Enclosure 1.**

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

Council undertook this consultation in accordance with Sections 56 and 57 of the Environmental Planning & Assessment Act, exhibiting the draft amended Planning Proposal for 28 days from 7 June 2016.

A total of 9 submissions were received, which comprised comments both for and against the Planning Proposal. A summary of the issues, including a response to each issue, is provided in **Enclosure 2**. A copy of all 9 submissions can be found in **Enclosure 3**. It is considered that all issues raised during the Community Consultation have been adequately addressed in the “Response” column of table in Enclosure B.

Upon completion of the consultation and considering the issues raised in the 9 submissions it is appropriate for the Planning Proposal to amend the BLEP 2012 to proceed as per the original documentation endorsed by Council at its 21 March 2016 meeting (**see attachment 1**), with one amendment, being the inclusion of Lot 300 DP750390 to be rezoned from RU2 Rural Landscape to R5 Large Lot Residential under the Blayney Local Environmental Plan 2012.

Issues:

Nil.

Budget Implications:

Nil

Enclosures (following report)

- | | | |
|---|---------------------------------------|----------|
| 1 | DoPE Letter and Gateway determination | 4 Pages |
| 2 | Consultation Submission Summary Table | 6 Pages |
| 3 | Copies of submissions received | 23 Pages |

Attachments (separate document)

- | | | |
|---|-------------------|----------|
| 4 | Planning Proposal | 45 Pages |
|---|-------------------|----------|



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

16/05096

Attention: Patsy Moppett, Senior Town Planner

Dear Ms Ryan

Planning Proposal (PP_2016_BLAYN_001) –to amend Blayney Local Environmental Plan 2012 – including deferred matters, model boundary adjustment clause, existing holding time extension and minor amendments to clause 4.2A(3)

Thank you for your letter dated 24 March 2016 (received on 30 March 2016) requesting a Gateway determination under section 56 of the *Environmental Planning and Assessment Act 1979* (the Act).

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

Council is to ensure that it actively consults with the community and landowners particularly in relation to the land that is affected by the deferred matters and existing holdings.

I am satisfied that the planning proposal's inconsistencies with section 117 Directions 1.2 Rural Zones, 1.3 Mining, Petroleum Production and Extractive Industries are of minor significance as the inconsistency has been justified by an endorsed Strategy. No further approval is required in relation to these Directions.

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

The amending Local Environmental Plan (LEP) is to be finalised within 12 months of the week following the date of the Gateway determination. Council should aim to commence the exhibition of the planning proposal as soon as possible. Council's request to draft and finalise the LEP should be made directly to Parliamentary Counsel's

Office (parliamentary.counsel@pco.nsw.gov.au) 10 weeks prior to the projected publication date. A copy of the request should be forwarded to the Department of Planning and Environment (westernregion@planning.nsw.gov.au) for administrative purposes.

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

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

Should you have any queries in regard to this matter, I have arranged for Tim Collins, Planning Officer to assist you. Mr Collins can be contacted on (02) 6841 2180.

Yours sincerely,

 5-5-2016
Ashley Albury
Director Regions, Western
Planning Services

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



Gateway Determination

Planning proposal (Department Ref: PP_2016_BLAYN_001_00): to resolve deferred matters, include a model provision allowing for boundary adjustments, an extension of time for the existing holding sunset provision, and minor amendments to clause 4.2A(3).

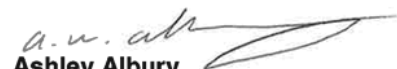
I, the Director Regions, Western at the Department of Planning and Environment as delegate of the Minister for Planning, have determined under section 56(2) of the EP&A Act 1979 that an amendment to the Blayney Local Environmental Plan 2012 (LEP) to resolve deferred matters, include a model provision to allow for low impact boundary adjustments, an extension of time for the existing holding sunset provision, and minor wording amendments to clause 4.2A should proceed subject to the following conditions:

1. Community Consultation is required under sections 56(2)(c) and 57 of the Environmental Planning and Assessment Act 1979 (EP&A Act) as follows:
 - (a) the planning proposal must be made publicly available for a minimum of **28 days**; and
 - (b) the relevant planning authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with planning proposals as identified in section 5.5.2 of *A Guide to Preparing LEPs* (Department of Planning & Infrastructure 2013).
2. Consultation is required with the following State Agencies under Section 56 (2)(d) of the EP&A Act.
 - (a) Office of Environment and Heritage,
 - (b) NSW Department of Primary Industries - Agriculture, and
 - (c) NSW Department of Primary Industries - Water.

Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material, and given at least 21 days to comment on the proposal.
3. Consultation is required with Cabonne Council and Orange City Council. These local governments are to be provided with a copy of the planning proposal and any relevant supporting material. The results of the consultation with Cabonne Council and Orange City Council are to be submitted to the Department of Planning and Environment as part of the section 59 submission.
4. A public hearing is not required to be held into the matter by any person or body under section 56(2)(e) of the EP&A Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).
5. Prior to submission of the planning proposal under section 59 of the EP&A Act the LEP maps are to be revised and are to be compliant with the Department's standard technical requirements for maps.

6. The timeframe for completing the LEP is to be **12 months** from the week following the date of the Gateway determination.

Dated 5th day of May 2016.


Ashley Albury
Director Regions, Western
Planning Services

Delegate of the Minister for Planning

SUMMARY OF SUBMISSIONS		
Name	Issue Raised	Response
Department of Primary Industries (Agriculture)	No issues regarding impacts on agricultural land and rural industries as a result of the amendment.	Noted. No further comment required.
Orange City Council	Notes the proposed extension to the timing of existing holdings.	Noted. No further comment required.
	Minor boundary adjustments clause is a commendable enhancement to the standard instrument.	Noted. No further comment required.
	Notes the proposed amendment to Clause 4.2A (3)(c) to add the words "under an environmental planning instrument before the words "before this Plan" to clarify the operation of the clause and to remove doubt or dispute in relation to dwelling entitlements.	Noted. No further comment required.
	The PP is not consistent with the Blayney, Cabonne, Orange Sub-Regional Rural and Industrial Strategy; however, the strategy was produced from limited demographic data, and was published in 2008 so the document needs to be reviewed.	PP has also identified this as an issue and that a review is needed that will better reflect the region's demographics, growth and the future needs of the community.
	<p>Changes 1 & 2 - Proposed transfer of 1(c) Rural Small Holdings to R5 Rural Residential is not consistent with the Blayney, Cabonne, Orange Sub-Regional Rural and Industrial Strategy;</p> <ul style="list-style-type: none"> ▪ Strategy recommended against lifestyle allotments along Forest Reefs Road ▪ The PP does not address the general criteria for rural residential land 	<p>Above-average approvals of new subdivision applications and dwellings (especially in FRR) has challenged/invalidated some of the Strategy positions in relation to supply/demand (p10 of PP).</p> <p>The retention of large lot residential zoning is inconsistent with the recommendations, however an increase in MLS at BCR will result in a reduction in the ability to subdivide and a subsequent reduction in dwelling yield on the remaining undeveloped land (p9 PP)</p>

	<ul style="list-style-type: none"> The PP does not address the particular concerns the strategy had with FRR and BCR. 	
	The PP recommendation in relation to the MLS seems to be focused on the financial gain to landowners.	The MLS is based on the remaining allotments with the objective to reduce the yield of subdivisions and subsequent dwellings that could result in the future.
	The PP has little to no regard for potential land use conflicts between residential and agricultural zoning.	Land use conflict has been identified as a potential issue in relation to the MLS of BCR and FRR. Land use conflict would be dealt with on a merits basis upon lodgment of any future subdivisions or dwelling house applications in accordance with section 79C of the EPAA 1979.
	Multiple comparisons throughout OCC submission comparing the process OCC have been required to undertake for the proposed Orange Airport rezoning PP and the discrepancy between this PP.	No further comment required.
Cabonne Council	Cabonne Council intends to amend the Cabonne LEP to include a similar boundary adjustment clause. This will allow for consistency for rural planning outcomes between adjoining Councils.	Noted. No further comment required.
NSW Office of Environment and Heritage	Proposed changes noted and support given to the inclusion of the Environmentally Sensitive Areas (ESA) maps and associated clauses, currently in the BLEP2012 over the deferred areas to be introduced and applied in the amendment.	Noted. No further comment required.
D & A Johnston	Request that Lots 136 and 140 DP750408 and surrounding small acreage at Somers, Mandurama be included in the PP to better reflect the land size and use.	This request may contain merit, however is not appropriate for inclusion in this PP. It would require further detailed strategic assessment prior to progressing this PP and also further Community Consultation which would halt and significantly delay this PP. This request should not be incorporated in this PP but considered in any future Large Lot Residential study or future review of BCO strategic planning documentation.

Mr. I Tooke	It is inequitable for the Minimum Lot Size for Browns Creek Road and Forest Reefs road to be different.	The MLS has been based on supply/demand and the amount of remaining land that would have a potential to be subdivided. There are only a small number of large allotments remaining in the FRR area that have the potential to be subdivided. There are a higher number of larger allotments in the BCR area that have the potential to be subdivided however the demand is lower than FRR.
	Have concerns with proposed 20ha MLS as the purpose of buying land was to subdivide in future but our current 4ha property land will not meet proposed 20ha MLS.	If landowners gain consent for the subdivision of MLS 2ha as permitted in the 1(c) zone prior to the amendment and commence work the consent will not lapse. Clause (3) (c) will enable the construction of dwellings on the subdivided land.
	FRR and BCR should both retain the MLS of 2ha.	The MLS for FRR will remain at 2ha due to the limited amount of vacant land that has subdivision potential. FFR supply and demand is higher and less constrained than BCR. The demand for BCR is lower than FRR and the topography limits the housing yield. The MLS of 20ha for BCR better reflects the supply/demand and the capacity of the land to hold a dwelling.
C & RV Savva	Owns 377 Browns Creek Road which is a 2.2ha allotment which will be under the 20ha MLS introduced for BCR precinct.	The 20ha MLS for the BCR area only applies to future subdivision of land in the precinct for the purpose of a dwelling.
	Wording is needed within the BLEP 2012 that confirms and assures building entitlement will remain after change to the MLS.	The 20 ha MLS does not apply as a development standard for the erection of a dwelling on an existing allotment within the R5 Large Lot Residential zone.
	In 2012 when BLEP 2012 was proposed we rushed to lodge a DA as there was no certainty the building entitlement would remain, this has almost lapsed and would like assurance building entitlement will not be removed.	If a lot is already created and is within the R5 Large Lot Residential zone as this one is, then a dwelling house is permissible subject to lodgment, assessment and approval of a DA. Permissibility of a dwelling remains for this allotment.

<p>Anthony Daintith Town Planning on behalf of Mr. G Keen</p>	<p>Seeking Lot 300 DP750390 be included in this PP and rezoned from RU2 Rural Landscape to R5 Large Lot Residential.</p> <p>Owns several allotments in this vicinity; 2 allotments (1 lots 194 & 197 DP750390) are within the "Deferred Matter" within the 1998 LEP and proposed to be rezoned under this PP.</p> <p>5 allotments; 1 DP125639, 182, 190 191 & 192 DP750390 all zoned RU2 Rural Landscape under BLEP2012.</p> <p>4 allotments; Lots; 182, 191, 192 & Lot 300 DP750390 all owned by this person were all back-zoned from 1(c) to RU2 Rural Landscape with the introduction of the in the BLEP2012 removing permissibility of a dwelling on each respective allotment.</p> <p>This Submission requests 1 of the 4 abovementioned lots, being lot 300 DP 750390 is rezoned to R5 Large Lot Residential through inclusion in this PP.</p> <p>Lot 300 seeks inclusion to provide the owner with direct road frontage to BCR for lots 194 & 197 DP750390 that they own which will be zoned R5 Large Lot Residential.</p> <p>It would also allow the R5 zone boundary to be "squared up" and only increase the potential dwelling yield by 1.</p>	<p>Lot 300 DP750390 directly fronts BCR and directly adjoins the "1(c) Deferred Matter" zone to the west and south.</p> <p>Lot 300 DP750390 was previously zoned 1(c) until 2012 when it along with 4 other allotments were re-zoned to RU2 Rural Landscape with the introduction of the BLEP2012.</p> <p>The request for inclusion of lot 300 DP750390 is considered reasonable after 4 allotments were previously back zoned. Additionally, it will straighten the zone boundary and will allow a consistent R5 zoning to occur between BCR and lots 194 & 197 DP 750390 (no point having 1 small allotment zoned RU2 between BCR and lots 194 & 197 DP 750390.</p>
<p>Department of Primary Industries (Water)</p>	<p>The PP does not outline any details for future development on the site therefore DPI Water's comments will be general.</p>	<p>Noted, it is a PP not a DA for subdivision. No further comment required.</p>
	<p>Water Supply and Licensing. PP has potential to increase lot numbers significantly, particularly in SA9 along FFR.</p>	<p>The proposed PP does not increase the amount of potential lots from what is currently allowable as BCR and FFR currently have an MLS of</p>

	<p>DPI recommends Council carefully consider the water supply to service this area for any future developments.</p> <p>The potential future subdivision of the site requires a strategic understanding of the water needs of different allotments by size and location.</p>	<p>2ha each. With BCR increasing the MLS to 20ha the potential dwelling yield is reducing from what can currently be developed.</p> <p>Potable water supply in this area is provided by Central Tablelands Water not Council. Both the BCR and the FFR areas are not currently connected to the CTW water supply.</p> <p>The water needs for any future allotments are considered when a DA is lodged for the dwelling. The water tank size is dependent upon the occupation potential of the dwelling.</p>
	<p>Basic Landholder Rights Landholders with land overlying an acquirer or with river or lake frontage can access water for domestic (household) purposes without the requirement for an access license. Landowners can also capture a portion of rainfall from their property under a harvestable right.</p> <p>DPI Water notes where subdivisions occur it creates new basic landowner rights for water extraction and there is potential to impact on existing water users including environment.</p> <p>For this PP it could place pressure on groundwater resources in the area.</p>	<p>Noted. This is not a Land Use Planning matter, DPI Water need to consider amending the Water Management Act 2000 in which they themselves operate under to address these concerns.</p> <p>Blayney Council raised these concerns in a submission on the Draft Central West Regional Plan and to CENTROC who were meeting with DPI Water in 2016.</p> <p>Areas where moderate or high groundwater vulnerability are known or mapped will be considered during the 79C assessment of any future DA for subdivision.</p>
	<p>Groundwater PP has identified from groundwater mapping part of the area is identified as having moderate to high vulnerability. Council should consider the impacts of future developments of the site on groundwater.</p>	<p>Areas where moderate or high groundwater vulnerability are known or mapped will be considered during the 79C assessment of any future DA for subdivision.</p>
	<p>Watercourse Management DPI Water has concerns about the impacts of future development on all streams in particular Cowriga Creek and Sugarloaf Creek.</p>	<p>Any impacts on any order stream would be considered during the 79C assessment of any future DA for subdivision.</p> <p>As pointed out by DPI Water any works within 40m of a first, second or third order stream would trigger integrated development and require DPI Water approval under the Water Management Act 2000.</p>

	It is recommended Council incorporate appropriate buffers to maintain the integrity of the watercourses on the sites.	
	<p>Sewer Infrastructure</p> <p>DPI assumes detailed information would be provided at DA stage.</p> <p>DPI Water has concerns there is potential for groundwater impacts if onsite sewerage systems are used.</p> <p>DPI Water reiterates the buffers within the Environment and Health Protection Guideline: On-Site Sewerage Management for Single Households (1998) and the 250m buffer requirement in the Water Sharing Plan between groundwater bores and septic systems.</p>	<p>The proposed PP does not increase the amount of potential lots from what is currently allowable as BCR and FFR currently have an MLS of 2ha each. With BCR increasing the MLS to 20ha the potential dwelling yield is reducing from what can currently be developed.</p> <p>On site sewerage systems are appropriate when installed and maintained correctly.</p> <p>DPI Water need to consider amending the Water Management Act 2000 in which they themselves operate under to consider restricting installation of bores within close proximity to onsite waste water systems. Blayney Council raised this concern in a submission for the Draft Central West Regional Plan and to CENTROC who were meeting with DPI Water in 2016.</p> <p>Council notes the buffers listed by DPI Water. Recently Council has been using 100m as the minimum buffer distance between onsite waste water systems and bores.</p> <p>The 100m buffer is based upon Sydney Catchment Authority requirements who protect Sydney's Drinking Water Catchment. Any development within this catchment must have a neutral or beneficial effect, which is why Sydney Catchment Authority requirements are considered best practice and why Blayney has been using their requirements as a basis.</p>



Department of Primary Industries

OUT16/25629

The General Manager
Blayney Shire Council
PO Box
BLAYNEY NSW 2799

EMAIL: council@blayney.nsw.gov.au

Attention: Mark Dicker, Director Planning and Environment

Dear Mark

Notice of Public Exhibition of an Amendment to the Blayney Local Environmental Plan 2012

Thank you for referring the above planning proposal in your letter dated 7 June 2016.

NSW DPI (Agriculture) has reviewed the information provided and upon other related investigations I wish to advise that there are no issues regarding impacts on agricultural land and rural industries as a result of this amendment.

This proposal will clearly delineate the two areas to be zoned from (1(c)) Rural Small Holdings to (R5) Large Lot Residential will not increase ad hoc dwelling opportunities in the adjacent primary production zone. The delineation of the two residential living zones will make it clear that the intent of these is for residential living. There are no other issues raised with the other proposed planning arrangements as they will not impact on the ability for commercial agricultural business to continue as the primary outcome of the primary production zone.

Please contact Mary Kovac, Resource Management Officer on phone 68811250 or email mary.kovac@dpi.nsw.gov.au if you have further enquiries.

Yours sincerely

A handwritten signature in black ink, appearing to read "WDougherty".

WARWICK DOUGHERTY
A/Manager Agricultural Land Use Planning

PO Box 865, Dubbo NSW 2850, Australia
Cnr Hampden and Cobra Streets, Dubbo NSW 2830
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D16/29255
F1544

6 July 2016

Attention: Mark Dicker
The General Manager
Blayney Shire Council
PO Box 62
Blayney NSW 2799



Dear Sir,

PUBLIC EXHIBITION OF AN AMENDMENT TO THE BLAYNEY LOCAL ENVIRONMENTAL PLAN 2012

Orange City Council welcomes the opportunity to review and comment upon the recent planning proposal to amend the Blayney Local Environmental Plan 2012. It is understood that the proposal entails several matters, including:

1. The transfer of all land shown as "Deferred Matter" in BLEP 2012 (land is zoned 1(c) Rural Small Holdings under the BLEP 1998) in the vicinity of Forest Reefs Road, Millthorpe to R5 Large Lot Residential under the Blayney Local Environmental Plan 2012 with a Minimum Lot Size of 2 Hectares.
2. The Transfer all land shown as "Deferred Matter" in BLEP 2012 (land is zoned 1(c) Rural Small Holdings under the BLEP 1998) in the vicinity of Browns Creek Road Blayney to R5 Large Lot Residential under the Blayney Local Environmental Plan 2012 with a Minimum Lot Size of 20 Hectares.
3. Extending the period of time specified in Clause 4.2A (4) of the Blayney Local Environmental Plan 2012 from 3 to 5 years,
4. Incorporating a new standard instrument boundary adjustment clause to permit simple boundary adjustments in rural areas on lots below the minimum lot size and/or greater than 10% variations in lot size,
5. Amending Clause 4.2A (3)(c) to add the words 'under an environmental planning instrument' before the words 'before this Plan', and,
6. Revoking Blayney Local Environmental Plan 1998.

Having reviewed the information supplied OCC consider that:

- Changes 1 & 2 are not fully consistent with the Blayney, Cabonne, Orange Sub-Regional Rural and Industrial strategy that applies to the three constituent LGA's. Further comment on these changes are provided below.
- Change 3 relates the timing for the cessation of existing holdings, this is considered to be an internal matter for Blayney Shire and we note that the extension of time is consistent with Blayney Shires previously established position. As such OCC support this change.
- Change 4 represents a commendable enhancement to the standard instrument clauses relating to boundary adjustments. OCC supports this change and may investigate incorporating such or similar changes to the Orange LEP in due course

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Telephone 1300 650 511 Fax 02 6393 8199
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PUBLIC EXHIBITION OF AN AMENDMENT TO THE BLAYNEY LOCAL ENVIRONMENTAL PLAN 2012
6 July 2016

- Change 5 appears to be a minor clarification of the operation of clause 4.2A to remove doubt or dispute in relation to dwelling entitlements. OCC supports this change and will be interested to see if the change has the intended outcome, which could also be considered for inclusion in the Orange LEP.
- Change 6 is also a minor matter but one that is predicated upon changes 1 and 2. As such OCC support this change subject to the comments on changes 1 and 2 below.

Transfer of deferred matter areas to Blayney LEP 2012.

By way of recap, the planning proposal seeks to “transfer and update the relevant planning controls for the large lot residential lands along Forest Reefs Road and Browns Creek Road that are identified as ‘Deferred Areas’ in BLEP 2012 from the operation of BLEP1998 to BLEP 2012.” The proposal states that the aim is to “address (in part) the recommendations of the Subregional Rural & Industrial Land Use Strategy (2008) and manage supply of this land use in the Shire.” The relevant areas are shown in figure 2 of the iPlan Projects document (reproduced below).

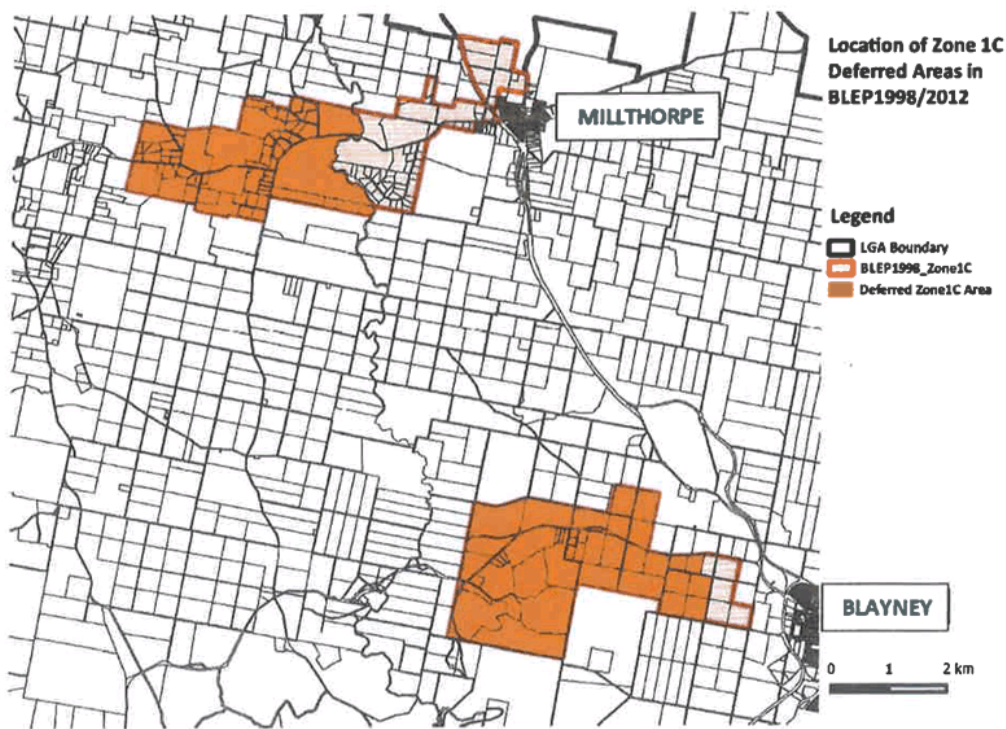


FIGURE 2: LOCATION OF THE TWO (2) DEFERRED LARGE LOT RESIDENTIAL AREAS IN RELATION TO THE FORMER ZONE 1C AREAS

PUBLIC EXHIBITION OF AN AMENDMENT TO THE BLAYNEY LOCAL ENVIRONMENTAL PLAN 2012
6 July 2016

"Deferred matter" provisions are created when a new principle EPI is drafted that is unable, for a variety of reasons, to adequately accommodate a previous set of circumstances. Application of a "deferred matter" status to land under new EPI effectively preserves the operation of the former EPI in relation to that land. In this instance the affected lands (shown above) are currently zoned 1c under the former BLEP 1998. As the planning proposal states this is equivalent to a large lot residential designation under the standard LEP template.

Therefore the proposal appears at first glance to be a reconciliation of the former BLEP 1998 with the current standard template BLEP 2012. The original rationale for deferring these areas needs to be duly considered. The strategy articulated a view that rural residential land should be located in appropriate areas which do not take away good quality and productive agricultural land as well as areas of high biodiversity, and only be provided where service provision is economically viable and efficient. This logic was expressed as the following 5 criteria:

- Potential impact on agricultural land and agricultural activities;
- Primary environmental constraints such as flooding, topography and drainage;
- Servicing constraints and opportunities;
- Natural resources including vegetation, biodiversity, surface and ground water, land degradation; and
- Possible constraints on village expansion.

Section 3.3 Blayney Cabonne Orange Sub-Regional Strategy

The two areas under consideration by the planning proposal were identified in the sub-regional strategy as SA9 (Forest Reefs Road) and SA10 (Browns Creek Road). The strategy recommended against lifestyle allotments in SA9 partly on the limited take up rate at the time and partly due to the area being within one kilometre of known and potential metallic mineral resource deposits and in particular proximity to mining operations at Cadia.

SA10 was seen to have similar constraints other than proximity to Cadia. SA 10 is further described as having steep slopes which would "preclude an efficient lifestyle allotment subdivision pattern" and being surrounded (north, west and south) by larger holdings with a soil profile (class 3) considered suitable for agricultural activity, such that the SA10 land could, over the long term, form part of those holdings.

The planning proposal does not appear to have addressed the general criteria for rural residential land and has not examined the particular concerns the strategy had with SA9 and SA10. Instead the planning proposal recommendation seems to be predicated on financial gain to landowners in the first instance with little to no regard for potential land use conflicts between residential and agricultural that this approach creates.

"Option 3 is preferred as it provides a strategic solution and everyone has some dwelling potential there is less risk of complaints of loss of economic value – particularly for larger lots that are less likely to develop (Browns Creek Road only) – so this Option probably has the highest chance of success after Option 1 & 2 but at least achieves some strategic principles and provides greater flexibility for consideration of future LLR areas elsewhere in the Shire."

PUBLIC EXHIBITION OF AN AMENDMENT TO THE BLAYNEY LOCAL ENVIRONMENTAL PLAN 2012
6 July 2016

It is understood that the lands concerned were deferred from BLEP 2012 due to resistance to the recommendations of the Blayney Cabonne Orange Subregional Rural & Industrial Land Strategy.

The planning proposal is considered therefore to be inconsistent with the sub-regional strategy. However, it needs to be acknowledged that the strategy is a product of its times and the limited period of demographic data that was evaluated by the strategy. Published in 2008 the strategy drew heavily upon the 2001 and 2006 census results and presumably DA figures of the time.

That particular five year period was somewhat anomalous for the sub-region. The following tables have been compiled from ABS data and shows the respective LGA populations across the sub-region at each census from 1981 – 2011 and the Estimated Resident Population (ERP) for the years since. The columns highlighted in yellow show the period considered by the subregional strategy.

During the 5 years studied by the strategy Blayney had its strongest growth in recent history (more than triple any previous inter-census period) whereas Orange had its only population decline, Cabonne experienced a bounce back from a decline in the previous inter-census period. Blayney has grown consistently since 1986 until the latest 2015 ERP figures. Importantly, as a whole, the sub-region has grown at every census since 1981. Earlier census data has not been referenced owing to amalgamations and boundary adjustments in 1977 making LGA comparisons between pre and post amalgamations difficult.

LGA	1981	1986	1991	1996	2001	2006	2011	2012	2013	2014	2015
Blayney	6,007	5,870	5,996	6,025	6,120	6,593	6,985	7,279	7,320	7,410	7,380
Cabonne	11,435	11,383	11,735	11,952	11,864	12,396	12,821	13,476	13,695	13,767	13,860
Orange	30,351	31,710	32,910	33,964	35,446	35,338	38,057	40,160	40,851	41,406	41,809
Sub-region	47,793	48,963	48,963	51,941	53,430	54,327	57,863	60,915	61,866	62,583	63,049

Table 1 population based on ABS statistics (greyed cells are estimated resident population, others are census figures)

% change	1981	1986	1991	1996	2001	2006	2011	2012	2013	2014	2015
Blayney	-	-2.28%	2.15%	0.48%	1.58%	7.73%	5.95%	4.21%	0.56%	1.23%	-0.40%
Cabonne	-	-0.45%	3.09%	1.85%	-0.74%	4.48%	3.43%	5.11%	1.63%	0.53%	0.68%
Orange	-	4.48%	3.78%	3.20%	4.36%	-0.30%	7.69%	5.53%	1.72%	1.36%	0.97%
Sub-region	-	2.45%	3.43%	2.57%	2.87%	1.68%	6.51%	5.27%	1.56%	1.16%	0.74%

Table 2 change is relative to previous period (i.e. ERP figures are annual change and census figures are over 5 years)

In the years since the strategy was produced Orange has had a pronounced recovery – going from the only inter-census decline to its strongest inter-census growth, whereas Blayney's population has moderated from its highest inter-census back towards longer term trends. The return of growth to Orange could be argued to support demand for rural-residential lifestyle properties within the commuting range of the City. Population changes in Bathurst could also be having an effect on demand for Blayney Shire property but that is beyond the scope of this submission.

PUBLIC EXHIBITION OF AN AMENDMENT TO THE BLAYNEY LOCAL ENVIRONMENTAL PLAN 2012
6 July 2016

In recent times OCC have consulted with BSC in relation to a proposed industrial estate near the Orange airport. BSC comments appeared critical over not being consulted earlier in the process – despite the OCC proposal not yet reaching the public exhibition phase. It has therefore been interesting to note that the iPlan Projects document states that a report was put to Blayney Council meeting in February 2016 outlining the perceived options and a resolution made to support the preferred options in that report.

Clearly BSC held a view that this proposal is primarily an internal matter for Blayney and as such have not sought, until now, to consult with neighbouring LGAs. Similarly OCC needed to progress the airport project to a fit state before being able to engage in meaningful consultation with neighbouring LGAs.

Orange does not seek to unreasonably interfere or intrude upon Blayney's autonomy – however there is a clear link between both the Orange airport project and the current Blayney planning proposal as both are within the remit of the Blayney Cabonne Orange Subregional Rural & Industrial Land Strategy. It would therefore be incongruous to expect one LGA to rigidly adhere to the letter of the strategy denying any variation whatsoever without a full subregion-wide review, while then allowing another LGA to effectively set aside the strategy where it is found to be inconvenient.

Interestingly section 2.1 of the iPlan Projects document, which sets out issues and justification for the proposal, articulates a range of concerns with the subregional strategy, going so far as to declare that "this has challenged/invalidated some of the Strategy positions and recommendations regarding take-up of land and supply/demand.". In many respects this echoes Orange's experience on the industrial side of the strategy, where the supply of industrial land within the Orange LGA was impacted by the removal of industrial supply at Towac without being replaced elsewhere and the assumption that the abattoir site in North Orange could/would attract industrial interest – even though the strategy was setting the scene for an interface conflict between residential and industrial land.

In OCC's view the subregional strategy appears to be largely informed by a narrow 5 year period of population data, primarily the 2001 and 2006 census results, and has not evaluated whether that period was anomalous or consistent with longer term trends and patterns. From an industrial perspective the '01-'06 period covered an unusually weak period of growth for the Orange LGA and should therefore have allowed more headroom to hedge against a reassertion of the longer term trend. It is plausible that the same effect is now being felt in the supply of rural-residential land across the subregion.

The subregional strategy nonetheless aims to remove the dwelling potential of the 1(c) deferred areas and the planning proposal is contra to this aim. Additionally, the iPlan Projects document has not examined supply and demand figures in any substantive fashion. The document merely states "*there have been above-average approvals of new subdivision applications and dwellings*" as the basis for challenging the subregional strategy. No data is given in this regard, neither by way of actual approvals or defining what the "average" rate has historically been. As presented the planning proposal is beyond the scope of the established strategy.

PUBLIC EXHIBITION OF AN AMENDMENT TO THE BLAYNEY LOCAL ENVIRONMENTAL PLAN 2012
6 July 2016

It is peculiar that OCC were required to undertake an addendum review of the sub-regional strategy for the airport project, and still criticised for departing from the letter of the strategy. Notwithstanding this discrepancy OCC consider that there could be some merit to the proposal. Fundamentally, should the Orange Airport business and industrial estate proceed this would, over time, generate demand for housing opportunities within commuting range of the airport. The 1(c) deferred matter areas within Blayney Shire would appear to be within such a catchment. Therefore, while a full three council review of the subregional strategy is overdue and should be pursued, OCC's review of the strategy (focussed upon the Orange LGA) could be seen as a basis to support increasing residential supply.

Yours faithfully



David Waddell

DIRECTOR DEVELOPMENT SERVICES



Phone: (02) 6392 3247

Fax: (02) 6392 3260

Contact: Heather Nicholls

THE GENERAL MANAGER
POST OFFICE BOX 17
MOLONG 2866Website: www.cabonne.nsw.gov.auEmail: council@cabonne.nsw.gov.au

Our Ref:

Doc ID: 767497

ABN: 41992 919 200

6 July 2016

General Manager
Blayney Shire Council
PO Box 62
BLAYNEY NSW 2799council@blayney.nsw.gov.au

Dear Madam,

RE: AMENDMENT TO BLAYNEY LOCAL ENVIRONMENTAL PLAN 2012

Cabonne Council is in receipt of your correspondence dated 7 June 2016 advising of the exhibition of an amendment to the Blayney Local Environmental Plan 2012 (BLEP). The Planning Proposal to amend the BLEP has been reviewed and Cabonne Council generally supports the proposal.

It is the intent of Cabonne Council to amend its planning instrument to introduce a boundary adjustment clause for rural land. A Planning Proposal is to be drafted in accordance with council's resolution for submission to the Department under the Gateway process. Given the proposal to amend the Blayney LEP in similar regard, there is opportunity to ensure further consistency for rural planning outcomes between the adjoining rural council areas through the implementation of standard instrument clauses.

The Cabonne Local Environmental Plan 2012 included a sunset clause relating to 'existing holding' dwelling permissibility. The 'existing holding' provision ceased to have effect within the Cabonne area on 18 January 2015.

Should you require to discuss the above matters further please do not hesitate to contact the undersigned during business hours, at council's Environmental Services Department, on 6392 3247.

Yours faithfully,


HJ Nicholls**DIRECTOR ENVIRONMENTAL SERVICES**



DOC16/318162

General Manager
Blayney Shire Council
PO Box 62
BLAYNEY NSW 2799

Attention: Mr Mark Dicker

Dear Mr Dicker

Amendment to the Blayney Local Environmental Plan 2012

Thank-you for providing the Office of Environment and Heritage (OEH) with the opportunity to comment on the proposed amendments to the Blayney Local Environmental Plan 2012 (LEP). We understand that this is a Gateway determination, and you are consulting with us in accordance with s56 of the *Environmental Planning and Assessment Act 1979*.

The planning amendments, if approved, will result in deferred areas being incorporated into the Blayney LEP 2012, and the Blayney LEP 1998 being revoked. Some administrative clauses will be modified, and a new Standard Instrument boundary adjustment clause will be incorporated.

The proposal will retain existing minimum lot size for the Forest Reef Road Deferred Area, and will increase the minimum lot size for the Browns Creek Road Deferred Area from 2ha to 20ha.

It is noted that the amendment will introduce the application of the Environmentally Sensitive Areas (ESA) maps and associated clauses, currently included in the Blayney LEP 2012, over the Deferred Areas. OEH supports the application of the ESA mapping and clauses to the Forest Reef Road and Browns Creek Road Deferred Areas.

Should you require any further information, please contact Liz Mazzer, Conservation Planning Officer on (02) 6883 5325 or email liz.mazzer@environment.nsw.gov.au.

Yours sincerely

A handwritten signature in black ink, appearing to read "STEVEN COX".

STEVEN COX
Senior Team Leader, Planning
North West Region

Date: 1 July 2016

PO Box 2111 Dubbo NSW 2830
Level 1, 48-52 Wingewarra Street Dubbo NSW 2830
Tel: (02) 6883 5330 Fax: (02) 6884 8675
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www.environment.nsw.gov.au

D & A Johnston
"Iona"
417 Mandurama Road
Mandurama
NSW 2792

11th May 2016

Rebecca Ryan
General Manager
Blayney Shire Council
Adelaide Street Blayney

Dear Rebecca,

We are writing this letter to request that the land zoning on our properties Lots 136 & 140 DP 750408 and surrounding small acreage at Somers, Mandurama be reviewed. Presently we are zoned RU1 Primary Production but this does not adequately reflect the purpose or land use of these small lifestyle blocks. In the locality of Somers, there are numerous small parcels of land (~11 – 20 acres) which were originally set aside as Soldier Settler Blocks surrounding the village of Somers. While the village did not come into fruition, these small lifestyle blocks each contain a house which are in relatively close proximity to each other. Most residents keep companion animals or domestic livestock and occasionally enjoy riding motorbikes. These lifestyle blocks could not support activities associated with larger scale agricultural production occurring in the area, are not self sustaining and are financially unviable under their current land uses.

We therefore request that Council acknowledges that these small lifestyle blocks or hobby farms in the vicinity of Somers should not be zoned RU1 Primary Production and cannot support many of the developments that are related to or permissible in this zoning.

We also request that Council considers these lifestyle blocks or hobby farms to be rezoned R5 Large Lot residential and have appropriate development restrictions to suit the actual landuse, such as those which have been accepted and transferred in the Amended 2012 BLEP in the vicinity of Forest Reefs and Browns Creek Road, and potentially Millthorpe and Guyong Road.

Yours sincerely,



Donna and Andrew Johnston

AK & DM Johnston
417 Mandurama Rd, Mandurama NSW 2792
Mobile: 0408 221 922 Ph/Fax: (02) 63 675 251 donna@donnastudio.com.au

Submission to Blayney Shire Council – Amendment to BLEP 2012

In year 2000 Elizabeth and I purchased land from Mr R. Matthews on the Browns Creek Road, under the then designated Zone 1(c) Rural Small Holding. Our lot has an area of 5.66Ha (or 14 acres), and we have developed this land with a home and sheds to support our lifestyle. We have a current Development Application (2016/53) active with Council to construct a further workshop and storage shed on the front portion of our lot. It was our intention at some time in the future to subdivide off a portion of the land at our current entrance gateway, for development of a second dwelling adjacent to this new shed being undertaken at the moment. We envisage a lot of approximately 2 Ha being divided off.

The proposal before Council to now change the BLEP for this area along Browns Creek Road to a minimum Lot size of 20Ha will exclude us from following through with our plans for the future. We note that within this same proposal, the recommendations for future development along Forest Reefs Road will continue with a Lot size of 2Ha. We believe both areas (BCR and FFR) should be treated equally, and both should maintain the current Lot size of a minimum of 2Ha.

Our land currently overlooks the newest development along Browns Creek Road, a cluster of 16 allotments with an average of 2Ha minimum on Graham Road and Green Grove. These blocks offer the same size and lifestyle we have sought for ourselves, and by no means diminish the rural aspect of the land.

We note that the sunset clause on future developments along this section of the shire (BCR) will be extended until 23 November 2017, being 5 years from the 2012 date originally set for the commencement of the 3 year time frame being given to residents along this road to seek development consent for adjustments to the size of their holdings. We have commenced discussions with your planning staff about our plans for making a subdivision application, but as yet have not engaged a Surveyor to measure and draw up the areas to be included in our proposal.

It is our intention to submit an initial Development Application within this extended sunset clause period, so that we, or our children, can see this subdivision proposal through, but we need Council to affirm that we can proceed with making up 2 allotments of a minimum 2Ha size when we finalise our plans.

While we can see that Council seeks to establish a standard lot size for R5 Large Lot Residential holdings, we believe that the proposal for two different minimum sizes for the areas being considered specifically under this proposal is inequitable. It is our belief that both should have a minimum lot size of 2Ha applied, and that the 20Ha size be removed from the proposal for areas currently within the BCR zone.

We look forward to your favourable consideration in this matter.

Ian R Tooke

Resident
29 Brooklee Lane
Blayney

C & RV Savva
2 Byrne Close
Kelso NSW 2795

M: 0452 138 900

24 June 2016

Mark Dicker
Director Planning and Environmental Services
Blayney Shire Council
Delivered by email

Dear Mr Dicker,

Re: Letter Dated 07 June 2016 - Amendment To The Blayney Local Environmental Plan 2012

As discussed with you on the telephone on the 10 June both my wife and I have significant concerns regarding:

"The transfer all land which is shown as "Deferred Matter" in BLEP 2012 (land zoned 1 (c) Rural Small Holdings under the BLEP 1998) in the vicinity of Browns Creek Road Blayney to R5 Large Lot Residential under the Blayney Local Environment Plan with a Minimum Lot Size of 20 Hectares."

Our concerns stem from our ownership of the property 377 Browns Creek Road Blayney. This is a 2.2ha/5-acre lot that we have owned for in excess of 21 years. It was purchased with building entitlement with the intention of building upon it. Unforeseen family circumstances prevented us building on the site.

In 2011 we discovered by accident (no notification received from Blayney Shire Council) that the zoning of this area was under review and we had to lodge an initial development application to shore up our building entitlement. We did so in a hurried manner as we only had two weeks notice of this requirement and at a cost of \$5,000 on application fees and a Town Planner we hired for this job. The outcome, which is the subject of this matter, was that the matter was to be deferred. Five thousand dollars was expended for no purpose.

On reading your correspondence dated 7 June and the attached amendment, it is not clear to us that our building entitlement will be preserved. This is very concerning as the purpose of the subdivision at least from our perspective was for a future dwelling and was sold with building entitlement. Five acres sitting on its own, with no building entitlement would be worthless. In addition we do not think it is appropriate that we should be required to go through a revolving cycle of building application lodgements and there associated cost to continually sure-up building entitlement on such a lot.

Whilst I take some comfort in your assurances that it is not the intention of Blayney Shire Council or its Planning Department to remove building entitlement from our lot, both my wife and I would like to see wording in this amendment that better reflects this entitlement for property owners such as us whose holding is less than 20ha.

This matter is extremely important to us as we have finally moved back to the area after more than 25 years and are in the early stages of making plans to build on our lot. We need our building entitlement unambiguously maintained so we may proceed in an orderly manner without the need to lodge costly interim applications to sure-up building entitlement. We are

genuinely afraid that we might be left with a worthless block of land if our concerns are not addressed.

Thank you in advance for your consideration of this matter and we eagerly await the outcome of this process.

Yours sincerely,



Chris Savva



Rose Savva

cc: General Manager, Blayney Shire Council



**ANTHONY
DAINTITH**
TOWN PLANNING

293 Dalton Street, **Orange**
170 Rankin Street, **Bathurst**
Phone: 02 63624523
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ABN: 46 121 454 153

Our Ref: 2016-174

5 July 2016

The General Manager
Blayney Shire Council
PO Box 62
Blayney NSW 2799

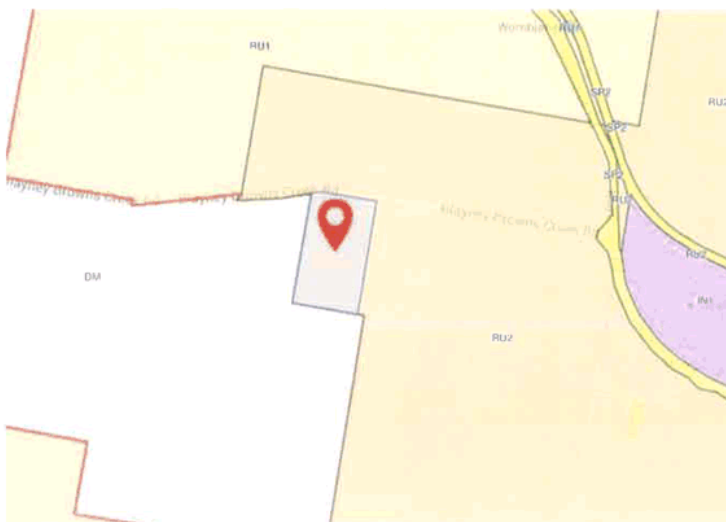
Attention: Mark Dicker

Dear Mark

**RE: PLANNING PROPOSAL – BLAYNEY LOCAL ENVIRONMENTAL PLAN
LOT 300 DP 750390 – BROWNS CREEK ROAD, BLAYNEY**

Reference is made to Council's letter of the 7 June 2016 regarding the above matter. Mr Garry Keen has engaged Anthony Daintith Town Planning to prepare a submission to Blayney Shire Council seeking inclusion of **Lot 300 DP 750390** as part of the proposed **R5 Large Lot Residential** zone along Browns Creek Road (as part of the current Planning Proposal).

Current Zoning



The subject land is currently zoned RU2 Rural Landscape (and a minimum lot size of 100ha) under the provisions of the *Blayney Local Environmental Plan 2012*.

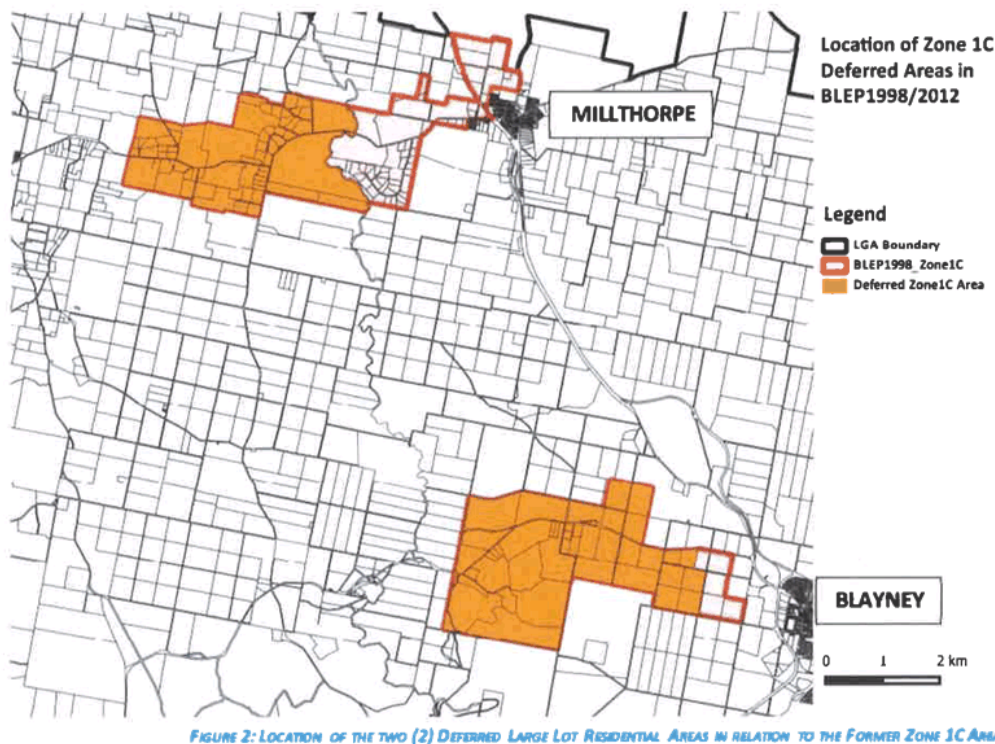
It is noted that the client also owns Lots 194 & 197 DP 750390 to the south of Lot 300 DP 750390, which is included in the "Deferred Matter" area under the *Blayney Local Environmental Plan 2012*. It is noted that these two lots **do not** have **direct access** to Browns Creek Road (refer to plan below).



Planning Proposal

The Planning Proposal essentially seeks (amongst other proposed changes) to transfer and update the relevant planning controls for large lot residential lands along Browns Creek Road that are identified as "Deferred Matter" in the *Blayney Local Environmental Plan 2012* from the operation of the *Blayney Local Environmental Plan 1998* to *Blayney Local Environmental Plan 2012*. As a result, the BLEP1998 will no longer be required and will be revoked. The aim is to address (in part) the recommendations of the Subregional Rural & Industrial Land Use Strategy (2008) and manage supply of this land use in the Shire.

It is important to note that the "Deferred Matters" the subject of this Planning Proposal are smaller than the original 1(c) Rural Small Holding areas in the BLEP1998, parts of which have already been rezoned in the *Blayney Local Environmental Plan 2012* to Zone RU2 Rural Landscape (Browns Creek Road).



As depicted above, the land that is located to the eastern end of the Browns Creek Road area was originally zoned 1(c) Rural Small Holdings and is owned by our client.

Whilst the amendments as outlined in the Planning Proposal are not entirely consistent with an endorsed strategy (primarily the Sub Regional Strategy 2008, the Planning Proposal states with respect to the large lot residential area along Browns Creek Road that the proposed increase in the minimum lot size seeks to reduce dwelling yield in line with the recommendations for "down zoning" of this area – so whilst the "tool" is different it would produce a similar outcome to the adopted strategy recommendations.

However, as Browns Creek Road has not had the same degree of demand and a lower likely yield it would be transferred to Zone R5 but would have a higher minimum lot size of 20ha to ensure that the majority of land owners still have potential for at least one (1) dwelling on each existing holding (with some larger parcels having more potential). There are only a limited number of larger lots/holdings where significant subdivision is possible so the total dwelling yield is likely to be small.

Which respect to the above, our client is at a **significant disadvantage** as without direct frontage (Lots 194 & 197) to Browns Creek Road, a dwelling is not practically possible. The Strategy and Planning Proposal essentially promotes fairness and equity for holdings along Browns Creek Road – especially in this instance where our client has been significantly affected economically with the back zoning of their land from 1(c) Rural Small Holdings under the 1998 LEP to RU2 Rural Landscape under the current LEP (and change of MLS from 2 ha to 100ha). In light of the significant

loss of potential lots from the back zoning, it would be reasonable to "square up" the zone boundary and accordingly only increase the potential lot yield by 1 (which would have negligible impact).

Sub Regional Land Use Strategy 2008

The subject land (and other lands zoned 1(c) under the 1998 LEP) was included in the Strategy as Strategy Area 10 (SA 10).

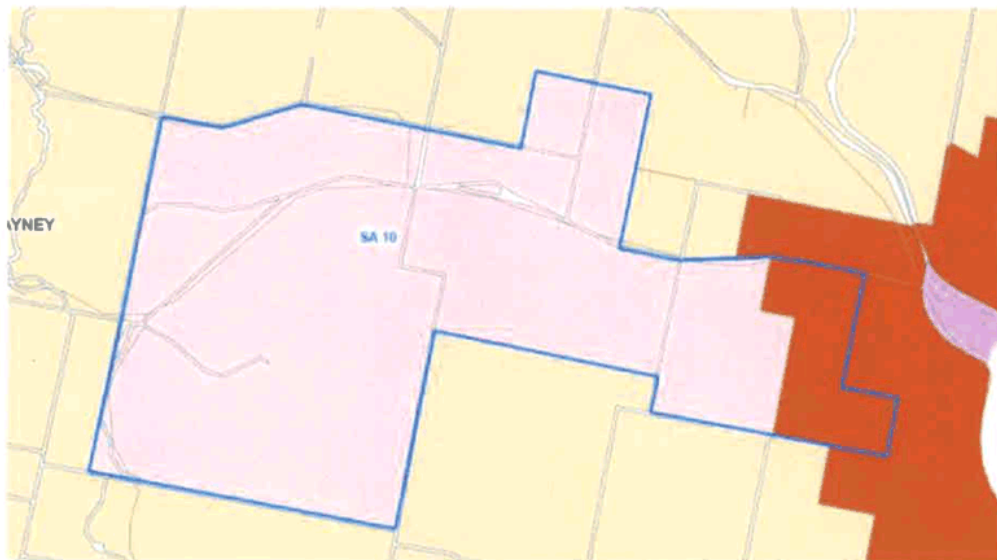


FIGURE 5: EXCERPT FROM FIGURE 6.9 IN SUBREGIONAL STRATEGY (FINAL STRATEGY) 2008.

The inclusion of Lot 300 within the proposed R5 Large Lot Residential zone is considered to be consistent with the intent of the Strategy as outlined in this submission.

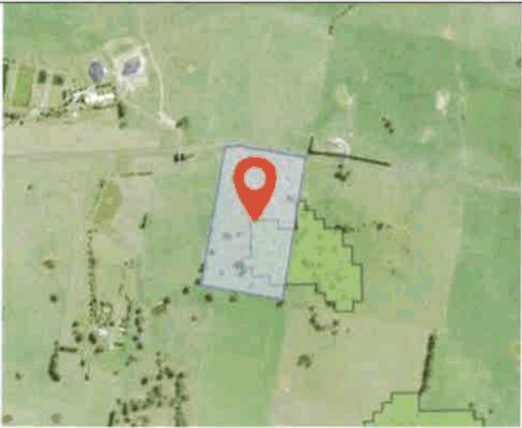
Site Analysis (Chapter 6.1)

The following site analysis is provided on page 36 of the Planning Proposal of the Browns Creek Road area in the Land Use Strategy (SA 10) against a number of land use constraints.

Environmental Constraint		SA9 – Forest Reefs Road	SA10 – Browns Creek Road	
Topography		No issues (drainage issue below)	Some slopes > 18 degrees	
Groundwater		Moderately high vulnerability	No vulnerability	
Watercourses		1 st , 2 nd & 3 rd order watercourses	1 st , 2 nd & 3 rd order watercourses	
Riparian Corridors		Cowriga Creek eastern boundary	Sugarloaf Creek central	
Flooding & Drainage		Low lying lands – drainage issues	Limited drainage issues	
Biodiversity		Limited sensitivity	Sensitivity to south & west (high)	
Bushfire		No bushfire prone lands	Nearby bushfire prone lands	
Land Capability		Class 3 & 4 lands	Class 5 & 6 lands	
Strategic Agricultural Lands		Strategic Agricultural Land	Not Strategic Agricultural Land	
Mineral Potential		Western area affected	Western area affected + Browns Creek Mine	
Road infrastructure		Reasonable accessibility	Some areas limited access	
Water infrastructure		No current access – but adjacent	Runs through eastern part	
Electricity infrastructure		Reasonable access but extensions required	Significant extensions required in south and west	
LEGEND - Development Potential for Dwellings	Few Constraints	Some Constraint (but manageable)	Moderate constraint (larger lot sizes may be required)	Significant constraint may preclude lifestyle development
Relative weightings				

The following comments are made with respect to the Planning Proposal inclusion of Lot 300 in the R5 Large Lot residential zone:

Topography	The slopes on the subject land don't exceed 18 degrees – any future dwelling to be sited accordingly to reduce any impact via potential erosion and landslip. There is no low lying areas on the lot that may be subject to flooding and drainage issues.
Groundwater	The subject land is not mapped as groundwater vulnerability.
Watercourses	Nil
Riparian Corridors	Nil
Flooding and Drainage	Nil

Biodiversity	 <p>Part of the eastern portion of the subject land is identified(as per the map above). Future subdivision of the subject land (when combined with the southern lots 194 & 197) can be designed around this area (possible lot yield of 2 – i.e. one additional lot).</p>
Bushfire	Nil
Land Capability	Class 5 or 6. The land is not suitable for agricultural production.
Strategic Agricultural Lands	Nil
Mineral Potential	The land is well removed from the former Browns Creek Mine area and White Quarry.
Road Infrastructural	Browns Creek Road is located on the northern boundary of Lot 300. There is no access to Lots 194 & 197 DP 750390. It is proposed that Lot 300 be included in the R5 zone so as to provide access to these lots. Accordingly, it is logical to include this land for access reasons alone.
Water Infrastructure	Runs through the subject land.
Electricity Infrastructure	The subject land can connect to electricity services.

As discussed above, Lot 300 is not significantly constrained by its site features. It is noted that the owner does not intend to include any of the additional lots that he owns that were previously in zoned 1(c) Rural Small Holdings as part of the proposed Planning Proposal under exhibition.

Summary

It is requested that Council reconsider the proposed zoning of the land and include Lot 300 in the R5 Large Lot Residential. The client is not objecting to the proposed change to the MLS to 20ha. The inclusion of this lot in the R5 zone will provide access to the other two lots in the holding proposed to be rezoned and will only potentially increase the **dwelling yield by 1** (the area of the combined 3 lots are just greater than 40 ha). The rezoning will straighten up the zone boundary to be more regular in shape.

As discussed in this submission, there are no environmental or land constraints precluding Council including the subject land within the R5 Large Lot Residential zone.

Should you have any questions in relation to this matter or require any further information, please contact the office on 63624523.

Yours faithfully

Anthony Daintith Town Planning Pty Ltd



Anthony Daintith
Principal



Department of Primary Industries

Contact Christie Jackson

Phone 02 6763 1426

Email christie.jackson@dpi.nsw.gov.au

Our Ref: OUT16/27682

Blayney Shire Council
PO Box 62
BLAYNEY NSW 2799

Email: council@blayney.nsw.gov.au

Attention: Mark Dicker

Dear Mr Dicker,

Notice of Public Exhibition of an amendment to the Blayney Local Environmental Plan 2012

I refer to your letter dated the 7 June 2016 seeking the Department of Primary Industries – Water's (DPI Water) comments on the proposed Local Environmental Plan (LEP) amendment for the Forest Reefs Road and Browns Creek Road areas.

DPI Water has reviewed the planning proposal and our comments are outlined as follows.

The planning proposal does not outline any details for future development on the site therefore DPI Water's comments will be general.

Water Supply and Licensing: The planning proposal does not outline the intended water supply to service any future developments on the site. However, there is the potential to increase the lots significantly, particularly with the proposed 2 ha lots in SA9 along Forest Reefs Road, which could potentially be an additional 95 lots. DPI Water recommends Council carefully consider the water supply to service this area to ensure there will be a secure (quality and quantity) reliable and manageable water supply for any future developments.

Any proliferation of residential living in the local government area will increase the demand and use of water resources, effect other users of the resource including the environment and contribute to declining river health (for example decline in aquatic habitat, geomorphic stability, water quality and riparian areas etc) unless properly managed. The potential future subdivision of the site requires a strategic understanding of the water needs of different allotments by size and location.

Basic Landholder Rights: The *Water Management Act 2000* provides that landholders with land overlying an aquifer, or with river or lake frontage, can access water for domestic (household) purposes, without the requirement for an access licence, through a domestic and stock right. Landholders can also capture a portion of rainfall from their property under a harvestable right. These rights are known as basic landholder rights (BLRs). DPI Water

NSW Department of Primary Industries
Level 11, 323 Castlereagh Street Sydney NSW 2000
Tel: 02 9934 0805 landuse.enquiries@dpi.nsw.gov.au ABN: 72 189 919 072



Department of Primary Industries

notes that where landholdings are subdivided, creating new basic landholder rights for water extraction, there is the potential to impact on existing water users, including the environment.

The planning proposal does not outline an intended water supply to service any future developments on the site, however it may be likely individuals will want to access groundwater, therefore increasing the groundwater bores in the area. This would place pressure on groundwater resources in the area, where there are already a significant number of bores resulting from nearby subdivisions. It is recommended Council consider the potential increase in basic landholder rights and the impacts on other users and the environment.

Groundwater: A site analysis included in the planning proposal has identified from groundwater vulnerability mapping that part of the area has been identified as having moderate to high vulnerability. The planning proposal also outlines that relevant maps will be updated to reflect this.

Council should consider the impacts of future developments on the site on groundwater, in particular on areas identified as having moderate to high groundwater vulnerability. Council should consider locating future settlement intensification (in particular new subdivisions) away from vulnerable groundwater resources and existing groundwater users. This minimises land use conflict, maintains existing industries reliant on water supply and achieves important environmental outcomes for the systems connected to these sources.

Watercourse Management: The planning proposal outlines there are first, second and third order creeks on the subject site, with the main watercourses being Cowriga Creek and Sugarloaf Creek. DPI Water has concerns about the impacts of future development on these watercourses. It is unclear how these watercourses would be managed in the future but it is expected the management of these watercourses will need to be outlined in detail during the development application process. It is recommended that Council incorporate appropriate buffers to maintain the integrity of the watercourses on the sites.

Any works proposed within 40 metres of the high bank of the watercourses on site should be carried out in accordance with the Department of Primary Industries – Water's Guidelines for Controlled Activities. A Controlled Activity Approval under the *Water Management Act 2000* may be required for works undertaken as part of any future development on the site. Any future development application submitted to Council will be required to outline any works proposed within 40 metres of the high bank of a watercourse in detail.

Sewer Infrastructure: The planning proposal outlines any new dwellings would need to have approval for any on-site effluent management so minimum lot size can be assessed for each application.

DPI Water assumes detailed information would be provided at the development application stage however consideration should be given to the potential increase of effluent disposal systems as a result of additional dwellings. There is the potential for groundwater impacts if onsite sewerage disposal systems are used. The Environment and Health Protection Guideline: On-site Sewage Management for Single Households (1998) recommends appropriate buffer widths between potential contamination sources and water supply sources.

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Department of Primary Industries

DPI Water also advises Council of the 250 metre buffer requirement between groundwater bores and septic systems as outlined in the Water Sharing Plan. It is recommended Council give consideration of an appropriate lot size to meet this requirement.

Future Development Application: It is expected any future development applications for the site should include information on the following issues, including, but not limited to:

- Impacts of the development on surface water and groundwater;
- Impacts on any watercourses/ wetlands on or adjacent to the site;
- Management of stormwater;
- Consideration and provision of adequate setbacks or buffers to sensitive areas such as watercourse, wetlands;
- Provision of infrastructure and services;
- Consideration of potential off-site impacts;
- Consideration of all relevant guidelines.

DPI Water would like the opportunity to review any future development applications proposed for this land.

If you require clarification on any of the above please contact Christie Jackson on (02) 6763 1426 at the Tamworth office.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Graeme White', written over a circular stamp.

Graeme White
A/Director Planning Policy and Assessment Advice
28 July 2016

NSW Department of Primary Industries
Level 11, 323 Castlereagh Street Sydney NSW 2000
Tel: 02 9934 0805 landuse.enquiries@dpi.nsw.gov.au ABN: 72 189 919 072

20) CENTREPOINT SPORT & LEISURE CENTRE - SWIMMING POOLS AND PLANT INFRASTRUCTURE UPGRADE

Department: Planning and Environmental Services

Author: Director Planning and Environmental Services

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

File No: PM.CN.2

Recommendation:

That Council proceed to undertake community consultation on the proposed upgrading works of the swimming pools and plant infrastructure at CentrePoint Sport and Leisure Centre Blayney.

Reason for Report:

To seek Council endorsement to undertake community consultation on the proposed upgrading works of the swimming pools and plant infrastructure at CentrePoint Sport and Leisure Centre Blayney.

Report:

In December 2015 Council engaged Terre Designs Pty Ltd to undertake a feasibility investigation and provide a report recommending industry best practice upgrading options to the swimming pools and plant infrastructure at CentrePoint Sport and Leisure Centre Blayney.

Terre Designs are industry leaders with vast experience in undertaking feasibility reports to upgrade existing and aging swimming pools and associated plant infrastructure.

The scope provided to Terre Designs sought investigation and recommendations on; modernisation of water treatment and heating capabilities, separation of all swimming pools to allow individual temperature control in each, disabled access to both the 25m lap pool and the Learn To Swim (LTS) pool, consideration of removal of the children's bathing pool and replacement with an interactive children's playground. Construction of 2 new unisex accessible facilities (including family change facilities) off the pool area are also being considered.

Since beginning the investigation 9 months ago, Terre Designs and Council staff have continually refined the final recommendations.

At the request of Terre Designs the final report is not to be published in public because it contains investigation techniques and details how Terre Design reached their recommendations which if published would provide a commercial advantage to other companies within this field.

As such the final report in its full entirety will not be realised for public comment. Community comment will only be sought on items that will potentially impact the pool users the greatest (it is considered unnecessary to seek community comment on the proposed plant room or infrastructure works, which also contains the majority of commercial in confidence information).

The works which will impact users the greatest, and which Council is seeking comment on, include;

- Separation of the 25m and Learn To Swim (LTS) swimming pools water infrastructure to allow individual temperature control in each,
- Disabled access to the 25m lap pool via a lift,
- Disabled access to the LTS pool via a compliant access ramp,
- Removal of the shallow children's bathing pool and replacement with an interactive children's playground.
- Construction of 2 new unisex accessible facilities (including family change facilities) off the pool area for consideration.

Feedback will be sought from; swimming pool user groups, sporting clubs and stakeholders, CentrePoint members, Access Committee and general public. The community consultation will likely commence in late September 2016 and finish in late October or early November 2016.

Issues:

Council must ensure an expectation is not created during the community consultation that this project is scheduled to be undertaken in the near future as the project is unfunded within Council's Long Term Financial Plan.

Budget Implications:

Nil as the project is unfunded within Council's Long Term Financial Plan, as such Council will require grant funding to undertake the proposed works.

Terre Designs estimate the upgrading works within the final feasibility report and listed above would cost approximately \$2.5 million. At the end of the 2016/17 financial year the CentrePoint reserve will contain \$1 million after a large lump sum transfer in 2015/16. Therefore, \$1.5 million is required to be secured prior to Council being in a position to undertake the project.

The feasibility report, community consultation and preparation of detailed design plans will ensure that the project is "shovel ready" for any future funding opportunities that become available.

One potential source of funding for the required \$1.5 million could be the Stronger Communities Fund which is available to councils that are merged under the NSW Government Local Government Reform policy.

Enclosures (following report)

1 Community Consultation Information

6 Pages

Attachments (separate document)

Nil



CENTREPOINT SPORT AND LEISURE CENTRE



SWIMMING POOLS & PLANT INFRASTRUCTURE UPGRADE COMMUNITY CONSULTATION INFORMATION

Background

In December 2015 Blayney Shire Council engaged Terre Designs Pty Ltd to undertake a feasibility investigation and provide a report recommending industry best practice upgrading options to the swimming pools and plant infrastructure at CentrePoint Sport and Leisure Centre Blayney.

Terre Designs are industry leaders with vast experience in undertaking feasibility reports to upgrade existing and aging swimming pools and associated plant infrastructure.

What would the upgraded include?

The upgrade is proposed to include;

1. Modernisation of water treatment and heating capabilities (water filtration, disinfection and pool heating),
2. Separation of all swimming pools to allow individual temperature control in each pool,
3. Disabled access to the 25m lap pool,
4. Disabled access to the Learn To Swim (LTS) pool,
5. Consideration of removal of the children's bathing pool and replacement with an interactive children's playground.
6. Construction of 2 new unisex accessible facilities (including family change facilities) off the pool area are also being considered (although this was not considered by Terre Designs).

Why has Council undertaken a feasibility investigation?

The feasibility investigation and scoping report were needed so Council could consider the vast number of options available to upgrade the swimming pools and plant infrastructure.

Council is required to forward plan for future capital works and therefore needs to know what an upgrade may cost to consider how it would fund any future upgrades.

An initial feasibility report, community consultation and preparation of detailed design plans ready for tender will ensure that the project is "shovel ready" for any funding opportunities that become available in the near future.

How much would the proposed upgrading works cost?

Terre Designs estimate the upgrading works within the final feasibility report and listed above would cost approximately \$2.5 million.

How would the upgrade be funded?

There is currently no allocation within Councils Long Term Financial Plan (next 10 years) for these works to be undertaken.

Council will require grant funding to undertake the proposed works.

At the end of the 2016/17 financial year the CentrePoint reserve fund will contain \$1 million. Therefore, \$1.5 million is required to be secured prior to Council being in a position to undertake the project.

When are the upgrades likely to be undertaken?

Council cannot specify a date of constructing the upgrading works until the additional \$1.5 million is secured.

Upon completion of the community consultation, detailed design plans of the proposed upgrades will be prepared in early 2016 so that the project is "shovel ready" for any future funding opportunities that become available.

What is council seeking comment on?

Council is seeking comments on the proposed works which will impact users the greatest, including;

1. Separation of the 25m and Learn To Swim (LTS) swimming pools water infrastructure to allow individual temperature control in each pool,
2. Disabled access to the 25m lap pool via a lift,
3. Disabled access to the LTS pool via a compliant access ramp,
4. Removal of the shallow children's bathing pool and replacement with an interactive children's playground.
5. Construction of 2 new unisex accessible facilities (including family change facilities) off the pool area are also being considered.

When must submissions be received?

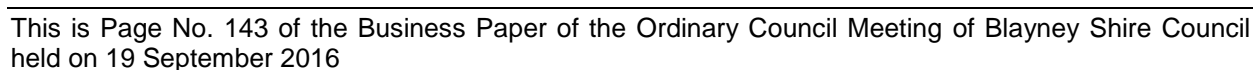
Written submissions must be received by 5pm Tuesday 1 November 2016

Who can I talk to at Blayney Shire Council for further information?

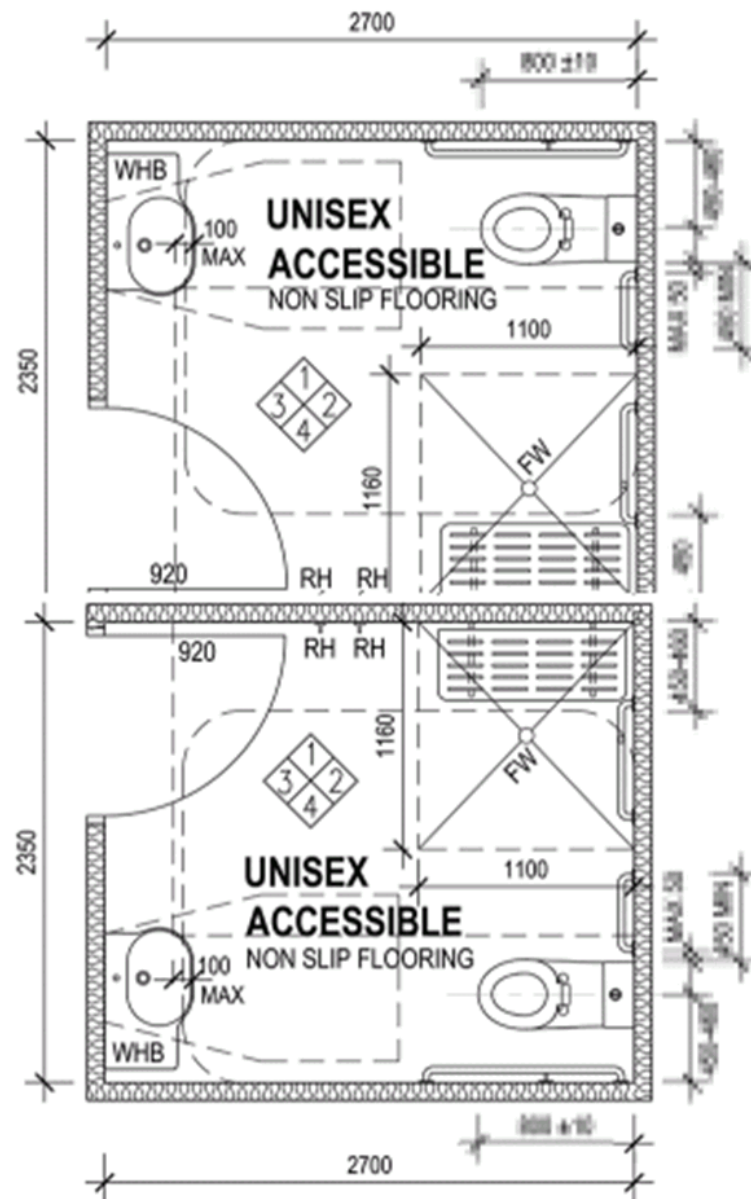
Planning and Environmental Services on 02 6368 2104

How can I make a written submission?

- In person to; 91 Adelaide Street, Blayney
- Email council@blayney.nsw.gov.au
- Post;
General Manager
Blayney Shire Council
PO BOX 62
Blayney NSW 2799



SAMPLE FLOOR PLAN OF 2 ACCESSIBLE FACILITIES (INCLUDING FAMILY CHANGE FACILITIES)



PROPOSED HYDRAULIC LIFT PROPOSED FOR THE 25M LAP POOL.



source: <http://www.archiexpo.com/prod/variopool-bv/product-50088-167455.html>

PROPOSED ACCESSIBLE RAMP PROPOSED FOR LEARN TO SWIM POOL



source: <https://www.vestner.com.au/blog/swimming-pool-accessibility>

**21) MINUTES OF THE BLAYNEY SHIRE CEMETERY FORUM MEETING
HELD THURSDAY 1 SEPTEMBER 2016**

Department: Planning and Environmental Services

Author: Director Planning and Environmental Services

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

File No: GO.ME.1

Recommendation:

That Minutes of the Blayney Shire Cemetery Forum Meeting, held on 1 September 2016, be received and noted.

**MINUTES OF THE BLAYNEY SHIRE CEMETERY FORUM MEETING
HELD ON THURSDAY 1 SEPTEMBER 2016
BLAYNEY SHIRE COMMUNITY CENTRE**

GIS Mapping Project Presentation - Francis Dorman, commencing at 5:00pm.

Meeting commenced at 5.40pm.

PRESENT

Councillor Geoff Braddon (chair), Councillor Kevin Radburn, Kevin Radburn (senior), Vicki Pulling, Graham Mendum, Hayley Lavers, Mark Dicker (Director Planning and Environmental Services) and Francis Dorman (Casual GIS officer).

APOLOGIES

Helen Dent

CONFIRMATION OF MINUTES

The minutes of the previous meeting held on 12 May 2016 were confirmed to be a true and accurate record of that meeting, with one change being; that the Niche Wall is to be built at Newbridge not Neville. (Vicki Pulling / Kevin Radburn (senior)).

DECLARATIONS OF INTEREST

Nil

BUSINESS ARISING

Lyndhurst Seating

Vicki Pulling advised the seating and works to improve parking options at the entrance had still not been undertaken. Director of Planning and Environmental Services advised he would follow up.

Rabbits at Blayney Cemetery

Director of Planning and Environmental Services advised that LLS appear uninterested. Councils Ranger is investigating methods to eradicate the rabbits.

AGENDA ITEMS

GIS Mapping Project

Further from today's presentation, Director of Planning and Environmental Services advised 2 more weeks should have the project completed.

The forum discussed how amazing and important the GIS Mapping Project is and that Council should be thanked for undertaking such a significantly important project.

GENERAL BUSINESS

With the new bin surround roll out throughout the shire it was asked if the old bins were going to be removed? The old bin is still in place at Millthorpe, is on a lean and looks unsightly. Director of Planning and Environmental Services to follow up.

NEXT MEETING

The next meeting of the Cemetery Forum will be held on Thursday 10 November 2016 commencing at 5.00pm.

MEETING CLOSE

The meeting closed at 6.00pm.

Enclosures (following report)

Nil

Attachments (separate document)

Nil

22) MINUTES OF THE BLAYNEY SHIRE ACCESS ADVISORY COMMITTEE MEETING HELD THURSDAY 1 SEPTEMBER 2016

Department: Planning and Environmental Services

Author: Director Planning and Environmental Services

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

File No: GO.ME.1

Recommendation:

That the Minutes of the Blayney Shire Access Committee Meeting, held on 1 September 2016 be received and noted.

MINUTES OF THE BLAYNEY SHIRE ACCESS ADVISORY COMMITTEE MEETING HELD ON THURSDAY 1 SEPTEMBER 2016 AT THE BLAYNEY SHIRE COMMUNITY CENTRE

Meeting commenced at 6.25pm.

PRESENT

Members: Councillor Shane Oates (chair), Jenny McMahon, Iris Dorsett and Mark Dicker (Director Planning and Environmental Services).

APOLOGIES

Tom Williams

CONFIRMATION OF PREVIOUS MINUTES

The minutes of the previous meeting held on 11 February 2016 were confirmed to be a true and accurate record of that meeting (Jenny McMahon/Shane Oates).

DISCLOSURES OF INTEREST

Nil

BUSINESS ARISING FROM PREVIOUS MEETING

Liberty Swing

Purchase Order has been raised for the contractor to install the Shade Sail. Initially the installation was scheduled for June however with all of the rain we are waiting for the ground to dry to enable machinery to enter the park without damaging the surface.

Paul Toole is looking to undertake a progress inspection on Monday 12 September 2016.

It is proposed the official opening will be in November 2016 (after shade sail is installed) to leverage into International Day of People with a Disability day which is 3 December 2016.

IGA accessible toilet

The committee was advised an accessible facility is being constructed in the airlock off the Farm Lane entrance to the IGA building.

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

International Day with a Disability

Media to leverage off the back of the opening of the Variety Liberty Swing as discussed above.

GENERAL BUSINESS**CentrePoint Swimming Pools Upgrading Plan.**

The committee were advised in 2015 Council had engaged a consultant to undertake a feasibility investigation and report to upgrade the swimming pools and plant infrastructure at CentrePoint Sport and Leisure Centre Blayney.

The scope included; new plant room, modernisation of water treatment and heating capabilities, separation of all swimming pools to allow individual temperature control, disabled access to both the 25m lap pool and the Learn To Swim (LTS) Pool, consideration of removing the children's bathing pool and replacement with an interactive children's playground. Construction of 2 new unisex accessible facilities (including family change facilities) off the pool area are also being considered.

The initial estimates to undertake the works within the feasibility report are estimated at approximately \$2.5 million, which is currently not allocated within Councils Long Term Financial Plan. Council will require grant funding to undertake the project.

It is intended to seek Council resolution at the September 2016 meeting to undertake community consultation on the proposed upgrade, specifically on; Access Lift to the 25m lap pool, LTS accessible ramp, removal of the children's bathing pool replacing it with an interactive children's playground and Construction of 2 new unisex accessible facilities (including family change facilities).

Visitor Information Centre - conversion to a café

The committee were advised the public toilets upgrade at the VIC has been completed.

The subsequent stages will include widening of doorways and removal of walls to enable disabled compliance inside the building. It is hoped these works will be completed by early 2017.

Items within footpath

It was asked if Council could contact any shops with excessive amounts of items placed within footpaths in front of their shops creating accessibility hardships. Director Planning and Environmental Services to contact businesses in the first instance and discuss the access committee concerns.

FUTURE AGENDA ITEMS

Nil

NEXT MEETING

The next meeting of the Access Advisory Committee will be held on Thursday 10 November 2016 commencing at 5.45pm.

MEETING CLOSE

The meeting closed at 7:20pm.

Enclosures (following report)

Nil

Attachments (separate document)

Nil