



15 March 2023

Dear Councillor,

Your attendance is requested at an Ordinary Council Meeting of the Blayney Shire Council to be held in the Chambers, Blayney Shire Community Centre on Tuesday, 21 March 2023 at 6.00pm for consideration of the following business -

- (1) Livestreaming Video and Audio Check
- (2) Acknowledgement of Country
- (3) Recording of Meeting Statement
- (4) Apologies for non-attendance
- (5) Disclosures of Interest
- (6) Public Forum
- (7) Mayoral Minute
- (8) Confirmation of Minutes - Ordinary Council Meeting held on 14.02.23
- (9) Matters arising from Minutes
- (10) Reports of Staff
  - (a) Executive Services
  - (b) Corporate Services
  - (c) Infrastructure Services
  - (d) Planning and Environmental Services
- (11) Closed Meeting

Mark Dicker  
**General Manager**

## **Meeting Calendar 2023**

### **March**

<b><u>Time</u></b>	<b><u>Date</u></b>	<b><u>Meeting</u></b>	<b><u>Location</u></b>
6.00pm	21 March 2023	Council Meeting	Community Centre

### **April**

<b><u>Time</u></b>	<b><u>Date</u></b>	<b><u>Meeting</u></b>	<b><u>Location</u></b>
6.00pm	18 April 2023	Council Meeting	Community Centre

### **May**

<b><u>Time</u></b>	<b><u>Date</u></b>	<b><u>Meeting</u></b>	<b><u>Location</u></b>
6.00pm	16 May 2023	Council Meeting	Community Centre
9.00am	24 May 2023	Audit, Risk and Improvement Committee Meeting	Community Centre
9.00am	25-26 May 2023	Central NSW JO Board Meeting	Canberra



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HELD ON TUESDAY 21 MARCH 2023**

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## **LIVE STREAMING OF COUNCIL MEETINGS**

In accordance with the Blayney Shire Council Code of Meeting Practice, this meeting will be recorded for the purpose of the live streaming function via our YouTube channel. The audio and visual live stream and recording, will allow members of the public to view proceedings via the Internet without the need to attend Council meetings. The objective of this service is to eliminate geographic and other access barriers for the community wishing to learn more about Council's decision making processes.

By speaking at the Council Meeting you agree to be livestreamed and recorded. Please ensure that if and when you speak at this Council Meeting that you ensure you are respectful to others and use appropriate language at all times.

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Council does not accept any responsibility for any verbal comments made during Council meetings which may be inaccurate, incorrect, defamatory, or contrary to law and does not warrant nor represent that the material or statements made during the streamed meetings are complete, reliable, accurate or free from error.

Live streaming is primarily set up to capture the proceedings of the Council meeting and members of the public attending a Council meeting need to be aware they may be recorded as part of the proceedings.

**01) MINUTES OF THE PREVIOUS COUNCIL MEETING HELD 14 FEBRUARY 2023**

**Department:** Executive Services

**Author:** General Manager

**CSP Link:** 2. Build the Capacity and Capability of Local Governance and Finance

**File No:** GO.ME.3

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**Recommendation:**

That the Minutes of the Ordinary Council Meeting held on 14 February 2023, being minute numbers 2302/001 to 2302/019 be confirmed.

**MINUTES OF THE BLAYNEY SHIRE COUNCIL ORDINARY MEETING HELD IN THE CHAMBERS, BLAYNEY SHIRE COUNCIL COMMUNITY CENTRE, ON 14 FEBRUARY 2023, COMMENCING AT 6.00PM**

Present: Crs S Ferguson (Mayor), A Ewin, C Gosewisch, J Newstead, M Pryse Jones, B Reynolds and D Somerville (Deputy Mayor)

General Manager (Mr M Dicker), Director Corporate Services (Mr A Franze) and Executive Assistant to the General Manager (Mrs L Ferson)

**ACKNOWLEDGEMENT OF COUNTRY**

**RECORDING OF MEETING STATEMENT**

**DISCLOSURES OF INTEREST**

Nil

**CONFIRMATION OF MINUTES**

**MINUTES OF THE PREVIOUS COUNCIL MEETING HELD 19 DECEMBER 2022**

**2302/001 RESOLVED:**

That the Minutes of the Ordinary Council Meeting held on 19 December 2022, being minute numbers 2212/001 to 2212/026 be confirmed.

(Ewin/Gosewisch)  
**CARRIED**

**MATTERS ARISING FROM THE MINUTES**

Nil

**EXECUTIVE SERVICES REPORTS****QUARTERLY OUTSTANDING RESOLUTION REPORT****2302/002****RESOLVED:**

That Council note the Outstanding Resolution Report to December 2022.

(Newstead/Pryse Jones)

**CARRIED**

**RISK, WORK HEALTH AND SAFETY QUARTERLY REPORT****2302/003****RESOLVED:**

That Council receive and note the Risk, Work Health and Safety Report for the quarter to 31 December 2022.

(Newstead/Reynolds)

**CARRIED**

**TOURISM DEVELOPMENT PROGRAM APPLICATIONS****2302/004****RESOLVED:**

That Council approve the following applications under the Tourism Development Program;

- a) \$1,000 for Serena Louise Yoga for marketing of yoga classes
- b) \$1,000 for Plants n Pretty Pieces for marketing of retail stall

(Somerville/Ewin)

**CARRIED**

**CORPORATE SERVICES REPORTS****REPORT OF COUNCIL INVESTMENTS AS AT 31 DECEMBER 2022****2302/005****RESOLVED:**

1. That the report indicating Council's investment position as at 31 December 2022 be received.
2. That the certification of the Responsible Accounting Officer be received and the report be adopted.

(Pryse Jones/Newstead)

**CARRIED**

**REPORT OF COUNCIL INVESTMENTS AS AT 31 JANUARY 2023****2302/006****RESOLVED:**

1. That the report indicating Council's investment position as at 31 January 2023 be received.
2. That the certification of the Responsible Accounting Officer be received and the report be adopted.

(Somerville/Pryse Jones)

**CARRIED**

**QUARTERLY BUDGET REVIEW STATEMENT - DECEMBER 2022****2302/007****RESOLVED:**

1. That the Quarterly Budget Review Statement for the quarter ending 31 December 2022 be received.
2. That the supplementary votes of \$612k nett proposed in the Quarterly Budget Review Statement be adopted, resulting in an increase to capital expenditure of \$1.11m, an increase to operating expenditure of \$15k and an increase in income of \$1.74m (which includes an increase of \$1.57m in capital income).

(Reynolds/Pryse Jones)

**CARRIED****SIX MONTHLY DELIVERY PLAN REVIEW - DECEMBER 2022****2302/008****RESOLVED:**

That the six-monthly review, for period ending 31 December 2022, of Council's 2022/23 – 2025/26 Delivery Plan be received.

(Ewin/Gosewisch)

**CARRIED****COMPLIANCE AND REPORTING ACTIVITIES****2302/009****RESOLVED:**

That the report on Compliance and Reporting Activities for the six month period to December 2022 be received.

(Gosewisch/Newstead)

**CARRIED****INFORMATION TECHNOLOGY QUARTERLY REPORT****2302/010****RESOLVED:**

That Council receive and note the Information Technology report for the quarter to 31 December 2022.

(Pryse Jones/Reynolds)

**CARRIED****QUARTERLY REPORT ON SOLAR ANALYTICS****2302/011****RESOLVED:**

That Council receive and note the Solar Analytics report for the quarter to 31 December 2022.

(Gosewisch/Ewin)

**CARRIED**

**REVIEW OF COUNCIL POLICIES****2302/012****RESOLVED:**

1. That the following policies be endorsed by Council and be placed on public exhibition for a period of not less than 28 days:
  - Enterprise Risk Management Policy and Plan
  - Fitness Instructors and Group Trainers Policy
  - Procurement of Goods and Services Policy
  - Street Tree Policy
  - Verge Garden Guidelines
  - Enforcement Policy
2. Should no submissions be received during the public exhibition period, the policies be adopted and included in Council's policy register.

(Ewin/Newstead)

**CARRIED****ADOPTION OF CHILD SAFE POLICY****2302/013****RESOLVED:**

That the Child Safe Policy be adopted and included in Council's policy register.

(Pryse Jones/Reynolds)

**CARRIED****INFRASTRUCTURE SERVICES REPORTS****DIRECTOR INFRASTRUCTURE SERVICES MONTHLY REPORT****2302/014****RESOLVED:**

That the Director Infrastructure Services Monthly Report for February 2023 be received and noted.

(Reynolds/Ewin)

**CARRIED****NOTIFICATION PLAN FOR PESTICIDE USE****2302/015****RESOLVED:**

That Council adopt the Notification Plan for Pesticide Use.

(Reynolds/Newstead)

**CARRIED**



**CLOSED MEETING****2302/016 RESOLVED:**

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

**LAND ACQUISITION - FOUR MILE CREEK ROAD**

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

**PROPOSED LAND TRANSFER - GLENORIE ROAD**

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

(Reynolds/Pryse Jones)

**CARRIED**

**CONFIDENTIAL MEETING REPORTS****2302/017****LAND ACQUISITION - FOUR MILE CREEK ROAD****RESOLVED:**

That Council:

1. Approve the acquisition of land for the purpose of road widening, being approx. 6,483 m<sup>2</sup> of Lot 1 DP1095093 as required for the Four Mile Creek Road construction works, and the land be classified as Public Road.
2. Delegate authority to the General Manager to negotiate the terms of the acquisition with the landowner of Lot 1 DP1095093.
3. Delegate to the Mayor and General Manager authority to execute signature and fixing of the Council Seal on all required documentation to facilitate the acquisition.

(Reynolds/Gosewisch)

**CARRIED**

**PROPOSED LAND TRANSFER - GLENORIE ROAD****2302/018 RESOLVED:**

That Council:

1. Endorse the closure of part of Glenorie Road, Millthorpe being ~476m<sup>2</sup> adjacent to 59 Glenorie Road, Millthorpe in accordance with s.38 Roads Act 1993.
2. That a further report be presented to Council to consider any submissions lodged during the notification period and formally resolve a decision on the road closure.
3. Approve the acquisition of land for the purpose of road widening being ~663m<sup>2</sup> part of Lot 287 DP 1018875 as required and the land be classified as Public Road.
4. Delegate Authority to the General Manager to negotiate the terms of the acquisition with the landowner of Lot 287 DP1018875 and execute any document necessary to facilitate the acquisition.

(Newstead/Pryse Jones)

**CARRIED****2302/019 RESOLVED:**

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

(Gosewisch/Pryse Jones)

**CARRIED****AT THE RE-OPENING OF THE MEETING TO THE PUBLIC, THE MAYOR ANNOUNCED THE OUTCOMES OF RESOLUTION NUMBERS 2302/017 TO 2301/018.**

There being no further business, the meeting concluded at 7.00pm.

The Minute Numbers 2302/001 to 2302/019 were confirmed on 21 March 2023 and are a full and accurate record of proceedings of the Ordinary Meeting held on 14 February 2023.

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Cr S Ferguson  
**MAYOR**

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Mr M Dicker  
**GENERAL MANAGER**

**02) QUESTIONS TAKEN ON NOTICE AT THE PREVIOUS COUNCIL MEETING HELD 14 FEBRUARY 2023**

**Department:** Executive Services

**Author:** General Manager

**CSP Link:** 2. Build the Capacity and Capability of Local Governance and Finance

**File No:** Go.ME.3

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**Recommendation:**

That the questions taken on notice at the Ordinary Council Meeting held on 14 February 2023 and the subsequent response be received and noted.

**Reason for Report:**

To formally record questions taken on notice at the previous Council meeting and subsequent response.

**Report:**Question 1

Cr Somerville asked that as part of the acquittal process for the Tourism Development Program does Council check that the business website or whatever received funding, has in fact promoted the village as required by the funding guidelines?

Response:

Council would informally check. Council will now require a brief final report from each applicant outlining how the project has conformed with the guidelines.

Question 2

Cr Reynolds questioned the \$371,000 difference in the unrestricted cash projection in the investment report compared to the QBRS. Should they balance? And how can we take corrective action if they are supposed to balance?

Response:

The different figures in each respective report, is the source of information it has been obtained from.

The Investment Report uses the reported figure as adopted from the Long Term Financial Plan, as disclosed in the report. The Quarterly Budget Review Statement is reporting the proposed revised figure with budget variations proposed, yet to be adopted.

Question 3

Cr Somerville noted that elsewhere in the business paper it mentions we have a revaluation of buildings taking place this year and recalls what happened last year with our revaluations, in that the Audit Office required us to index our calculations and we ended up taking a bigger hit on depreciation than we were anticipating. In preparing our forecasts for 2023 year end will the revaluation impact this year's result? Is there a potential for us to have far higher revaluation than we expected?

Response:

During the indexation process, the Building Construction NSW index of 17.26% was applied to non-specialised buildings and the Non Residential Building Construction NSW index of 9.70% was applied to specialised buildings for the period 30 June 2018 – 30 June 2022. This accounted for the sizeable increase in depreciation in the September QBRS.

Further impacts will be dependent on the methodology applied to the current revaluation of Buildings and the impact of economic conditions on the current year indices. Until finalisation of the Revaluation of Buildings the impact upon depreciation is unknown, however will not impact 2022/23. The impact of the 2022/23 Revaluation of Buildings will be felt in the year following (2023/24). It is also unlikely that the revaluation will be finalised and audited prior to Council adoption of the 2023/24 Operational Plan.

If a material error is found through the revaluation process, a correction will need to be backdated. Such an adjustment would impact the 2022/23 year depending on the size.

Question 4

Cr Gosewisch asked for an update on the Housing Plus development.

Response:

Two lots have been sold to Housing Plus. Housing Plus have undertaken a further subdivision (2 lots into 3 lots) creating 1 additional lot. Housing Plus have recently lodged preplanning enquiries seeking confirmation of ability to lodge Complying Development Certificates (CDC) to undertake dual occupancy development (two dwellings) on each lot.

Question 5

Cr Pryse Jones asked about the timeframe for migrating data storage into the cloud?

Response:

It is anticipated to be completed by June in conjunction with Council's program of a data review and archiving exercise.

Question 6

Cr Gosewisch asked why the solar production for December was down at the Sewerage Treatment Plant when the rest was up?

Response:

Solar production was occurring, however the data was not showing this production. The problem has been fixed and is now showing the actual readings of solar produced.

Question 7

Cr Pryse Jones asked in the Verge Guidelines is there ability to not focus / specify planting native species?

Response:

The focus is on native species is to ensure that they are compatible to Blayney's environment/weather conditions. The key theme within the verge guidelines is to work with Council so that plants/trees; are compatible, have good maintenance outcomes and do not interfere with Council's infrastructure.

Question 8

Cr Pryse Jones questioned the removal of the need for working with children check and why did this occur?

Response:

The reference to working with children check was removed as recommended by the Office of Children's Guardian, specifically that the reference "*All workers with Council in a child related role have a valid Working with Children Check clearance number*" should be included in Council's recruitment procedure.

Question 9

Cr Reynolds asked if a list of where storm repair works have been undertaken.

Response:

List provided as an enclosure.

Question 10

Cr Reynolds asked if Council will be doing an opening of the Leabeater Street bridge once it is complete?

Response:

Any formal opening will not be arranged until the bridge is completed.

Question 11

Cr Reynolds asked about the new footpaths on either side Coombing Street Carcoar and the crossing of the low level bridge. Is this a shared zone and will further signage be required?

Response:

This is an existing shared zone and already signposted. This provides redundancy for the timber bridge across the Belubula River. The existing low-level bridge is due for repair under AGRN1034 Storm Damage.

Question 12

Cr Newstead asked about the material which was being used to construct the Belubula River Walk. Will there be increased maintenance costs with grass growing up and debris getting stuck in future flood event?

Response:

The purpose of the board work was to remain above the low flood level, mitigate the risk of concrete footpath displacement in poor subgrade conditions (i.e. the creation of trip hazards) and substantially reduce the risk of contact with snakes in a swamp environment. It is anticipated the maintenance activities would be less when compared to a concrete footpath in this environment. River water over a concrete footpath would cause mud or debris on the walking surface and would need to be cleaned after each event. With the proposed solution much of this material will fall through the boardwalk if the water manages to exceed the boardwalk height.

Question 13

Cr Pryse Jones asked when the King George Oval grandstand handrail works are expected to be completed?

Response:

Following the report tabled to the Council meeting, there have been delays by the galvanising provider. The current project plan anticipates installation for early March (specifically between 6 and 9 March).

**Risk/Policy/Legislation Considerations:**

Nil

**Budget Implications:**

Nil

**Enclosures (following report)**

1 Storm Damage Locations

1 Page

**Attachments (separate document)**

Nil

February 2023

**Request for Summary of Storm Damage Project Locations**

Please find this below. Approximately 50% of the projects are complete. The remainder of the projects are at various stages of progress.

AGRN1001:

- Gap Road Intersection
- Errowanbang Road section south of Gap Road for ~800m

AGRN1034:

- Saint Bridgids Lane
- Boondaroo Road Bridge over Limestone Creek
- Errowanbang Road /Panuara Road Intersection
- Moorilda Road
- Rodd Street, Carcoar
- Fairford Lane
- Hobbys Yards Road – Kenfield Culvert
- Mallowgrove Road
- Gallymont Road
- Bluett Close / Forest Reefs Road Intersection
- Snake Creek Road
- Fell Timber Road Bridge over Coombing Creek
- Naylor Street Bridge over Belubula River
- Coombing Street Culvert over Belubula River
- Yangoora Road
- Kentucky Road
- Crouch Street
- Pomona Lane
- Panuara Road Culvert over Cadiangullong Creek
- Belubula Way Bridge over Grubbenbun Creek
- Belubula Way Bridge over Limestone Creek
- Dakers Oval Access
- Danvers Street
- Lucan Road
- Hines Lane
- Kinds Lane
- Forest Reefs Road near West Cowriga Creek
- Lyons Road over Marangulla Creek
- Burnt Yards Road, Fagans Bridge over Belubula River
- Errowanbang Road, Ashburtons Bridge over Belubula River
- Mandurama Road, Lynch's Bridge over Mandurama Ponds

**03) TOURISM DEVELOPMENT PROGRAM APPLICATION**

**Department:** Executive Services

**Author:** Manager Tourism and Communications

**CSP Link:** 3. Diversify and Grow the Blayney Shire Local and Visitor Economy

**File No:** GS.PG.1

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**Recommendation:** That Council approve \$900 for the Carcoar Community Association for the River Yarn Fibre Festival

**Reason for Report:**

For Council to consider and approve the application seeking \$900 Council financial support under the Tourism Development Program 2022/23.

**Report:**

The River Yarn Fibre Festival is a new event in Carcoar for a gathering of fibre art enthusiasts. The aim of the event is to create an experience where practising fibre artists, budding artists and hobbyists would meet, connect and share their ideas and skills. Over the weekend there is to be a series of events/workshops over the first weekend of April. There are 20 different workshops to be held, a two-day market with over 20 stall holders and an open garden.

The funding is to go towards promotion of the event (banners, printing, website hosting) and event costs such as venue hire for the School of Arts and the Court House. The event has matched funding from sources such as stall holder fees, business sponsorship and raffle tickets. Any funds raised will go towards the Carcoar Community Association.

**Risk/Policy/Legislation Considerations:**

In accordance with the Local Government Act, s356, Council may resolve to grant financial assistance to persons for the purpose of exercising its functions.

As this program was included in the 2022/23 Operational Plan, does not exceed more than 5 percent of Council's income and is open to all persons within Council's area; 28 days public notice of Council's resolution is not required.

This application fits within the criteria as the event will support the local economy by bringing a specific target market of people in the region for a two-day event.

The Carcoar Community Association are financial members of Orange360.



**Budget Implications:**

The approval of these applications will be a total of \$900. Council had allocated a total budget of \$10,000 for 2022/23, approval of this application will leave \$3,100 available in this program.

Any funding not allocated in this program by the end of financial year will not roll over to the following financial year.

**Enclosures (following report)**

Nil

**Attachments (separate document)**

Nil

**04) FUNDING DEED EXECUTION - \$1,33M - FIXING REGIONAL AND LOCAL ROADS REPAIR PROGRAM****Department:** Executive Services**Author:** General Manager**CSP Link:** 1. Maintain and Improve Public Infrastructure and Services**File No:** GO.ME.2**Recommendation:**

That Council:

1. Note the General Manger's execution of the NSW Government's Regional and Local Roads Repair Program Funding Deed, totalling \$1,330,982.
2. Approve the supplementary vote for \$1,330,982 income in the 2022/23 Operational Plan.
3. Approve the supplementary vote for \$1,330,982 expenditure in the 2022/23 Operational Plan as follows;
  - a. \$200k - Errowanbang Road (Gooleys Creek vicinity)
  - b. \$800k - South Blayney Pavement Improvements
  - c. \$150k - Stabback Street Millthorpe Cul-de-sac concreting
  - d. \$180k - To be determined

**Reason for Report:**

For Council to note the General Manger's execution of the NSW Government's Regional and Local Roads Repair Program Funding Deed, totalling \$1,330,982.

**Report:**

In early January the NSW Government committed \$280 million to Regional Council's throughout NSW for road repair and restoration works.

This funding cannot be used for asset upgrades that go beyond renewals, examples of ineligible projects are resealing, widening, upgrades or projects already scheduled in the Capital Works Program.

Since receiving the funds Council staff have reviewed and identified projects which meet the program requirements, the recommended projects are;

Project Location	Allocation	Information
Errowanbang Road (Gooleys Creek vicinity)	\$200k	The saturated subsoil conditions caused acceleration of road deterioration.  Driver safety issues required Council to remove the broken seal and unsuitable material and regrade in November 2022.

		<p>There is currently no funding allocation to reinstall the pavement layer and bitumen seal.</p> <p>Works will potentially commence in late April 2023.</p>
<p>South Blayney Pavement Improvements. Draft scope includes;</p> <ol style="list-style-type: none"> <li>1. Lovejoy Ave</li> <li>2. Meek St</li> <li>3. Terragong St / Medway St</li> </ol>	\$800k	<p>There is currently no funding allocation to undertake this rehabilitation.</p> <p>Price has been obtained from contractor; Downer EDI (from LGP contract so no tender required) to undertake 'deep lift asphalt'.</p> <p>Works will potentially commence in late April 2023.</p>
<p>Concrete Stabback Street Millthorpe Cul-de-sac</p>	\$150k	<p>Remove road pavement and concrete the cul-de-sac to a depth of 500mm</p> <p>Contractor has availability to commence Monday 20 March. Works will take 2 weeks (with a further 2 week curing).</p>
To be determined	\$180k	

**Risk/Policy/Legislation Considerations:**

There are additional risks tied to unprecedented amount of grant funding recently provided to Council with; overlapping deadlines, including; limited available resources (both Council and contractor) to deliver certain types of projects as well as a risk of not getting the work completed and subsequently underspending this road repair and restoration package by the 12-month deadline (Feb. 2024) and Council will have to return any unspent funds.

**Budget Implications:**

\$1,330,982 positive impact that Council had not budgeted for.

Preliminary write down costs for these projects are estimated to approximately \$19,800, while annual depreciation is estimated to increase by approximately \$39,500. However, Councils maintenance expenditure is also likely to reduce through undertaking these capital improvement works.

**Enclosures (following report)**

Nil

**Attachments (separate document)**

Nil

**05) FUNDING DEED EXECUTION - \$8,16M - RESOURCES FOR REGIONS ROUND 9****Department:** Executive Services**Author:** General Manager**CSP Link:** 1. Maintain and Improve Public Infrastructure and Services**File No:** GO.ME.2**Recommendation:**

That Council note the General Manger’s execution of the NSW Government’s Resources for Regions Round 9 Funding Deed, totalling \$8,167,154.

**Reason for Report:**

For Council note the General Manger’s execution of the NSW Government’s Resources for Regions Round 9 Funding Deed, totalling \$8,167,154.

**Report:**

At the September 2022 Council meeting, Council **resolved (resolution 2209/008)**;

*“That Council endorse the shortlisted projects, pending final project scope and budget preparation for submission to the NSW Government under the Stronger Country Communities Fund Round 5 and Resources for Regions Fund Round 9 grant funding programs.”*

The following projects were submitted under Resources for Regions round 9 grant funding program and subsequently successful. Publication was embargoed until all projects were announced by the NSW Government.

<b>Project Location</b>	<b>Allocation</b>	<b>Proposed Delivery</b>
<b>Regional Road Improvements</b>		
Belubula Way Bridge over Icely Creek (including detour and approaches)	\$1,090,000	2022/23
Hobbys Yards Road	\$2,385,000	2024/25
<b>Local Road Improvements</b>		
Richards Lane Millthorpe	\$2,200,000	2024/25
Browns Creek Road	\$700,000	2024/25
Tallwood Road	\$650,000	2023/24
Barry Road	\$650,000	2023/24

<b>Master Planning / detailed design</b>		
Blayney Main Street Masterplan detailed costings	\$241,000	2024/25
Millthorpe Village Masterplan detailed costings	\$161,000	2024/25
Blayney Showground Masterplan	\$90,154	2024/25

RFR9 allocation is based on a \$2m base allocation with additional funds provided according to mining impact and is focussed on improving service infrastructure, delivering new economic opportunities and improving community amenity.

<https://www.nsw.gov.au/regional-growth-fund/resources-for-regions>

**Risk/Policy/Legislation Considerations:**

There are additional risks tied to unprecedented amount of grant funding recently provided to Council with; overlapping deadlines, including; limited available resources (both Council and contractor) to deliver certain types of projects.

Council has had to spread delivery of projects over multiple forward years within the Delivery Plan to mitigate this risk, that though in itself creates another risk in price escalation between allocation of funds and delivery of the project.

**Budget Implications:**

\$8,167,154 positive impact that Council had not budgeted for.

Preliminary write down costs for these projects is approximately \$58,800, with an increase in annual depreciation of approximately \$119,700. However, Councils maintenance expenditure is also likely to reduce through undertaking these capital improvement works.

**Enclosures (following report)**

Nil

**Attachments (separate document)**

Nil

**06) FUNDING DEED EXECUTION - \$909K - STRONGER COUNTRY COMMUNITIES ROUND 5**

**Department:** Executive Services

**Author:** General Manager

**CSP Link:** 4. Enhance facilities and networks that support Health and Wellbeing of the Community, Sport, Heritage and Cultural interests

**File No:** GO.ME.2

**Recommendation:**

That Council:

1. Note the General Manger’s execution of the NSW Government’s Stronger Country Communities Round 5 Funding Deed, totalling \$909,851.
2. Approve the supplementary vote for \$909,851 income in the 2022/23 Operational Plan.
3. Approve the supplementary vote for \$215,001 expenditure in the 2022/23 Operational Plan for the King George Oval Grandstand and seating upgrades.

**Reason for Report:**

For Council to note execution of the NSW Government’s Stronger Country Communities Round 5 Funding Deed.

**Report:**

At the September 2022 Council meeting, Council **resolved (resolution 2209/008)**;

*“That Council endorse the shortlisted projects, pending final project scope and budget preparation for submission to the NSW Government under the Stronger Country Communities Fund Round 5 and Resources for Regions Fund Round 9 grant funding programs.”*

The following projects were submitted under Stronger Country Communities round 5 grant funding program and subsequently successful.

<b>Project Location</b>	<b>Allocation</b>	<b>Proposed Delivery</b>
<b>Key connections for Active Movement in Blayney township</b>  Concrete path on Orange Rd from Hawke St to Palmer St  Concrete path on Plumb St and Palmer St from Piggott Pl to Orange Rd	\$410,282	2023/24

<b>Heritage Pavement for Millthorpe Village</b>	\$284,568	2024/25
<b>King George Oval Blayney Grandstand and seating upgrades</b>	\$215,001	2022/23

**Risk/Policy/Legislation Considerations:**

There are additional risks tied to unprecedented amount of grant funding recently provided to Council with; overlapping deadlines, including; limited available resources (both Council and contractor) to deliver certain types of projects.

Council has had to spread delivery of projects over multiple forward years within the Delivery Plan to mitigate this risk, that though in itself creates another risk in price escalation between allocation of funds and delivery of the project.

**Budget Implications:**

\$909,851 positive impact that Council had not budgeted for.

There is an estimated write down cost of \$21,261 for these projects and an annual depreciation expense of \$14,060. Operational costs are within existing budget allocations.

**Enclosures (following report)**

Nil

**Attachments (separate document)**

Nil



**07) FUNDING DEED EXECUTION - \$1,02M - FIXING LOCAL ROADS ROUND 4**

**Department:** Executive Services

**Author:** General Manager

**CSP Link:** 1. Maintain and Improve Public Infrastructure and Services

**File No:** GO.ME.2

---

**Recommendation:**

That Council note the General Manger's execution of the NSW Government's Fixing Local Roads, Round 4 Funding Deed, totalling \$1,020,832 for Neville Road.

**Reason for Report:**

For Council to note the General Manger's execution of the NSW Government's Regional and Local Roads Repair Program Funding Deed, totalling \$1,020,832 for Neville Road.

**Report:**

In September 2022 Council applied to the NSW Government under the Fixing local roads round 4 program for;

- \$1.02m for Neville Road, and
- \$1.17m for Three Brothers Road

Council was successful in obtaining \$1.02m for Neville Road, including; heavy patch 1.2km, widening, drainage works and culvert improvements. These works are scheduled to be undertaken in 2023/24.

Additionally, Council in September 2022 also applied for \$2m under the Fixing Country Roads program for improvements to Newbridge Road (just east of the Belubula River). In February Council was advised it was unsuccessful in this application.

**Risk/Policy/Legislation Considerations:**

There are additional risks tied to unprecedented amount of grant funding recently provided to Council with; overlapping deadlines, including; limited available resources (both Council and contractor) to deliver certain types of projects.

Given the volume of funding Council has been successful recently in receiving and obtaining, not being successful in obtaining \$2m under the Fixing Country Roads program for improvements to Newbridge Road is probably a good thing given Council cannot schedule delivery of any further works over the next 2 years.

**Budget Implications:**

\$1,020,832 positive impact to repair Neville Road that Council had not budgeted for.

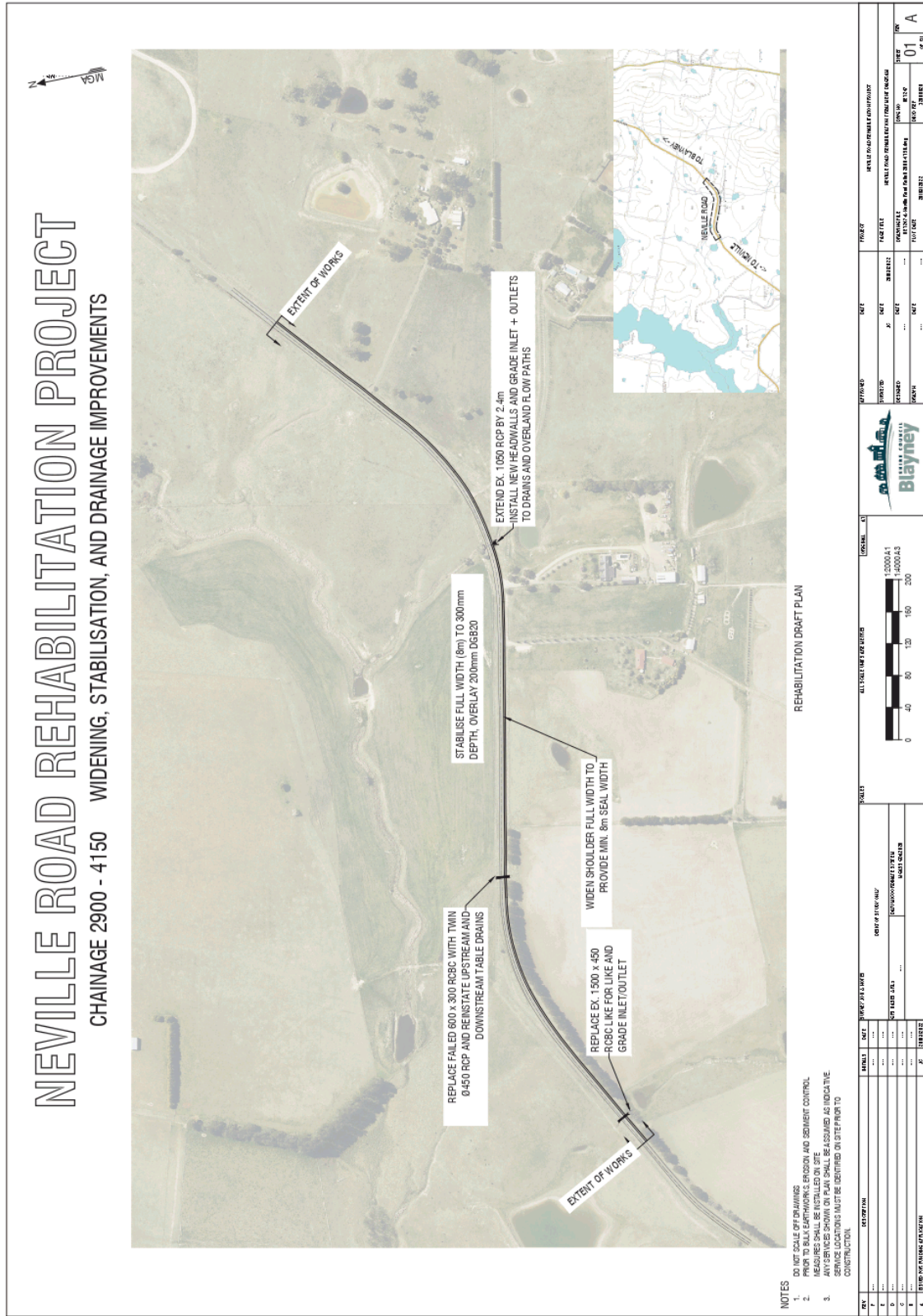
There is an estimated write down cost of approximately \$48,500 for this project, and an estimated increase in annual depreciation of approximately \$1,845. However, Councils maintenance expenditure is also likely to reduce through undertaking these capital improvement works.

**Enclosures (following report)**

- 1 Neville Road Rehabilitation

**Attachments (separate document)**

Nil



**08) FUNDING DEED EXECUTION - \$1M - NSW OLG FLOOD RECOVERY GRANT**

**Department:** Executive Services

**Author:** General Manager

**CSP Link:** 2. Build the Capacity and Capability of Local Governance and Finance

**File No:** GO.ME.2

---

**Recommendation:**

That Council;

1. Note the General Manger's execution of the NSW Government's Flood Recovery Grant Funding Deed, totalling \$1,000,000.
2. Approve the supplementary vote for \$1,000,000 income in the 2022/23 Operational Plan.
3. Approve the supplementary vote for \$120,000 expenditure in the 2022/23 Operational Plan Blayney for the Blayney Local Catchment Flood Study.

**Reason for Report:**

For Council to note the General Manger's execution of the NSW Government's Flood Recovery Grant Funding Deed, totalling \$1,000,000.

**Report:**

On 24 January 2023, the NSW Minister for Local Government, Hon Wendy Tuckerman advised Council, that in response to the impact storms and floods have had across NSW in 2022 the NSW Government in partnership with the Australian Government has announced significant recovery funding to assist disaster declared councils such as yours. This funding is provided under the Disaster Recovery Funding Arrangements (DRFA) – Category D.

The Local Government Recovery Grants program is providing payment of \$1 million to your council upon confirmation of the Project Overview and the Grant Acknowledgement Schedule.

Council submitted a preliminary list of projects with the Project Overview. That list was preliminary approved by the Office of Local Government (OLG) prior to release of the \$1m.

Noting Council only had 10 days to submit a preliminary list of projects, the initial submission did not include the Forest Reefs Road stormwater and drainage improvement projects but village flood studies. Upon further review Council could not deliver flood studies in the villages for \$120k and it will be sought to allocate these funds to Forest Reefs Road.

OLG have advised the amendment can be made through the submission of the Program of Works which is required within 12 weeks of receipt of the \$1m (which was received on 1 March).

<b>Project Location</b>	<b>Allocation</b>	<b>Proposed Delivery</b>
<b>Enhancing flood resilience of the Blayney Shire road network through culvert and drainage improvements</b>		
Glenlea Lane culvert	\$73,000	2022/23
Newbridge Road culvert and drainage	\$360,000	2024/25
Forest Reefs Road stormwater and drainage improvements*	\$120,000	2022/23
<b>Increasing flood immunity and resilience in the Blayney township</b>		
Blayney effluent reuse flood resilience	\$76,000	2023/24
Gerty St detention basin improvements and drainage works	\$150,000	2024/25
<b>Flood resilience strategic planning for the Blayney Shire</b>		
Blayney Local Catchment Flood Study	\$120,000	2022/23
Strategic Planning resilience review including DCP review and update	\$52,171	2023/24
<b>Critical Disaster Equipment for the Blayney Shire</b>		
Backhoe model upgrade	\$48,829	2022/23

**Risk/Policy/Legislation Considerations:**

There are additional risks tied to unprecedented amount of grant funding recently provided to Council with; overlapping deadlines, including; limited available resources (both Council and contractor) to deliver certain types of projects.

Council has had to spread delivery of projects over multiple forward years within the Delivery Plan to mitigate this risk, that though in itself creates another risk in price escalation between allocation of funds and delivery of the project.

**Budget Implications:**

\$1,000,000 positive impact that Council had not budgeted for.

Preliminary write down costs for these projects are estimated to approximately \$92,500, while annual depreciation is estimated to increase by approximately \$8,000.

**Enclosures (following report)**

Nil

**Attachments (separate document)**

Nil

**09) FUNDING DEED EXECUTION - \$59K - RECREATIONAL FISHING TRUSTS**

**Department:** Executive Services

**Author:** General Manager

**CSP Link:** 3. Diversify and Grow the Blayney Shire Local and Visitor Economy

**File No:** GO.ME.2

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**Recommendation:**

That Council note the General Manger's execution of the NSW Government's Recreational Fishing Trusts for Carcoar Dam boat ramp improvements, totalling \$59,400.

**Reason for Report:**

For Council note the General Manger's execution of the NSW Government's Recreational Fishing Trusts for Carcoar Dam boat ramp improvements, totalling \$59,400.

**Report:**

Council has been successful in obtaining \$59,400 to undertake improvements at Carcoar Dam, including sealing 2 areas;

- Directly adjoining the boat ramp, and
- A vehicle / trailer parking area

**Risk/Policy/Legislation Considerations:**

Nil

**Budget Implications:**

An adjustment will be made in the March Quarterly Budget Review Statement.

There are no write down costs for this project, while annual depreciation is estimated to be approximately \$1,500.

**Enclosures (following report)**

Nil

**Attachments (separate document)**

Nil



**10) REPORT OF COUNCIL INVESTMENTS AS AT 28 FEBRUARY 2023**

**Department:** Corporate Services

**Author:** Chief Financial Officer

**CSP Link:** 2. Build the Capacity and Capability of Local Governance and Finance

**File No:** FM.AU.1

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**Recommendation:**

1. That the report indicating Council's investment position as at 28 February 2023 be received.
2. That the certification of the Responsible Accounting Officer be received and the report be adopted.

**Reason for Report:**

For Council to endorse the Report of Council Investments as at 28 February 2023.

**Report:**

This report provides details of Council's Investment Portfolio as at 28 February 2023.

Council's total investment and cash position as at 28 February 2023 is \$29,496,357. Investments earned interest of \$70,309.53 for the month of February 2023.

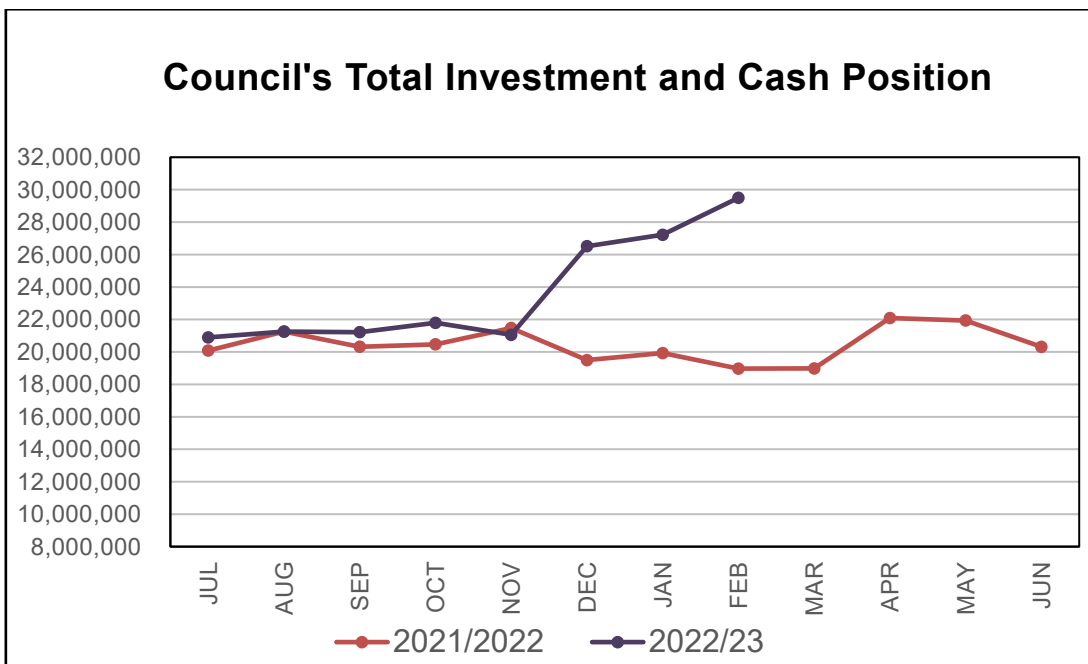
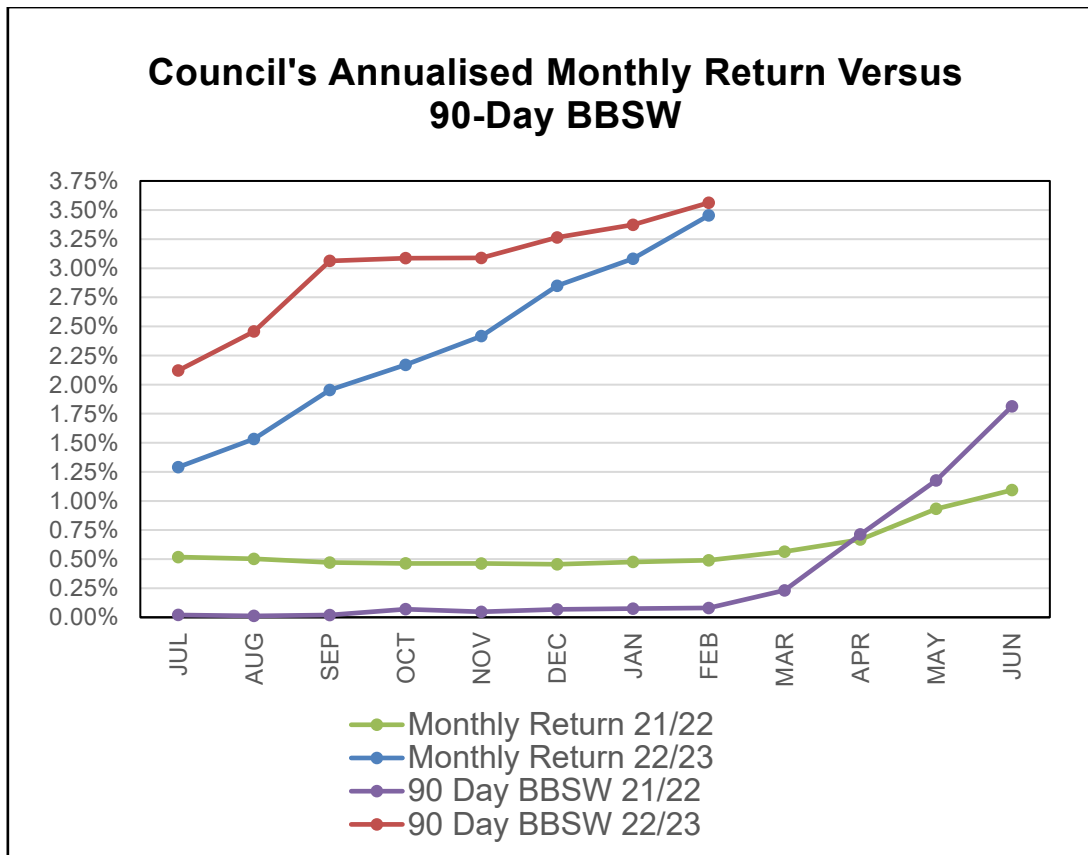
Council's monthly net return on Term Deposits annualised for February was 3.45% which did not outperform the 90-day Bank Bill Swap Rate of 3.56%.

During February the RBA announced an increase to the cash rate, of 0.25%. Council is being challenged to outperform the BBSW in an increasing interest rate environment over recent months. As existing term deposits, locked in at lower rates, reach maturity the annualised monthly rate of return will increase in line with the Bank Bill Swap Rate.

A number of new short to medium term investments were established during the month as detailed in the Summary of Investment Movements increasing the total investments by \$2.5m at the end of February.

However, Council received additional grant funding totalling \$2.8m at the end of February which coincided with the 3<sup>rd</sup> rates instalment due date which has significantly increased the balance of cash held as at 28 February 2023.

New investments will be placed in March to maximise investment returns in the short term with relevant projects scheduled to commence early in the 2023/24 financial year.



<b>Register Of Investments and Cash as at 28 February 2023</b>					
<b>Institution</b>	<b>Method</b>	<b>Rating</b>	<b>Maturity</b>	<b>Amount</b>	<b>Interest Rate</b>
				<b>\$</b>	<b>%</b>
Reliance Bank	Direct	Unrated	07/03/2023	500,000	3.430%
ME Bank	IAM	A2/BBB+	14/03/2023	500,000	1.120%
CBA	Direct	A1+/AA-	21/03/2023	500,000	3.930%
CBA	Direct	A1+/AA-	28/03/2023	500,000	1.300%
Macquarie Bank	IAM	A1/A+	28/03/2023	500,000	1.600%
CBA	Direct	A1+/AA-	11/04/2023	500,000	1.850%
NAB	Direct	A1+/AA-	18/04/2023	500,000	2.100%
Westpac	Direct	A1+/AA-	25/04/2023	500,000	3.850%
NAB	Direct	A1+/AA-	02/05/2023	500,000	4.020%
NAB	Direct	A1+/AA-	09/05/2023	500,000	2.750%
Macquarie Bank	IAM	A1/A+	16/05/2023	500,000	4.260%
NAB	Direct	A1+/AA-	23/05/2023	500,000	2.800%
Westpac	Direct	A1+/AA-	23/05/2023	500,000	2.780%
Westpac	Direct	A1+/AA-	06/06/2023	500,000	3.220%
NAB	Direct	A1+/AA-	13/06/2023	500,000	4.110%
Westpac	Direct	A1+/AA-	20/06/2023	500,000	3.990%
NAB	Direct	A1+/AA-	20/06/2023	500,000	0.600%
Westpac	Direct	A1+/AA-	04/07/2023	500,000	3.760%
CBA	Direct	A1+/AA-	18/07/2023	500,000	4.130%
ME Bank	IAM	A2/BBB+	01/08/2023	500,000	3.770%
Westpac	Direct	A1+/AA-	15/08/2023	500,000	0.530%
CBA	Direct	A1+/AA-	15/08/2023	500,000	3.980%
NAB	Direct	A1+/AA-	29/08/2023	500,000	4.050%
Macquarie Bank	IAM	A1/A+	04/09/2023	500,000	4.520%
CBA	Direct	A1+/AA-	12/09/2023	500,000	4.060%
CBA	Direct	A1+/AA-	26/09/2023	500,000	4.640%
Bank of Queensland	Curve	A2/BBB+	10/10/2023	500,000	4.200%
Westpac	Direct	A1+/AA-	10/10/2023	500,000	0.720%
CBA	Direct	A1+/AA-	17/10/2023	500,000	4.420%
Auswide Bank Ltd	Curve	A2/BBB	24/10/2023	500,000	4.850%
CBA	Direct	A1+/AA-	31/10/2023	500,000	4.480%
MyState Bank Ltd	Curve	A2/BBB+	07/11/2023	500,000	4.550%
Reliance Bank	Direct	Unrated	21/11/2023	500,000	4.100%
Westpac	Direct	A1+/AA-	21/11/2023	500,000	4.350%
Macquarie Bank	IAM	A1/A+	28/11/2023	500,000	4.200%
Westpac	Direct	A1+/AA-	28/11/2023	500,000	4.390%
Bank of Queensland	Curve	A2/BBB+	05/12/2023	500,000	4.250%
Defence Bank Ltd	Curve	A2/BBB	12/12/2023	500,000	4.450%
ING Bank	IAM	A1/A	19/12/2023	500,000	4.800%
NAB	Direct	A1+/AA-	09/01/2024	500,000	4.500%
CBA	Direct	A1+/AA-	23/01/2024	500,000	4.490%
NAB	Direct	A1+/AA-	06/02/2024	500,000	4.550%
Westpac	Direct	A1+/AA-	20/02/2024	500,000	4.950%
NAB	Direct	A1+/AA-	27/02/2024	500,000	5.000%
<b>Total Investments</b>				<b>22,000,000</b>	<b>3.600%</b>

<b>Register Of Investments and Cash as at 28 February 2023</b>		
Commonwealth Bank - At Call Account <sup>(1)</sup>	3,278,787	3.400%
Commonwealth Bank Balance - General <sup>(1)</sup>	4,092,309	3.200%
Reliance Bank <sup>(1)</sup>	125,261	0.000%
<b>Total Cash and Investments</b>	<b>29,496,357</b>	
Benchmarks:	BBSW 90 Day Index <sup>(1)</sup>	3.563%
	RBA Cash Rate <sup>(1)</sup>	3.350%

1. % Interest rates as at end of reporting period

<b>Summary of Investment Movements - February 2023</b>		
<b>Financial Institution</b>	<b>Invst/(Recall) Amount \$</b>	<b>Commentary</b>
MyState Bank Ltd	500,000	New term deposit 01/02/2023
NAB	(503,839)	Term deposit matured 07/02/2023
NAB	500,000	Term deposit reinvested 07/02/2023
Macquarie Bank Ltd	500,000	New term deposit 16/02/2023
Macquarie Bank Ltd	500,000	New term deposit 16/02/2023
WBC	(508,607)	Term deposit matured 21/02/2023
WBC	500,000	Term deposit reinvested 21/02/2023
NAB	(504,250)	Term deposit matured 22/02/2023
NAB	500,000	Term deposit reinvested 22/02/2023
ING Bank (Aust) Ltd	500,000	New term deposit 22/02/2023
Auswide Bank Ltd	500,000	New term deposit 28/02/2023

<b>Long Term Credit Rating (or Moody's, Fitch, S&amp;P or Equivalent)</b>	<b>Policy Maximum</b>	<b>Current Holding %</b>	<b>Current Holding \$</b>
TCorp IM Funds	100%	0%	-
AAA – AA Category	100%	68%	15,000,000
A- Category	40%	11%	2,500,000
BBB+ Category	25%	11%	2,500,000
BBB Category	5%	5%	1,000,000
BBB- Category and below: Local <sup>(2)</sup> ADI's	10%	5%	1,000,000
BBB+ / BBB / BBB- & below categories combined	25%	20%	
2. ADI's located within the Local Government Area			<b>22,000,000</b>

<b>Individual Institution Limit</b>	<b>Rating</b>	<b>Policy Maximum \$</b>	<b>Current Holding \$</b>
Auswide Bank Ltd	A2/BBB	500,000	500,000
Bank of Queensland	A2/BBB+	1,000,000	1,000,000
CBA	A1+/AA-	5,000,000	5,000,000
Defence Bank Ltd	A2/BBB	500,000	500,000
ING Bank	A1/A	3,000,000	500,000
Macquarie Bank	A1/A+	3,000,000	2,000,000
ME Bank	A2/BBB+	1,000,000	1,000,000
MyState Bank Ltd	A2/BBB+	1,000,000	500,000
NAB	A1+/AA-	5,000,000	5,000,000
Reliance Bank	Unrated	1,000,000	1,000,000
Westpac	A1+/AA-	5,000,000	5,000,000

<b>Summary of Restricted, Allocated and Unrestricted Cash &amp; Investments</b>			
	<b>Actual 30/06/2022 \$ 000's</b>	<b>Actual<sup>(1)</sup> 28/02/2023 \$ 000's</b>	<b>Forecast<sup>(2)</sup> 30/06/2023 \$ 000's</b>
External Cash Restrictions	13,097	21,382	9,856
Internal Cash Restrictions	7,120	5,578	4,815
<b>Total Restricted, Allocated Cash &amp; Investments</b>	<b>20,217</b>	<b>26,960</b>	<b>14,671</b>
Unrestricted Cash	81	2,536	2,871
<b>Total Restricted, Allocated and Unrestricted Cash &amp; Investments</b>	<b>20,298</b>	<b>29,496</b>	<b>17,542</b>

<sup>(1)</sup> Balances are indicative and represent best available information as at 28/02/2023.

<sup>(2)</sup> Balances are informed by the Long Term Financial Plan and based on the best available information at time of preparation.

#### CERTIFICATION – RESPONSIBLE ACCOUNTING OFFICER

I, Tiffany Irlam, certify that the investments listed in this report have been made in accordance with s625 of the Local Government Act (1993), the Local Government (General) Regulation (2005) and Council Policy.

#### **Risk/Policy/Legislation Considerations:**

The Responsible Accounting Officer must table a written report to Council on money invested pursuant to s625 of the Local Government Act (1993). Investments made are in accord with the framework established within Council's Investment Policy.

#### **Budget Implications:**

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

#### **Enclosures (following report)**

Nil

#### **Attachments (separate document)**

Nil

**11) REVIEW OF COUNCIL POLICIES****Department:** Corporate Services**Author:** Director Corporate Services**CSP Link:** 2. Build the Capacity and Capability of Local Governance and Finance**File No:** GO.PO.1**Recommendation:**

1. That the following policies be endorsed by Council and be placed on public exhibition for a period of not less than 28 days:
  - Liquid Trade Waste Policy
  - Media Spokesperson Policy
2. Should no submissions be received during the public exhibition period, the policies be adopted and included in Council's policy register.

**Reason for Report:**

For the Council to review Council's strategic policies.

**Report:**

Council has in place a process of policy review following the election of a new Council. The following policies are presented to Council for endorsement.

<b>POLICY</b>	<b>OBJECTIVE</b>	<b>COMMENT</b>
Liquid Trade Waste Policy	Policy sets out how Council will regulate sewerage and trade waste discharges to its sewerage system in accordance with the NSW Framework for Regulation of Sewerage and Trade Waste (Section 3.1).	Policy has been reviewed and significantly overhauled. Council is obligated to have a policy.
Media Spokesperson Policy	To detail the respective roles that the Mayor, Deputy Mayor, Councillors, General Manager and delegated staff have in relation to providing media comment for the Blayney Shire Council.	Policy is tabled with no amendments.

The policies as proposed are existing policies and have been reviewed with minimal or no amendments being required however in the interest of public transparency it is proposed for public exhibition of the policies for a period of not less than 28 days.

**Risk/Policy/Legislation Considerations:**

Nil

**Budget Implications:**

Nil

**Enclosures (following report)**

Nil

**Attachments (separate document)**

- |          |                           |          |
|----------|---------------------------|----------|
| <b>1</b> | Liquid Trade Waste Policy | 45 Pages |
| <b>2</b> | Media Spokesperson Policy | 4 Pages  |

**12) MINUTES OF THE FINANCIAL ASSISTANCE COMMITTEE MEETING HELD 8 MARCH 2023**

**Department:** Corporate Services

**Author:** Director Corporate Services

**CSP Link:** 2. Build the Capacity and Capability of Local Governance and Finance

**File No:** CR.SD.2

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**Recommendation:**

1. That the minutes of the meeting held 8 March 2023 be received.
2. That the approvals under delegation by the General Manager in the amount of \$851 be noted.
3. That the recommendations for 2022/23 - Round 2 of the Community Financial Assistance Program by the Financial Assistance Committee, in the amount of \$21,422 be approved.

**Reason for Report:**

For Council to approve the minutes of the Financial Assistance committee meeting held 8 March 2023.

**Report:**

The Financial Assistance Committee at its meeting held 8 March 2023 considered applications for the second round of the Community Financial Assistance Program and Flagship funding applications for 2022/23.

An amount of \$39,877 was available for distribution in Round 2 and \$10,435 available in Flagship project funding. An amount of \$60,734 in unexpended funds from prior periods was also available.

Council received 11 applications for Round 2 of 2022/23 Program seeking \$24,450 in financial assistance. The Financial Assistance Committee has recommended \$21,422 be allocated to projects. Recommendations are pursuant to the criteria stipulated in the Community Financial Assistance Program guidelines.

Council also received 1 application under the Flagship funding category and considered 1 application referred from the first round. The Financial Assistance Committee has recommended no project for this tier of funding.



**MINUTES OF THE MEETING OF BLAYNEY SHIRE COUNCIL FINANCIAL ASSISTANCE PROGRAM COMMITTEE**  
**HELD 7 MARCH 2023**  
**AT BLAYNEY SHIRE COMMUNITY CENTRE**

The meeting commenced at 5:00pm.

**1. PRESENT**

Councillor David Somerville (Chair); Councillor Bruce Reynolds; Nick Vavladellis (Iberdrola); Miles Hedge; David Kennedy; Tamara Miller; Elizabeth Russ; David Kingham; Anton Franze (Director Corporate Services).

**2. APOLOGIES**

Graeme Summerson

**3. DECLARATIONS OF INTEREST**

Name	Item	Nature	Interest		
			Pecuniary		Non-Pecuniary
			S	S	LTS
David Somerville	7	Member of Blayney Golf Club (Applications 4 & 5)			X
David Kennedy	7	Social Member of Blayney Golf Club (Applications 4 & 5)			X
Miles Hedge	8	Member of Blayney Rotary			X
David Somerville	8	Member of Blayney Rotary			X
David Kennedy	8	Member of Blayney Rotary			X

S – significant

LTS – less than significant

**4. MINUTES FROM PREVIOUS MEETING – 3 MARCH 2022**

**RECOMMENDATION:**

The minutes of the previous meeting held on 3 March 2022 be noted.

D.Kingham / E.Russ

**5. BUSINESS ARISING**

Flagship application by Blayney Rotary referred from Round 1, awaiting further information, proposed for consideration in Item 8. Other Business.

**6. REQUESTS APPROVED BY GENERAL MANAGER UNDER DELEGATION**

It was noted that request for Anglican Book Fair \$500 now not required.

**Recommendation:**

That the approvals of fee waiver financial assistance, under delegation by the General Manager, in the amount of \$851 be noted.

M.Hedge / D.Kingham

## 7. CONSIDERATION OF ROUND 1:2022/23 COMMUNITY FINANCIAL ASSISTANCE PROGRAM APPLICATIONS

<b>SUMMARY OF AVAILABLE FUNDS:</b>	
Annual budget 2022/23	\$ 145,000
Less: Flagship funding	\$ 25,000
LESS 2022/23 Operational Plan Approved Donations (Rates, insurance and events)	\$ 55,000
<b>Total Available for Distribution 2022/23</b>	<b>\$ 65,000</b>
Funds approved - Round 1	\$ 19,942
Less Funds approved under GM Delegation – Round 1	\$ 4,330
Less Funds approved under GM Delegation – Round 2	\$ 851
<b>Funds Available for Distribution in Round 2:</b>	<b>\$ 39,877</b>
NOTE: Unspent from prior years is an amount of \$60,734.	

<b>SUMMARY OF FLAGSHIP FUNDING AVAILABLE:</b>	
Annual budget 2022/23	\$ 25,000
Less: Flagship funding approved - Round 1	\$ 14,565
<b>Total Available for Distribution in Round 2:</b>	<b>\$ 10,435</b>

### **Recommendation:**

That an amount of \$21,422 for 2022/23 Round 2 Community Financial Assistance Program be recommended for approval by Council as per the attached schedule.

N.Vavladellis / B.Reynolds

Cr. David Somerville, David Kennedy and Miles Hedge left the meeting for consideration of Application by Blayney Rotary from Round 1.

## 8. OTHER BUSINESS: CONSIDERATION OF ROUND 1 APPLICATION – ROTARY CLUB OF BLAYNEY

Application referred from Round 1. State funding of \$80k has been approved for project.

T. Miller / D. Kingham

### **Recommendation:**

That the application by Rotary Club of Blayney be deferred to next committee pending receipt of further information from applicant.

**9. NEXT MEETING**

Proposed for Tuesday 8 August 2023 (To be confirmed).

There being no further business the meeting closed at 6:45pm.

**FINANCIAL ASSISTANCE APPLICATIONS: ROUND 2 - 2022/23**

No	Applicant	Project	Grant sought	Grant recommended	Comments and feedback
1	Carcoar Community Association Inc.	Public Liability Insurance	665	665	Approved. Add to annual s356 donations in Operational Plan for future years.
2	Lyndhurst Team Penning	Purchase of defibrillator and paediatric packs	2,260	2,260	Equipment to also be housed and available in Lyndhurst Golf Club when events not held.
3	Millthorpe CWA	Purchase split wall hung air conditioning system	3,535	3,535	Broad community use of facility. Worthwhile project.
4	Blayney Golf Club	Live on the Lawn: Bins, Bin Products, Stage and Lighting	1,000	-	Not consistent with policy re Council support for events. DK supported and requested notation in the minutes.
5	Blayney Golf Club	Upgrade security camera system	5,000	5,000	Matching contribution by applicant. Ongoing improvement of facility.
6	Bucking Bulls Australia	Waiver of Council Fees / Grand Stands (Event as part of National finals)	3,000	3,000	Supported to the extent of part waiver of Council fees.
7	Neville Equine Performance	Develop Multipurpose arena with soft fall and cattle yards at Neville Showground. Replacement of 8 trees.	1,500	1,500	Matching contribution by applicant. Ongoing improvement of facility.

No	Applicant	Project	Grant sought	Grant recommended	Comments and feedback
8	Orange Regional Conservatorium	Come Together Choir Morning Tea: Catering, Printing and Advertising	2,152	124	Funding approved to the extent consistent with policy (i.e. waiver of council fees)
9	Newbridge Art Group Space	Spring into Art Exhibition and Show - prize money	1,000	1,000	Recommend funding be applied for acquisition of artwork similar to Textures of One. Also recommended for inclusion into Schedule of s.365 Financial Assistance.
10	Newbridge Progress Association	Design and Drafting Fees for Covered Walkway at Newbridge Community Hall & Brian Bennett Pavilion	3,800	3,800	Recommended for approval as Stage 1, noting that this does not imply Council funding of project.
11	Application deleted - Newbridge Progress Assoc.	Funding approved in 2022/23 Operational Plan	-	-	-
12	Blayney Netball Association	Purchase IPAD and Square Reader and Holder	538	538	Approved.
			<b>\$24,450</b>	<b>\$21,422</b>	

**FINANCIAL ASSISTANCE APPLICATIONS: FLAGSHIP FUNDING - 2022/23**

No.	Applicant	Project	Grant sought	Grant recommended	Comments and feedback
F1	Newbridge Progress Association	Newbridge Showground: Installation of shade sail over existing fitness circuit	21,373	-	Application premature. Applicant encouraged to engage with Council prior to resubmission.
			<b>\$21,373</b>	<b>\$ -</b>	

**Risk/Policy/Legislation Considerations:**

The recommendations for funding are as recommended by the Financial Assistance Committee and are assessed against the Community Financial Assistance Program guidelines.

**Budget Implications:**

Council has an amount of \$145,000, encompassing \$25,000 Flagship project funding, allocated in the 2022/23 Operational Plan for this purpose. This also includes an amount of \$55,000 approved in advance for assistance to groups, schools and organisations for events, rates and charges and public liability insurance.

**Enclosures (following report)**

Nil

**Attachments (separate document)**

Nil

**13) MINUTES OF THE DISABILITY INCLUSION WORKING GROUP MEETING HELD 1 MARCH 2023**

**Department:** Corporate Services

**Author:** Director Corporate Services

**CSP Link:** 2. Build the Capacity and Capability of Local Governance and Finance

**File No:** GO.CM.4

---

**Recommendation:**

That Council:

1. Receive and note the minutes of the Disability Inclusion Working Group meeting held 1 March 2023.
2. Note the Disability Inclusion Working Group consideration of the submission received during the public exhibition of the 2022 – 2026 Draft Disability Inclusion Action Plan.
3. Note the Disability Inclusion Working Group recommendation of referral of the amended 2022 – 2026 Draft Disability Inclusion Action Plan to Council for endorsement.

**Reason for Report:**

For Council to approve the minutes of the Disability Inclusion Working Group meeting held 3 March 2023.

**Report:**

The Disability Inclusion Working Group held its meeting 1 March 2023.

The meeting considered a submission on the plan received the consultation period and proposed amendments to the 2022-2026 Disability Inclusion Action Plan.

The working group also recommended the 2022 – 2026 Disability Inclusion Action Plan, as amended, be referred to Council for endorsement. This is reported to Council in a separate report.

The minutes of the meeting held are tabled below:

**MINUTES OF THE BLAYNEY SHIRE COUNCIL DISABILITY INCLUSION WORKING GROUP SPECIAL MEETING HELD IN THE CADIA ROOM, BLAYNEY SHIRE COUNCIL COMMUNITY CENTRE, ON 1 MARCH 2023, COMMENCING AT 2.00PM**

Present: John Newstead (Council Delegate and Chairperson); Bruce Reynolds (Alternate Councillor); Michelle Pryse Jones (Councillor); Mark Dicker (General Manager); Anton Franze (Director Corporate Services - Secretariat); Allison Farr

(Member); Iris Dorsett (Member); Jenny McMahon (Member);  
Lyndall Harrison (Member).

**APOLOGIES**

Gregory Hooper (Member).

**DISCLOSURES OF INTERESTS**

Nil.

**REPORTS**

**SUBMISSION ON 2022-2026 DRAFT DISABILITY INCLUSION**

**ACTION PLAN**

**Recommendation:**

1. That the submission on the Draft 2022 – 2026 Disability Inclusion Action Plan be noted; and
2. That the 2022 – 2026 Draft Disability Inclusion Action Plan, as amended, be referred to Council for adoption.

Iris Dorsett / Alison Farr

Meeting closed: 2.57pm

**Risk/Policy/Legislation Considerations:**

The primary role of the Disability Inclusion Working Group is to provide input on Council's Disability Inclusion Action Plan developed in accordance with the NSW Disability Inclusion Act (2014) on strategies for Council to:

- develop positive community attitudes and behaviours;
- create liveable communities;
- support access to meaningful employment; and
- improve access to mainstream services through better systems and processes.

**Budget Implications:**

Nil

**Enclosures (following report)**

Nil

**Attachments (separate document)**

Nil

**14) 2022-2026 DISABILITY INCLUSION ACTION PLAN****Department:** Corporate Services**Author:** Director Corporate Services**CSP Link:** 2. Build the Capacity and Capability of Local Governance and Finance**File No:** CS.PO.1

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**Recommendation:**

That Council:

1. Receive and note the report on the 2022 – 2026 Disability Inclusion Action Plan.
2. Note the submission received during public exhibition of the 2022 – 2026 Draft Disability Inclusion Action Plan.
3. Adopt the 2022 – 2026 Draft Disability Inclusion Action Plan, as amended and attached to this report.

**Reason for Report:**

For the Council to consider the submission, received during the exhibition period, on the 2022-2026 Disability Inclusion Action Plan and adopt the amended 2022-2026 Disability Inclusion Action.

**Report:**

Blayney Shire Council has developed a Disability Inclusion Action Plan (DIAP) as required under the Disability Inclusion Act 2014. Blayney, Cabonne and Orange Councils resolved to take a collaborative approach to the development of a joint plan with individual strategies and actions. The DIAP will underpin Council's commitment to providing quality facilities and services that enable people with disability to fully participate in our communities.

Council at its November 2022 meeting considered the 2022 – 2026 Draft Disability Inclusion Action Plan and Council resolved to defer consideration to the next Council meeting.

At the December 2022 meeting Council resolved to exhibit the draft plan for submissions. The exhibition period closed 2 February 2023 and Council received 1 submission. The submission articulated the following comments in reference to the plan:

Submission 1:

*As a member of the DIAP Working Group, I am aware that the Plan is under review.*

*I would like to express some concerns I have, not about the actual plan, but rather about fine tuning some of its delivery methods. I believe there is scope to investigate:*



1. *What actions the committee could be more involved with to assist raising awareness of 'people living with disabilities' in our community and how Council's DIAP supports them;*
2. *Raising awareness of the DIAP Working Group in the community and local businesses;*
3. *Taking advantage of educational opportunities on this topic.*

The Disability Inclusion Working Group considered the submission and has recommended amendments as shown in the plan.

The Plan has also been reviewed and edited following identification of some minor typographical errors, including duplication of an action, found on page 24 of the plan under *Building Liveable Communities*.

Amendments in the plan are identified in red track changes for transparency purposes and will be removed from the final document upon endorsement and placed on Council's website.

Councils' adoption of the Disability Inclusion Access Plan will have benefits to the community, as summarised below. It will enable Council to:

- Plan, provide and promote inclusive services to our community;
- Improve community awareness about access and inclusion;
- Plan, provide and promote Council infrastructure and facilities that are accessible to all;
- Improve staff awareness about access and inclusion issues and embed a culture of awareness of access and inclusion;
- Plan, provide and promote Council facilities that are accessible to all;
- Support local businesses and traders to become more aware and comply with standards for mobility and access;
- Assist in raising community awareness helping to make Blayney Shire more accessible for all community members; and
- Comply with legislated plan requirements.

#### **Risk/Policy/Legislation Considerations:**

The development of a Disability Inclusion Action Plan is required under the Disability Inclusion Act 2014 and will form part of Council's integrated planning and reporting process.

#### **Budget Implications:**

Implementation of the plan is envisaged to be incorporated into project planning and budgeted into operational and capital project costs.

#### **Enclosures (following report)**

Nil

#### **Attachments (separate document)**

- 1 Draft Disability Inclusion Action Plan (Blayney Shire Council) 29 Pages

**15) DIRECTOR INFRASTRUCTURE SERVICES MONTHLY REPORT**

**Department:** Infrastructure Services

**Author:** Director Infrastructure Services

**CSP Link:** 1. Maintain and Improve Public Infrastructure and Services

**File No:** GO.ME.1

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**Recommendation:**

That the Director Infrastructure Services Monthly Report for March 2023 be received and noted.

**Reason for Report:**

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

**Report:**

**Topical Matters**

OneRoad

Council has signed an MOU with Transport for NSW for use of a new web-based publishing platform: OneRoad. This can share real-time information regarding road incidents and events with all road users through Live Traffic NSW website and app, as well as third party navigation apps.

Staff have commenced the onboarding process and will join 38 other Local Government Areas in regional NSW with the launch.

The aim is to have one source of traffic information for all road users in NSW to help our people make informed travel decisions, plan and complete their journeys safely. Road users will have the latest information on road impacts especially in critical times of floods or bushfires.

Not all incidents and events will be published. Events comparable to the below will be published in OneRoad:

- Planned events with moderate to long term impacts (three days or more), directional closures, detours, contraflows or full closures.
- Unplanned events involving crashes, flooding, fires or other unforeseen incidents on the road network.

Events with minimal impact such as road maintenance activities, survey, geotechnical investigations, or short term planned works (less than 3 days) in duration will not be reported in OneRoad.

The current projected date of Go-Live to OneRoad is 20 April 2023.

**Major Contracts**Leabeater Street Bridge

Bridge works are now complete. Road approaches have been delayed so the contractor can move to Belubula Way bridge to construct the bypass track. It is important this bypass is constructed while the weather is warm, to ensure that the bridge works can commence as soon as possible. It is anticipated the Leabeater Street approaches will commence in April 2023.

Lucan Road Bridge

Road approaches have been completed. This project is now complete.

Belubula Way Bridge

Following a private landowner agreement, the bypass works have commenced and are anticipated to take two weeks to complete. Once the bypass track is sealed, the bridge works will commence.

**Major Works**Hobbys Yards Road Repair

Works to be performed using the remaining Resources for Regions Round 8 funding have been scoped and issued to a contractor for delivery under a Local Government Procurement (LGP) contract. Works are programmed to commence in April 2023.

Gap Road Culvert Repair

This intersection and road is now open. There are concerns with seal warranty given the current warm weather and the high wind farm use deteriorating a new seal. Sealing will be delayed until April 2023 due to contractor availability.

Long Swamp Road Heavy Patching

Sealing works are completed, marking practical completion of this project. Linemarking will occur with other works at a later date. There are budget implications associated with this project that have been presented to Council in a separate report.

Forest Reefs Road Reconstruction CH700-2300

Preliminary drainage works are underway, with widening works and major culvert installation to commence thereafter. Road works are to commence after completion of Long Swamp Road.

Storm Damage Repairs: Errowanbang Road

Construction is currently underway to remediate Errowanbang Road for the section that extends for approximately 1km south of Gap Road. This work is due to be completed by the end of April 2023.

**Minor Road Works**Maintenance works

Pothole patching has been undertaken in Blayney Streets, Belubula Way, Neville Road, Browns Creek area, Forest Reefs area, and Errowanbang area. Maintenance grading has been undertaken in Millthorpe and Lyndhurst areas.

Maintenance works are still vastly reactive and while Council staff have identified where work needs to be undertaken, they are not able to be firmly scheduled due to the broad dilapidated nature of the road network.

Roadside mowing has been undertaken on Mandurama Road, Neville Road.

Re-sheeting works as part of the Fixing Local Roads Round 3 program on McKellars Lane and Corks Lane are substantially completed. Staff will monitor Corks Lane and McKellars Lane over the coming weeks for defects prior to marking project completion.

### **Footpaths**

All works on Coombing Street path are now fully complete.

Works on the Glenorie Road path are complete.

Works on the Elliot Street path are expected to commence in coming weeks pending resolving items from community consultation.

These projects are being completed under the Resources for Regions program, round 8.

### Belubula River Walk – Stage 3

The Boardwalk has been completed to the foot bridge including bench seating, and works have commenced on the Island boardwalk. Works to be completed by the end of March. There were delays to the boardwalk construction due to Total Fire Ban which prevented the use of some tools. The gross pollutant trap and diversion pit has been completed near the Martin Street / Henry Street intersection.

### Belubula River Walk – Stage 4

The footpath has been completed, and the fencing around the dams near Heritage Park is to be installed shortly. Bollards to prevent cars driving on the new footpath, solar lighting and vegetation works – trees and bushes along the new path are still to be completed. Designs are being prepared for the Stillingfleet and Charles Streets Cul-De Sac's roadworks.

### **Open Spaces & Facilities**

#### Smart Hub Lighting & Access Control

CWELC lighting, Dakers Oval amenities, and Redmond Oval lighting and access control sites are online with final programming and software deliverables outstanding.

Once completed and commissioned, this will enable Council to provide, monitor and control, access and lighting at these sites remotely. The locks at KGO change rooms still require commissioning.

### King George Oval – Pedestrian Project

The new score board has been installed and is fully operational. The footpath works has commenced early February 2023 and will be completed by the end of March. The new grandstand handrails are installed. The carpark works has been tendered and a recommendation is provided to Council in a separate confidential report.

### Carrington Park Toilet Refurbishments

The design has been completed and Council is currently seeking quotations to complete the work.

### Heritage Park New Toilets

This is currently being designed in house. Once a draft is prepared it will be presented to relevant community groups for comment before being finalised.

### Carcoar Dam Improvements

The following works have been completed, large shelters with electric BBQ's, table & bench seating, small shelters, fish cleaning stations and the pontoon.

The pontoon sustained vandalism shortly after completion. The supplier will be back onsite in April to fix the damages - re-anchor the pontoon back to the original location with more anchors to secure it and re-install the handrails. A CCTV camera will be installed to deter future vandalism.

### Recycled Water Treatment Plant

The recycle water treatment plant commenced validation at the end of February 2023. Lab results to date have been within acceptable levels. Staff are currently working to reduce algae in the ponds. Once this occurs the final sampling can take place. Once the analysis is complete, the plant will be fully operational and be able to produce recycled water to King George Oval, Napier Oval, as well as contractor and Council's watercarts.

### **Assets**

Staff have performed a detailed review of the Roads Hierarchy and Active Movement strategy. Additionally the Road, Pathway and Bridge Naming policy has been revised with recommendations provided to Council in a separate report.

The recent training in AssetFinda identified some ways to optimise use of Council's Asset Management System which are currently being implemented.

Staff have received the draft report for the Building and Other Structures condition assessments for all building assets, that has been completed by a consultant. This is currently under review.

### **Fleet, Plant & Depot**

All works on the works depot security/access control are complete.

### **Risk/Policy/Legislation Considerations:**

Information report only.

**Budget Implications:**

Nil

**Enclosures (following report)**

Nil

**Attachments (separate document)**

Nil

**16) ROAD, PATHWAY AND BRIDGE NAMING POLICY****Department:** Infrastructure Services**Author:** Director Infrastructure Services**CSP Link:** 2. Build the Capacity and Capability of Local Governance and Finance**File No:** RD.AD.1**Recommendation:**

That Council:

1. Endorse the Draft Road, Pathway and Bridge Naming Policy.
2. Place the Draft policy on public exhibition for a period of not less than 28 days.
3. Should no submissions be received during the public exhibition period, the policy be adopted.

**Reason for Report:**

To seek Council endorsement of the draft Road, Pathway and Bridge Naming Policy (025F).

**Report:**

Councillors have been provided a copy of the new Draft Road, Pathway and Bridge Naming Policy, along with a summary of the proposed changes compared to the existing Road, Street and Bridge Naming Policy.

The proposed changes clarify the process for the naming of roads, pathways, and bridges, and aims to ensure Council complies with the Geographical Names Board (GNB) guidelines.

The Draft policy defines the process for having names considered for use on roads, pathways and bridges, or inclusion in the pre-approved names list.

**Risk/Policy/Legislation Considerations:**

The Draft Policy ensures compliance with the Roads Act 1993, Road Regulation 2018, and Geographical Names Board requirements.

**Budget Implications:**

Nil

**Enclosures (following report)**

Nil

**Attachments (separate document)**

1 Road Pathway and Bridge Naming Policy

18 Pages

**17) ROAD CONSTRUCTION: LONG SWAMP ROAD, FOREST REEFS****Department:** Infrastructure Services**Author:** Manager Operations**CSP Link:** 1. Maintain and Improve Public Infrastructure and Services**File No:** RD.AD.1**Recommendation:**

That Council:

1. Note the report on the Long Swamp Road Project.
2. Approve the budget variation of \$453,929 from the Reseal and Culvert Renewal Programs to the Heavy Patching Program on Long Swamp Road as identified in this report.
3. Approve a supplementary vote of \$17,802 expenditure for the Heavy Patching Program from the Voluntary Planning Agreement – Mining external restriction.

**Reason for Report:**

Provide an update on expenditure on the Long Swamp Road Heavy Patching project and seek endorsement of allocation of other funds to cover the overspend on project.

**Report:**

The original budget for Heavy Patching program was \$530,000. As per the Road Allocations report from the October 2022 Council meeting, any surplus funds from Council's Resealing Program budget were to be tied to the Heavy Patching budget as contingency.

Unfortunately, as of this report, the original funds and the contingent resealing funds are fully expended. The total expected project cost is \$995,076.

The overspend can be attributed to several unforeseen circumstances, including:

1. The original budget assumed stabilization of the existing pavement. However, geotechnical investigation determined that the project was unsuitable for stabilization and required a subbase lift. The project was re-estimated, and it was still identified that the additional cost of a pavement install could be completed well within the project contingency.
2. Unforeseen penetrating groundwater required the installation of additional subsurface rubble drains to divert water away from the road pavement.
3. Unforeseen penetrating groundwater impacted the ability to box out the road and required material re-work.
4. Gravel supply cost increased 29% from the project commencement to the installation of the base layer (\$19/tonne to \$24.50/tonne), as did tipper hire charges by 14%



5. Unforeseen rock was struck during the widening of the inside curve, requiring a week of removal and pavement reinstatement.

There was no ability to alter the scale of the project once commenced, Council was committed to ensuring a quality project was undertaken.

Overall, the construction of Long Swamp Road has resulted in a significantly improved and safer road for motorists in this area. With improved road alignment, widening and drainage improvements to what was previously a very poor condition and dangerous section of road.

**Risk/Policy/Legislation Considerations:**

As this project is now substantially and practically complete, the risk of further overspend is negligibly minimal. Additionally, as the Resealing Program and Culvert Renewal Program projects are complete for the 2022/23 financial year, there is no risk in overspending on these projects nor is there risk in not delivering these programmed works.

Budgets of other road construction projects are currently being reviewed and re-estimated to ensure they are able to be completed within the current construction climate.

**Budget Implications:**

The revised budget from the Heavy Patching Program for the Long Swamp Road project was \$523,345. The remaining overspend will be funded as per detailed below:

<b>Program</b>	<b>Current Budget</b>	<b>Variation</b>	<b>Revised Budget</b>
Heavy Patching – Long Swamp Road	523,345	471,731	995,076
Reseal Program	413,895	(208,403)	205,492
Culvert Renewal Program	512,500	(245,526)	266,974
<hr/>			
VPA – Mining		(17,802)	

As the Resealing Program and Culvert Renewal Program projects for this financial year have been completed, there is no risk in overspending on these projects.

The Voluntary Planning Agreement – Mining external restriction balance is \$253,190 prior to the supplementary vote of \$17,802.

**Enclosures (following report)**

Nil

**Attachments (separate document)**

Nil

**18) BLAYNEY SHIRE ROAD HIERARCHY****Department:** Infrastructure Services**Author:** Manager Assets**CSP Link:** 1. Maintain and Improve Public Infrastructure and Services**File No:** GO.PO.1**Recommendation:**

That Council:

1. Endorse the Blayney Shire Roads Hierarchy 2023 enclosed to this report.
2. Note the Blayney Shire Roads Hierarchy Map 2023 will be attached as an addendum to Blaney Shire Council Policy 25G Road Hierarchy, Renewal and Maintenance Policy.

**Reason for Report:**

To seek Council endorsement of the Blayney Shire Roads Hierarchy Map 2023 and attachment to Policy 25G Road Hierarchy, Renewal and Maintenance Policy.

Council at is July 2022 Council meeting (**resolution 2207/014**);

1. *That Council adopt the Blayney Shire Roads Strategy 2022.*
2. *That Council review the Blayney Shire Roads Strategy 2022 and its application as part of the adoption of the Operational Plan 2023/24.*

The Road Hierarchy has a direct correlation to the Blayney Shire Roads Strategy because it is one of the criterion used in the methodology to ascertain and identify priority road segments for rehabilitation and/or upgrades and therefore requires Council endorsement prior to commencing review the Blayney Shire Roads Strategy.

**Report:**

At the November 2022 Council meeting, Council as part of its ongoing policy review program adopted a number of policies (**resolution 2211/010**), including Policy 25G Road Hierarchy, Renewal and Maintenance Policy.

Whilst Council adopted Policy 25G on 20 April 2020, and subsequently regularly reviewed that policy, no Council resolution can be found confirming the existing Roads Hierarchy used by staff has been; a) reported to Council and b) endorsed by Council.

The Roads Hierarchy defines roads in terms of function to enable Council to apply appropriate maintenance intervention levels and response priorities for that roadway, and to determine appropriate design criteria for renewal and upgrade works.

Council’s Roads Hierarchy is based on a Functional Hierarchy, broadly reflecting the IPWEA LGNSW Roads Directorate *Local Government Functional Road Classification* system. This review has incorporated a more rigorous analysis of the road network in terms of the *Functional Road Classification*, as the existing Hierarchy was developed prior to its formal release.

Further, during the 2020 review of Council’s Transportation revaluation, consultants Morrison Low identified that Council’s existing Road Hierarchy did not reflect a ‘normal’ distribution for a hierarchy. This review identified changes that significantly improve the Hierarchy ‘shape’ / ranking within the Hierarchy.

Figure one demonstrates the existing distribution of kilometres per road class, clearly showing the ‘top heavy’ nature of the existing Hierarchy. Figure 2 shows the distribution by road class, proposed by this review.

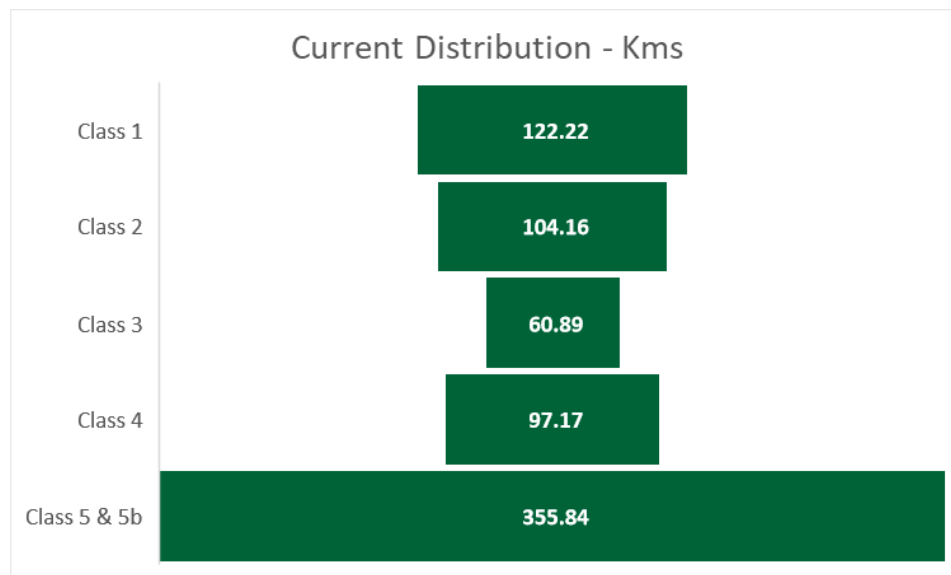


Figure 1 – Existing Hierarchy

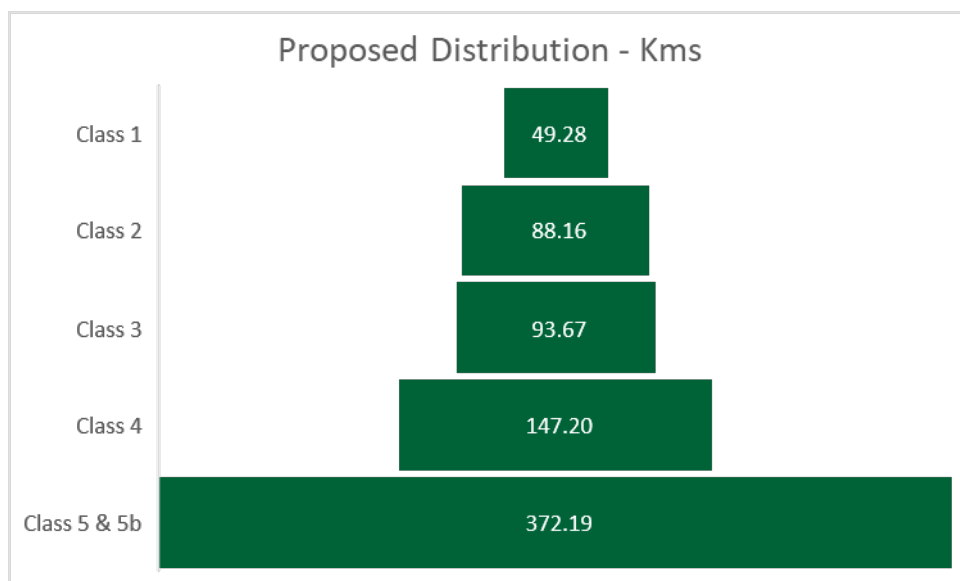


Figure 2 – Proposed Hierarchy

Table 1 below is an extract from Councils Policy; 25G Road Hierarchy, Renewal and Maintenance Policy, which is pertinent to review the Blayney Shire Roads Hierarchy Map 2023.

**Table 1:**

Road Hierarchy – Target Renewal Standards						
Class	Description	Road Seal Standard			Line Marking	
		Seal Width (m)	Lane Width (m)	Shoulder Width (m)	Centre Line	Fog Line
1	Main Arterial	9.0	3.5	1.0	Yes	Yes
2	Shire Arterial	8.0	3.5	0.5	Yes	Yes
3	Main Collector	7.5	3.25	0.5	Yes	As Req.
4	Collector	7.0	3.0	0.5	As Req.	No
5	Access	6.0	3.0	None	No	No
6	Road Reserve / No dwelling access	No Renewal Standard				

**Risk/Policy/Legislation Considerations:**

The recent wet weather has clearly demonstrated the challenges Council faces in applying the Road Hierarchy, Renewal and Maintenance policy (25F) in terms of the current ‘top heavy’ hierarchy. This has the potential to expose Council to liability, as Councils Operations staff are not able to comply with the response priorities identified within the policy. *Statewide guidelines* would mean it would not be appropriate for Council to reduce the response priorities within the policy.

**Budget Implications:**

There will likely be budgetary savings over Councils Long Term Financial Plan, in relation to proposed future rehabilitation and/or upgrades throughout the Blayney Shire, through adoption of the Blayney Shire Roads Hierarchy Map 2023.

Nil

**Enclosures (following report)**

1 Proposed Road Hierarchy

1 Page

**Attachments (separate document)**

Nil



**19) UPDATE OF THE BLAYNEY SHIRE ACTIVE MOVEMENT STRATEGY**

**Department:** Infrastructure Services

**Author:** Manager Assets

**CSP Link:** 1. Maintain and Improve Public Infrastructure and Services

**File No:** TT.TE.6

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**Recommendation:**

That Council:

1. Endorse the updates to the Blayney Shire Active Movement Strategy 2023.
2. Place the Strategy on public exhibition for a period of not less than 28 days.
3. Should no submissions be received during the public exhibition period, the strategy be adopted.

**Reason for Report:**

To seek Council endorsement of the proposed updates to the Blayney Shire Active Movement Strategy.

**Report:**

At the May 2016 Council meeting, Council adopted the Active Movement Strategy (AMS) (**resolution 1606/014**).

Council has been regularly reviewing the AMS as part of its Operational Plan and Delivery Plan commitments. Since 2016 Council has completed and/or is subject to complete a number of projects identified in the 2016 AMS, in particular following receipt of grant funding to deliver a number of projects.

**Risk/Policy/Legislation Considerations:**

It is noted the majority of projects are not specifically identified to be completed unless external grant funding can be identified and obtained.

The 2023 AMS update is a strategic update, particularly for projects that will be delivered in later years of Councils Long Term Financial Plan (LTFP).

The AMS is a strategic plan identifying at a high level a desired routes for active movement. Some projects may not be able to be undertaken and/or significantly altered, in particular due site constraints which cannot be identified at a strategic level.

Additionally in this regard, the location of a project may alter and/or change pending; environmental studies, completion of detailed engineering survey and design prior to commencement of works.

Blayney and Millthorpe Main Street MasterPlan's identified a number of options in relation to 'Active Movement' in and around the CBD precincts of Blayney and Millthorpe.

Detailed costings of these concept plans will be now undertaken after funding has been allocated under Resources for Regions Round 9 and will include consideration of projects in and around those localities not specifically highlighted in the AMS.

### **Budget Implications:**

The update to the AMS will mainly correlate to later years in Councils Long Term Financial Plan (LTFP).

Council reviews the shared pathways and footpath delivery program as part of its Operational Plan and Delivery Plan commitments. The current scheduled program of works for the current and next 2 financial years is;

	Project	New / Renewal	2022/23 Revised	2023/24	2024/25
1					
2	Spot Renewals/Pram Ramps	Renewal	48,737	49,955	51,204
3	King George Oval Parking & Pedestrian Integration Project	New	1,064,654		
4	Charles St - FP - Adelaide St - Osman St (AMP 8)	New			51,142
5	Belubula River Walk - SP - Stage 4 - Charles St - Heritage park (AMP 9B)	New	470,045		
6	Hawke St - FP - Stirling Pl - Ewin St (AMP 21)	New			30,442
7	Plumb St/Palmer St - Piggott Pl - Orange Rd	New		280,758	
8	Orange Rd FP - Binstead St - Palmer St	New		129,524	
9	Ewin St - FP - Existing - Palmer Street (AMP 18)	New			18,265
10	Belubula River Walk Stage 3	New	586,831		
11	Coombing St - FP & Footbridge - Showground Entrance - Icely St (AMP 2)	New	109,677		
12	Coombing St - FP Eulamore St - Showground Entrance (AMP 8)	New	16,638		
13	Glenorie Road SP / Park St - Stage 1 - Blake St - Rail Overbridge (AMP 10A)	New	115,584		
14	Glenorie Road SP / Park St - Stage 2 - Rail Overbridge - Dog Run (AMP 10B)	New	217,285		
15	Elliot St - FP - Victoria St - Pym St (AMP AD1)	New	116,529		
16	Heritage Pavement for Millthorpe Village - Victoria St & Montgomery St pavement (Grand Western Lodge)	New			284,568
17	Mt McDonald Rd & Marsden St Capital Park	New	6,000		
18	Trunkey St - Toomey St Pram Ramps (AMP 2)	New			1,948
19	Trunkey St / Caloola St - Rail Overbridge - Pedestrian Rail Overbridge (AMP AD1)	New	167,643		
20	Blayney Street (AMP 3)	New			49,403

### **Enclosures (following report)**

1 Active Movement Strategy Maps

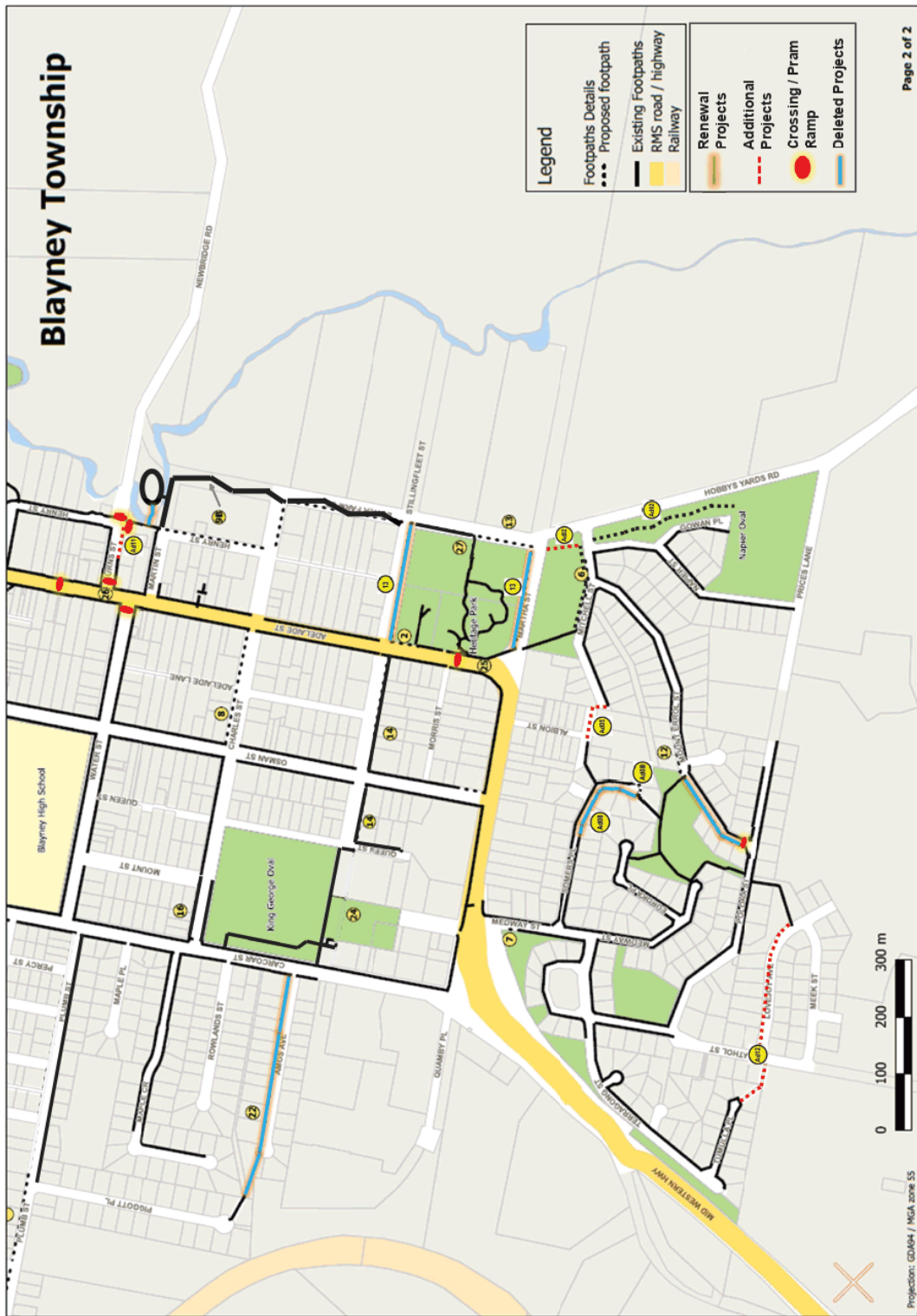
8 Pages

### **Attachments (separate document)**

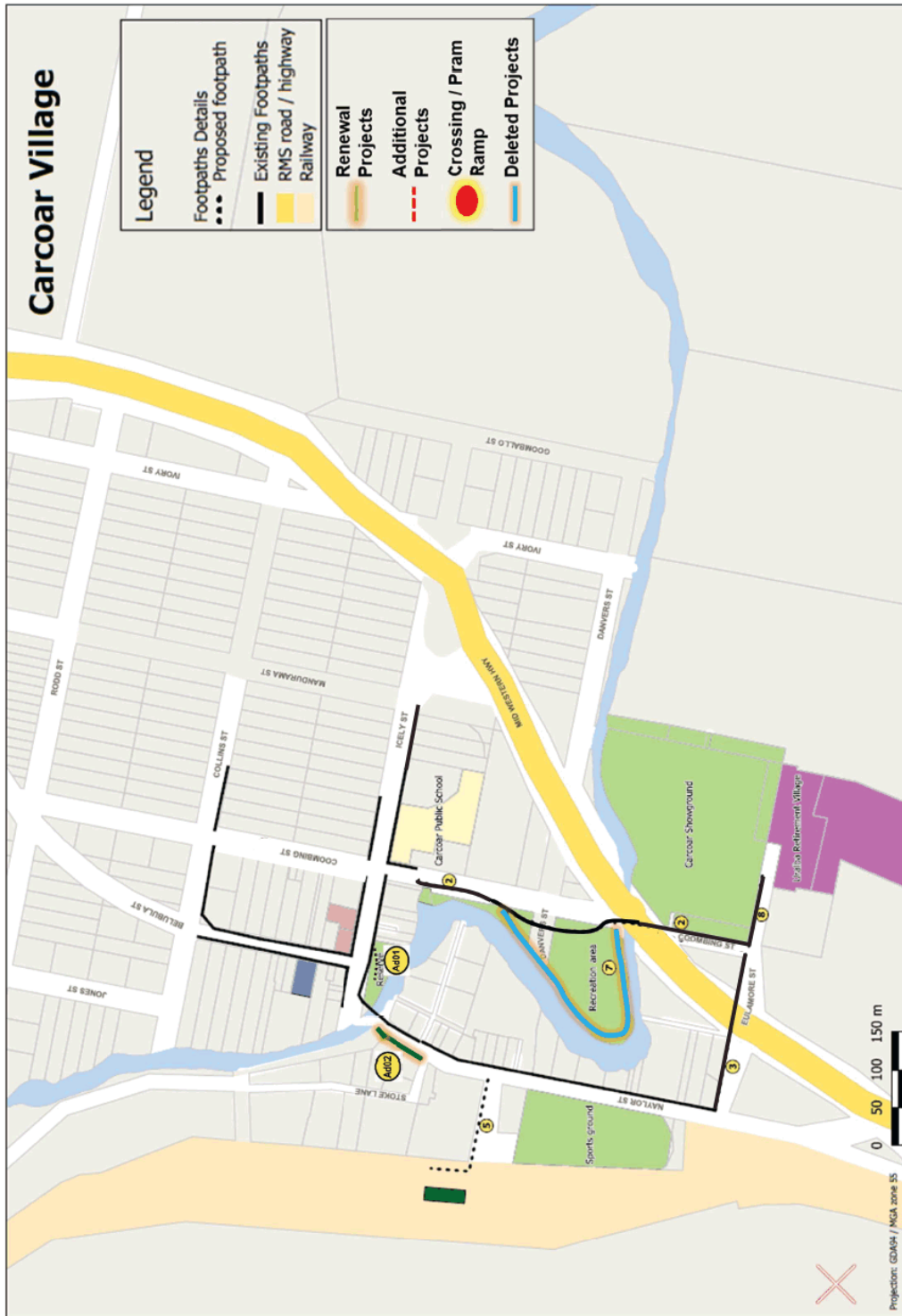
Nil



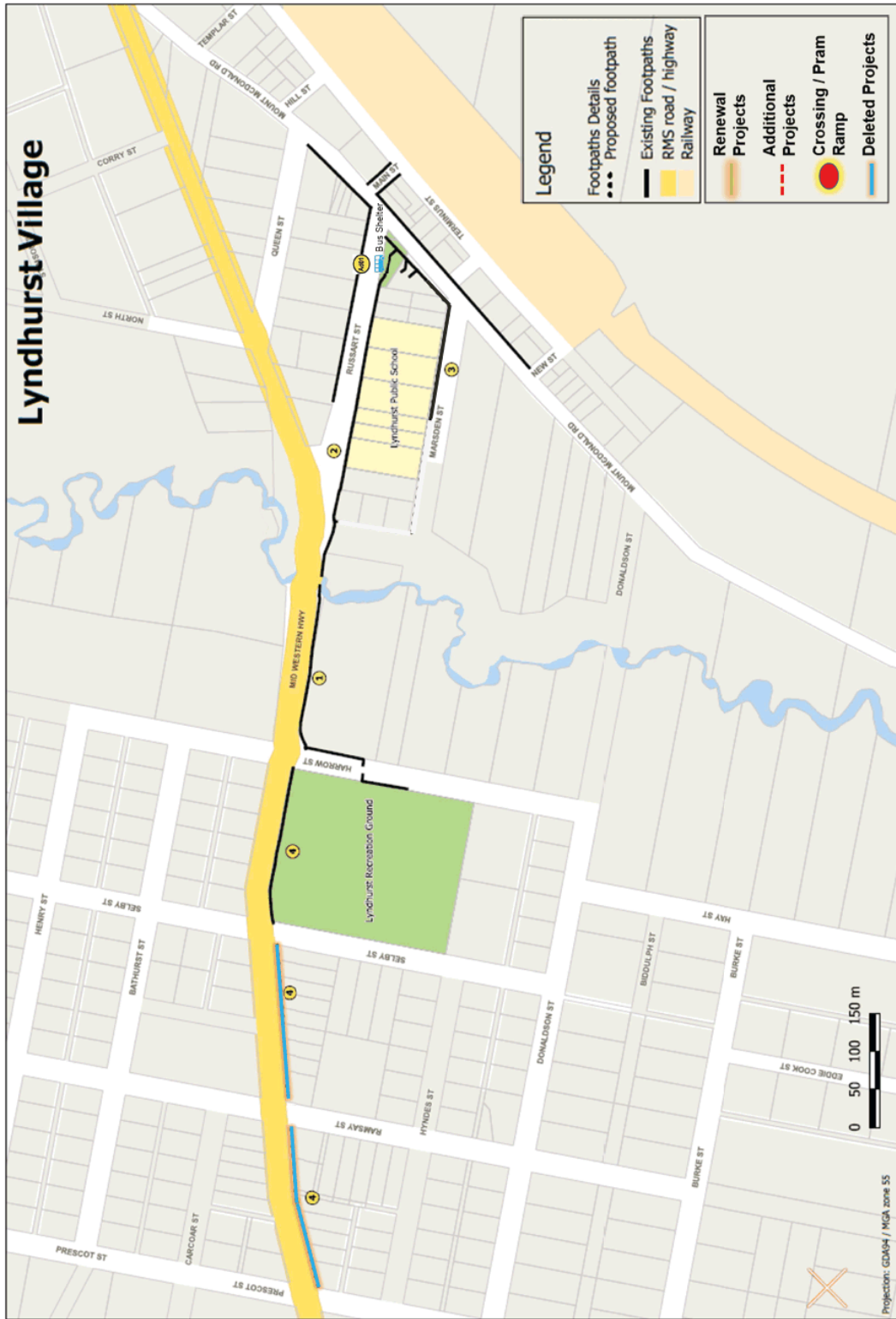




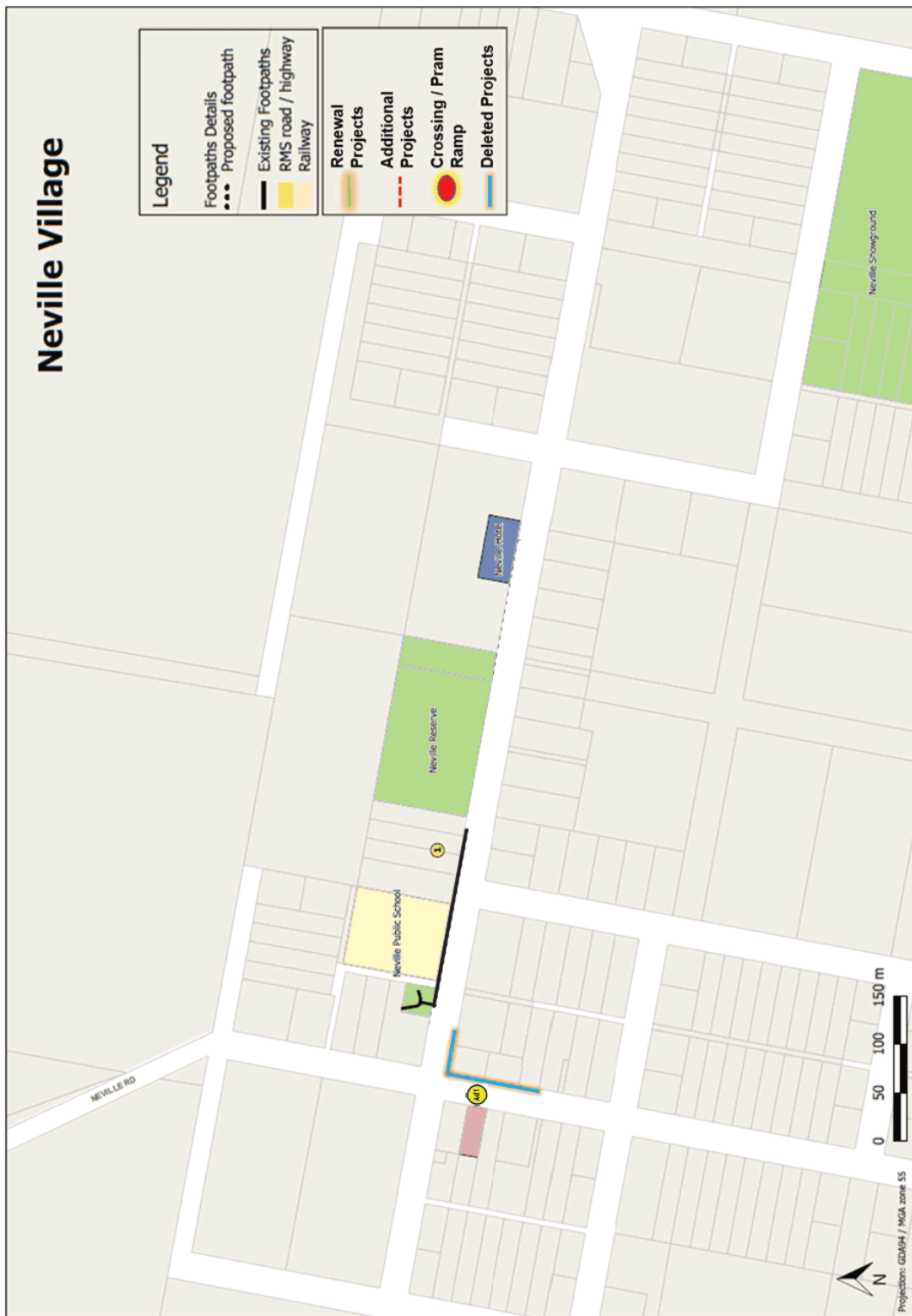














**20) MINUTES OF THE TRAFFIC COMMITTEE MEETING HELD 7 MARCH 2023**

**Department:** Infrastructure Services

**Author:** Director Infrastructure Services

**CSP Link:** 4. Community, Sport, Heritage and Culture

**File No:** TT.ME.1

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**Recommendation:**

1. That the minutes of the Blayney Traffic Committee Meeting, held on Friday 9 December 2022, be received and noted.
2. That R2-4n “No Entry” signs be installed at either end of the section of Lower Farm St.
3. That approval be sought from Transport for NSW to modify the R2-4n signs with R9-4 “Authorised Vehicles Excepted” signs.
4. That removable bollards be installed at either end of the section of Lower Farm St.
5. That Council endorse the Traffic Management Plan for the Millthorpe Market event, to be staged on 2 April 2023 on Redmond Oval as a Class 2 event, subject to the conditions detailed in the Director Infrastructure Services’ Report.
6. That Council endorse the Traffic Management Plan for the Blayney Anzac Day Service as a Class 3 event, subject to the conditions detailed in the Director Infrastructure Services’ Report.
7. That Council endorse the proposed location of High Pedestrian Area in the township of Blayney and place on public exhibition on behalf of Transport for NSW for a period of not less than 28 days.

**Reason for Report:**

For Council to endorse the minutes of the Blayney Shire Council Traffic Committee meeting held 7 March 2023.

**Report:**

The Blayney Shire Council Traffic Committee held its meeting on 7 March 2023.

**MINUTES OF THE BLAYNEY SHIRE COUNCIL TRAFFIC COMMITTEE MEETING HELD IN THE CHAMBERS, BLAYNEY SHIRE COUNCIL COMMUNITY CENTRE, ON 7 MARCH 2023, COMMENCING AT 10:00AM****PRESENT**

**Members:** Cr John Newstead (Blayney Shire Council - Chair), Reg Rendall (Paul Toole Representative), Jason Marks (NSW Police).

**Present:** Jacob Hogan (Director Infrastructure Services), Nikki Smith (Administration Officer).

**APOLOGIES**

Jackie Barry (TfNSW).

**DECLARATION OF INTEREST**

That the following Declaration of Interest be noted.

Number	Member/Officer	Interest	Report	Reason
6	Reg Rendall	Non-Precuniary (Significant)	Street Event – ANZAC Day – Blayney 2023	President of the Blayney RSL Sub-Branch

**CONFIRMATION OF MINUTES**

**MINUTES OF THE PREVIOUS MEETING BLAYNEY SHIRE COUNCIL TRAFFIC COMMITTEE MEETING HELD 9 DECEMBER 2022**

**Recommendation:**

That the minutes of the Blayney Traffic Committee Meeting, held on Friday 9 December 2022, be received and noted.

(Reg Rendall / Cr John Newstead)

**MATTERS ARISING FROM THE MINUTES**

**NIL.**

**REPORTS**

20230307:01

**MEETING DATES 2023****Recommendation:**

That Council note the Blayney Shire Council Traffic Committee meeting dates for 2023.

(Reg Rendall / Jason Marks)

20230307:02

**SIGNAGE INSTALLATION - LOWER FARM STREET, BLAYNEY****Recommendation:**

1. That R2-4n “No Entry” signs be installed at either end of the section of Lower Farm St.
2. That approval be sought from Transport for NSW to modify the R2-4n signs with R9-4 “Authorised Vehicles Excepted” signs.
3. That removable bollards be installed at either end of the section of Lower Farm St.

(Jason Marks / Cr John Newstead)

20230307:03

**STREET EVENT - MILLTHORPE MARKET - 2 APRIL 2023****Recommendation:**

That Council endorse the Traffic Management Plan for the Millthorpe Market event, to be staged on 2 April 2023 on Redmond Oval as a Class 2 event, subject to the conditions detailed in the Director Infrastructure Services’ Report.

(Reg Rendall / Cr John Newstead)

20230307:04 **STREET EVENT - ANZAC DAY - BLAYNEY - 2023**

**Recommendation:**

That Council endorse the Traffic Management Plan for the Blayney Anzac Day Service as a Class 3 event, subject to the conditions detailed in the Director Infrastructure Services' Report.

(Jason Marks / Cr John Newstead)

**TRAFFIC REGISTER**

**TRAFFIC REGISTER**

Noted.

**GENERAL BUSINESS**

**STREET EVENTS - ANZAC DAY SERVICES - APRIL 2023**

Noted.

**GENERAL BUSINESS**

**FOREST REEFS ROAD SPEED (20220803:01)**

TfNSW have reviewed and advise 80km speed zone is within correct regulations.

**INTERSECTION MID WESTERN HIGHWAY & ADELAIDE STREET NORTH, BLAYNEY**

**ACTION:** Council to further investigate.

**PARKING CONCERNS – CHARLES STREET (BETWEEN KGO GATES & QUEEN STREET)**

**ACTION:** Council to install 2 repeater signs either side of the entrance at KGO for angle parking.

**CONFIDENTIAL**

20230307:05 **PROPOSED LOCATION OF HIGH PEDESTRIAN AREA IN BLAYNEY**

**Recommendation:**

That Council endorse the proposed location of High Pedestrian Area in the township of Blayney and place on public exhibition on behalf of Transport for NSW for a period of not less than 28 days.

(Reg Rendall / Cr John Newstead)

**FUTURE MEETING DATES - 2023**

6 April 2023 (Thursday)

6 October 2023

9 June 2023

8 December 2023

4 August 2023

There being no further business, the meeting concluded at 10:45am.

**Enclosures (following report)**

- |   |  |        |
|---|--|--------|
| 1 | Proposed Location of High Pedestrian Area in Blayney | 1 Page |
|---|--|--------|

**Attachments (separate document)**

Nil

**Proposed location of High Pedestrian Area in Blayney**



**21) COUNCIL DEVELOPMENT - CONFLICT OF INTEREST POLICY**

**Department:** Planning and Environmental Services

**Author:** Director Planning and Environmental Services

**CSP Link:** 1. Maintain and Improve Public Infrastructure and Services

**File No:** GO.PO.1

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**Recommendation:**

That Council:

1. Endorse the draft Council Development – Conflict of Interest Policy
2. Place the draft policy on public exhibition for a period of not less than 28 days; and
3. Should no submissions be received during the exhibition period, the Policy be adopted.

**Reason for Report:**

To advise Council of a proposed new policy required as a result of changes to the Environmental Planning and Assessment Regulation 2021 and provide a draft policy for council consideration.

**Report:**

Councils regularly find themselves in a position where they are both applicants for development consent and the consent authority dealing with a development application. This dual role creates an inherent potential for conflicts of interest. In response to concerns raised by the NSW Ombudsman provisions have been introduced into the *Environmental Planning and Assessment Regulation 2021* to address conflicts of interest in council related development requiring the following:

- Councils must adopt and have a policy that specifies how conflicts of interest in connection with council-related development applications will be handled.
- Council-related development applications must now be accompanied by either a management strategy statement, which explains how the council will manage potential conflicts of interest, or a statement that the council has no management strategy for the application (section 36A).
- Councils must record conflicts of interest in connection with each council-related development application, and the measures taken to manage the conflicts, in their existing DA register (section 242A).
- Council-related development applications must be exhibited for a minimum of 28 days to ensure transparency during the assessment process.

Councils have until 3rd April 2023 to have a Conflict of Interest policy in place to allow determination of any Council related development applications. However, this does not apply to development applications, which were lodged, but not finally determined, before the commencement date of the policy. A draft policy has been prepared and is attached. The policy may evolve over time but the first version is relatively simple. Development is divided into categories being Category A – Minor Development; Category B Moderate Development; and Category C – Major Development (see Table 1 of attached draft Policy). An assessment pathway/management control is provided depending on the category of development. This can range from assessment by Council staff, peer review of assessments by a senior staff member, peer review of the staff assessment by a consultant or another council. In some cases it may still be necessary to outsource the assessment to an independent consultant or another council. The appropriate level for determination of applications (depending on normal delegations) is also provided.

Given that a policy is required for council related developments, it may also be timely to incorporate provisions dealing with potential conflicts in the DA process that could occur in relation to Councillors and certain Council staff. These have been incorporated into the draft policy. In addition to Councillors, the draft policy proposes to apply to staff already deemed to be “designated persons” pursuant to clause 4.8 of Council’s Code of Conduct. It would also apply to development applications lodged by spouses of Councillors and designated persons or where they are owners of the land. The policy also separates development into 3 categories being Category A – Minor Development; Category B Moderate Development; and Category C – Major Development (see Table 2 of attached draft Policy). Once again assessment and approval pathways are provided. These are not designed to be onerous but rather provide a level of potential conflict management so the community can be assured of independence and equity in the decision making process.

**Risk/Policy/Legislation Considerations:**

The Council Development – Conflict of Interest Policy would be a new policy required by amendments to the Environmental Planning and Assessment Regulation 2021.

**Budget Implications:**

Nil

**Enclosures (following report)**

1 Council Development - Conflict of Interest Policy 6 Pages

**Attachments (separate document)**

Nil



## Council Development - Conflict of Interest Policy

Dealing With Development Applications Lodged by Council, Councillors and Designated Council Staff

<b>Policy</b>	
<b>Officer Responsible</b>	DPES
<b>Last Review Date</b>	

**Strategic Policy**



Part 1 Preliminary

(1) Name of policy

This policy is the Conflicts of Interest Policy

(2) Aim of policy

This policy aims to manage potential conflicts of interest and increase transparency at all stages of the development process for council-related development.

(3) Scope

This policy applies to council-related development.

(4) Definitions

(1) In this policy:

**application** means an application for consent under Part 4 of the Act to carry out development and includes an application to modify a development consent it does not include an application for a complying development certificate.

**council** means Blayney Shire Council

**council-related development** means development for which the council is the applicant developer (whether lodged by or on behalf of council), landowner, or has a commercial interest in the land the subject of the application, where it will also be the regulator or consent authority

**councillor** means a person elected or appointed to civic office on Blayney Shire Council and includes the mayor

**designated person means** a person defined in clause 4.8 of Council's Code of Conduct

**development process** means application, assessment, determination, and enforcement

**senior member of staff** means a member of Council's Management Executive (MANEX) Team

**spouse** means husband, wife or de facto partner.

**the Act** means the *Environmental Planning and Assessment Act 1979*.

(2) A word or expression used in this policy has the same meaning as it has in the Act, and any instruments made under the Act, unless it is otherwise defined in this policy.

(3) Notes included in this policy do not form part of the policy.

**Part 2 Process for identifying and managing potential conflicts of interest**

**(5) Management controls and strategies**

(1) The following management controls may be applied to:

a. the assessment and determination of an application for council-related development

• *Refer to Table 1 in Appendix 1 for controls.*

b. the assessment and determination of an application for Councillors and Designated Persons (including Spouses of Councillors and Designated Persons)

• *Refer to Table 2 in Appendix 1 for controls*

**(6) Identifying whether a potential conflict of interest exists, assessment of level risk and determination of appropriate management controls**

Development applications lodged with the council that are council-related development or lodged by Councillors, Designated staff or their spouses are to be referred to the General Manager (or Director of Planning and Environmental Services) for a conflict-of-interest risk assessment to:

a) assess whether the application is one in which a potential conflict of interest exists,

b) determine the category of development (See Table 1 and 2 in Appendix 1 and 2) and what (if any) management controls should be implemented

Appendix 3 provides guidance on assessing potential conflicts and determination of appropriate management controls.

The End

	<b>Date</b>	<b>Minute No.</b>
<b>Adopted:</b>	<b>TBA</b>	
<b>Last Reviewed:</b>		
<b>Next Review:</b>		

Appendix 1 Table 1 – Assessment & Determination Criteria – Council Related Developments

Category of DA - where Council is the applicant developer (whether lodged by or on behalf of council), landowner, or has a commercial interest in the land *	Assessment Management Control/Strategy**	Determination
<p><b>Category A – Minor Development</b></p> <p>Refers to small-scale, routine operational and/or non-controversial developments.</p> <p>Examples include replacement amenities block, internal refurbishment of a building, subdivision involving the creation of up to 3 lots</p>	<p>Assessment must be by Council staff not involved in the application and peer reviewed by immediate supervisor.</p> <p>In the case of subdivisions a peer review of the assessment (or specific matters raised in objections to the application) by an external independent town planning consultant or another Council may be required, if determined by the Director Planning and Environmental Services</p>	<p>Determination under delegated authority (unless precluded by staff delegations).</p> <p>(Other than for development on community land under section 47E of the Local Government Act 1993.)</p>
<p><b>Category B – Moderate Development</b></p> <p>Refers to development of a greater scale or potential impact than minor development that complies with zoning, land use provisions and Council policies, with no substantial or numerous submissions</p> <p>Examples include subdivision of 3 to 10 lots, a new amenities block, alterations and addition to existing buildings, development on Council owned land zoned industrial</p>	<p>Assessment by Council staff not involved in the application and peer reviewed by senior member of staff.</p> <p>A peer review of the assessment (or specific matters raised in objections to the application) by an external independent town planning consultant or another Council may be required, if determined by the Director Planning and Environmental Services</p>	<p>Determination under delegated authority (unless precluded by staff delegations).</p> <p>(Other than for development on community land under section 47E of the Local Government Act 1993.)</p>
<p><b>Category C – Major Development</b></p> <p>Major DAs refer to development that is large-scale, significant and/or controversial. Objections may have been received.</p> <p>Examples include: new industrial estates, subdivision of more than 10 lots, new community facilities and libraries, electricity generating works, entertainment facility, extractive industry, waste or resource management facility</p>	<p>Assessment by Council staff not involved in the application and peer reviewed by senior member of staff or referral to an independent town planning consultant or another Council if deemed appropriate under the circumstances by the Director Planning and Environmental and Planning Services</p> <p>If assessed by Council staff a peer review of the assessment (or specific matters raised in objections to the application) by an external independent town planning consultant or another Council may be required, if determined by the Director Planning and Environmental Services</p>	<p>Determination by General Manager or Director Planning and Environmental Services (if allowed by staff delegations) otherwise report to Council for determination.</p> <p>(Other than for development on community land under section 47E of the Local Government Act 1993.)</p> <p>Determination by the Regional Planning Panel if the Capital Investment Value (CIV) of the application is &gt;\$5million in accordance with Schedule 6 of the State Environmental Planning Policy (Planning Systems) 2021.</p>

**Appendix 2** Table 2 – Assessment & Determination Criteria – Councillors and Designated Persons

Category of DA - where the applicant or landowner is a Councillor or a Council staff member who is a designated person or spouse of either party or where the application is lodged on their behalf*	Assessment/management Control**	Determination
<p><b>Category A – Minor Development</b></p> <p>Refers to development that is small-scale, routine and/or non-controversial.</p> <p>Examples include - Outbuildings, Alterations and Additions to a Dwelling House and Subdivision creating no more than 1 additional allotment; Home Business, Home Industry or Home Occupation</p>	<p>Assessment by Council staff</p>	<p>Determination under delegated authority (unless precluded by staff delegations).</p>
<p><b>Category B – Moderate Development</b></p> <p>Are of greater estimated cost and/or have greater potential to provide financial benefits or an uplift in value to land.</p> <p>Examples Include - Residential Accommodation <i>being attached dwellings, dual occupancies, dwelling houses rural workers dwellings, secondary dwellings and semi-detached dwellings</i>, light industry, Subdivision creating no more than 2 additional allotments</p>	<p>Assessment by Council staff not involved in the application and peer reviewed by senior member of staff.</p> <p>A peer review of the assessment (or specific matters raised in objections to the application) by an external independent town planning consultant or another Council member may be required, if determined by the Director Planning and Environmental Services</p>	<p>Determination under delegated authority (unless precluded by staff delegations).</p>
<p><b>Category C – Major Development</b></p> <p>Development that is larger-scale, commercial in nature and has the potential to provide an appreciable financial gain to the developer or uplift in value.</p> <p>Examples include - Tourist &amp; Visitor Accommodation, Commercial Premises, Residential Accommodation <i>being boarding houses, co-living housing, group homes, hostels, multi dwelling housing, residential flat buildings, seniors housing and shop top housing</i>, Industry (excluding light industry) and Subdivision creating more than 2 additional allotments.</p> <p><i>NB - In addition to Development Applications, Planning Proposals on behalf of Councillors, Designated Persons or respective spouses are also deemed to be major and will follow the same independent assessment protocol.</i></p>	<p>Assessment by referral to an independent town planning consultant or another Council member</p>	<p>Determination by General Manager or Director Planning and Environmental Services (unless precluded by staff delegations)</p>

**Appendix 3**

Guidance for assessing potential conflicts and determination of appropriate management controls.

- \* In determining whether development is Minor, Moderate or Major the General Manager or Director Planning and Environmental Services as appropriate shall be guided by:
- The estimated value of the works to be undertaken.
  - The potential impact on surrounding residential amenity associated with the proposed development.
  - DA's that are Regional Development (under the State Environmental Planning Policy (Planning Systems) 2021 are deemed Major
- \*\*In determining whether to refer an application for assessment or peer review to an external party the Director Planning and Environmental Services shall be guided by
- In the case of Council developments, the consistency of the proposed works with Council's Operational Plan/Delivery Program; any existing Council Management Plan or strategy.
  - Whether the proposal involves any variations greater than 10% from Council's Local Environmental Plan, Development Control Plan or existing Council policy;
  - Matters raised in submissions

**22) DEVELOPMENT APPLICATION 154/2022 - ERECTION OF AN OUTBUILDING (SHED) - 6 BUESNEL LANE, MILLTHORPE**

**Department:** Planning and Environmental Services

**Author:** Manager Development Assessment

**CSP Link:** 5. Protect Our Natural Environment

**File No:** DB.AB.1903

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**Recommendation:**

That Council consents to Development Application DA154/2022 for the erection of an outbuilding (shed) at Lot 101 DP 1055449 – 6 Buesnel Lane, Millthorpe subject to the recommended conditions of consent.

**Reason for Report:**

Council's consent is sought for the erection of an outbuilding (shed, 22.5m x 13.25m, 298.125m<sup>2</sup>) at Lot 101 DP 1055449 – 6 Buesnel Lane, Millthorpe. The application does not comply with Blayney Development Control Plan (DCP) 2018, as the proposed development exceeds the acceptable solution of a 300m<sup>2</sup> cumulative floor area. Consequently, the application is reported to Council for determination.

**Executive Summary**

A development application has been lodged by Mr Gavin Brett on behalf of Mr Anthony Suttor seeking Council's consent for the erection of an outbuilding (shed, 22.5m x 13.25m, 298.125m<sup>2</sup>) at Lot 101 DP 1055449 – 6 Buesnel Lane, Millthorpe (the 'subject property').

The subject property is located in a RU5 Large Lot Residential Zone under the *Blayney Local Environmental Plan 2012 (BLEP)* and contains an existing dwelling house and outbuilding (shed).

The application does not comply with the DCP, Part C: Residential Development, C3.4, as the proposed development exceeds the acceptable solution of a 300m<sup>2</sup> cumulative floor area.

The total cumulative floor area for the existing and proposed sheds is 424.125m<sup>2</sup>, which exceeds the standard by 124.125m<sup>2</sup>. As such, the applicant has sought Council's approval for a variation to the acceptable solution.

The key consideration is whether the proposed development meets the relevant objectives / performance criteria and acceptable solutions of the Blayney Development Control Plan 2018 (DCP) for an outbuilding in a R5 Large Lot Residential Zone.

Based on the rationale set out in the body of the attached assessment report, it is recommended that a variation should be supported. In summary, it is considered that the proposed development is consistent with the aims, objectives and performance criteria of the *BLEP* and *DCP*. Consent is recommended subject to appropriate conditions of consent.

**Risk/Policy/Legislation Considerations:**

The proposal is permissible with consent of Council. The proposed development complies with the relevant aims, objectives and provisions of *BLEP*. A Section 4.15 assessment (enclosed) of the development indicates that the development is acceptable in this instance.

Enclosed is a draft Notice of Decision outlining conditions considered appropriate to ensure that the development proceeds in an acceptable manner.

**Budget Implications:**

Nil

**Enclosures (following report)**

1	Section 4.15 Assessment Report and Proposed Conditions	9 Pages
2	Site Plan	3 Pages
3	Floor Plan and Elevations	1 Page
4	Statement of Environmental Effects	3 Pages

**Attachments (separate document)**

Nil

**Development Application 154/2022 - Erection Of An Outbuilding (Shed) - 6 Buesnel Lane, Millthorpe**

**Section 4.15 Assessment Report**

**Proposed Development**

A development application has been lodged by Mr Gavin Brett on behalf of Mr Anthony Suttor seeking Council’s consent for the erection of an outbuilding (shed, 22.5m x 13.25m, 298.125m<sup>2</sup>) at Lot 101 DP 1055449 – 6 Buesnel Lane, Millthorpe (the ‘subject property’).

The purpose of the development is for the private use as a workshop and for the storage for vintage cars, motorcycles and tools. The exterior of the proposed development will match the existing outbuilding (shed) in materials and colour finish.

**Section 1.7 – Application of Part 7 of the *Biodiversity Conservation Act 2016* and Part 7A of the *Fisheries Management Act 1994***

Section 1.7 of the EP&A Act 1979 identifies that Part 7 of the *Biodiversity Conservation Act 2016* and Part 7A of the *Fisheries Management Act 1994* have effect in connection with terrestrial and aquatic environments.

Having regard to the relevant provisions and based on an inspection of the subject property, it is considered that the proposed development is not likely to have a significant effect any threatened species, population or ecological communities or their habitats.

**Section 4.15 Evaluation**

**Matters for Consideration – General**

In determining a development application, a consent authority is to take into consideration such of the following matters as are of relevance to the development the subject of the development application:

**Section 4.15(1)(a)(i) The Provisions of any Environmental Planning Instrument Blayney Local Environmental Plan 2012**

**Part 1 – Preliminary**

**Clause 1.2 Aims of Plan**

The proposed development is considered to be consistent with the broad aims of the *BLEP*. Relevant issues are addressed in the body of this report.

**Clause 1.7 Maps**

Land zoning:	R5 Large Lot Residential Zone
Lot size:	1.68HA
Heritage:	No
Terrestrial biodiversity:	No
Groundwater vulnerability:	Yes
Drinking water catchment:	No
Watercourse:	No
Flood:	No



**Clause 1.9A – Suspension of Covenants, Agreements and Instruments**

Clause 1.9A provides that covenants, agreements and other instruments which seek to restrict the carrying out of development do not apply with the following exceptions:

- a covenant imposed by the Council or that the Council requires to be imposed, or
- any prescribed instrument within the meaning of section 183A of the *Crown Lands Act 1989*, or
- any conservation agreement within the meaning of the *National Parks and Wildlife Act 1974*, or
- any Trust agreement within the meaning of the *Nature Conservation Trust Act 2001*, or
- any property vegetation plan within the meaning of the *Native Vegetation Act 2003*, or
- any biobanking agreement within the meaning of Part 7A of the *Threatened Species Conservation Act 1995*, or
- any planning agreement within the meaning of Division 6 of Part 4 of the Act.

This clause does not affect the rights or interest of any public authority under any registered instruments. A search of Council's records indicates that the subject property is not affected by any of the foregoing covenants, instruments, agreements or plans.

**Part 2 – Permitted or prohibited development****Clause 2.3 – Zone objectives and Land Use Table**

The subject property is zoned R5 Large Lot Residential Zone. An Outbuilding (Shed) is permissible in the in R5 Large Lot Residential Zone.

The objectives of the R5 Large Lot Residential Zone seek to:

- *To provide residential housing in a rural setting while preserving, and minimising impacts on, environmentally sensitive locations and scenic quality.*
- *To ensure that large residential lots do not hinder the proper and orderly development of urban areas in the future.*
- *To ensure that development in the area does not unreasonably increase the demand for public services or public facilities.*
- *To minimise conflict between land uses within this zone and land uses within adjoining zones.*

The development is assessed to be consistent with the foregoing objectives. In particular, the proposed development will make a positive contribution towards the existing rural setting and amenity of the area.

**Part 6 – Additional local provisions****Clause 6.2 Stormwater management**

Clause 6.2 seeks to minimise the impacts of urban stormwater on land to which this clause applies and on adjoining properties, native bushland and receiving waters. Council's Building Surveyor has recommended a condition of consent requiring that all drainage and plumbing work is to be carried out in accordance with the Plumbing Code of Australia by a licensed plumber and drainer. This will ensure that stormwater is directed to the legal point of discharge.

**Clause 6.8 Essential services**

Clause 6.8 requires that development consent must not be granted to development unless the consent authority is satisfied that any of the services that are essential for the development are available or that adequate arrangements have been made to make them available when required.

Essential services are identified as the supply of water, the supply of electricity, the disposal and management of sewage, stormwater drainage / conservation and suitable vehicle access. It is understood that all essential services are available to the subject property.

**State Environmental Planning Policy (Resilience and Hazards) 2021**

*State Environmental Planning Policy (Resilience & Hazards) 2021* (the Policy) requires that a consent authority must not consent to the carrying out of development of land unless it has considered whether the land is contaminated; is satisfied that the land is suitable in its contaminated state for the development that is proposed, and if the land requires remediation to be made suitable for the proposed development it is satisfied that the land will be remediated before the land is used for that purpose.

Furthermore, the Policy requires that before determining an application to carry out development that would involve a change of use of land; the consent authority must consider a preliminary investigation of the land concerned.

Given that the subject property is located within a rural residential area and shows no evidence of a potentially contaminating land use, it is considered unlikely to be contaminated.

**Section 4.15(1)(a)(ii) Any proposed instrument that is or has been the subject of public consultation under the Act and has been notified to the consent authority**

Not applicable to this application.

**Section 4.15(1)(a)(iii) Any Development Control Plan  
Blayney Shire Development Control Plan 2018 (DCP)  
Part C – Residential**

Part C – Residential of the *DCP* applies to development applications for a wide range of dwellings, residential accommodation types and ancillary development.

**C3 Garages, Carports, Outbuildings & Sheds in Large Lot Residential Areas**

C3 outlines the provisions in a *Zone R5 Large Lot Residential areas where the existing lot size is  $\geq 1$ ha in addition to the visual impact/amenity controls above any garages, carports, outbuildings or sheds must not exceed:*

- 1) A ridge height of 6m from existing ground level;
- 2) A cumulative floor area greater than 300m<sup>2</sup>; and
- 3) A minimum setback of: a) 10m; or b) Where the dwelling on the allotment is within 50m of a public road, the outbuilding should be located behind the front building line of any dwelling.

The application does not comply with the *DCP, Part C: Residential Development, C3.4*, as the proposed development exceeds acceptable solution of a 300m<sup>2</sup> cumulative floor area.

The total cumulative floor area for the existing and proposed sheds is 424.125m<sup>2</sup>, which exceeds the standard by 124.125m<sup>2</sup>. As such, the applicant has sought Council's approval for a variation to the acceptable solution.

In accordance with *DCP, A1.11 Variation to Controls, Council may consent to a Development Application involving departure from a control contained within this DCP, but only where Council has considered a written request from the applicant that seeks to justify the departure by demonstrating:*

- a) Compliance with the particular control within this DCP is unreasonable or unnecessary in the circumstance of the case; and*
- b) The objectives of the particular control are met or sufficiently addressed; and*
- c) There are sufficient environmental planning grounds to justify the departure from the particular control within this DCP; and*
- d) The impacts of the non-compliant proposal will not be significantly greater than a compliant proposal or may enhance the outcome.*

Accordingly, it is recommended that a variation should be supported allowing for a variation in the cumulative floor area on the subject property due to the following:

- The objectives of the relevant controls are to ensure *that outbuildings and garages/carports: a) will not dominate views from the street or key public places; b) will be in keeping with the scale and setting of the relevant land use zone, streets and locality character; c) will integrate with the dwelling design and surrounding landscaping and buildings; d) will not significantly impact on the amenity of neighbouring properties (e.g. shadow, noise).* The proposed development sufficiently addresses the objective through the design and layout of the proposed buildings to ensure that the scale and setting integrates into the existing rural residential landscape, whilst improving the amenity on the surrounding area.
- The proposed outbuilding (shed) is located behind the existing dwelling house and is in line with the existing outbuilding (shed), therefore, reducing the scale, bulk and visual impact on Buesnel Lane and adjoining land owners; and
- Existing landscaping provides a screen and buffer between the surrounding land owners.

Therefore, it is recommended that a variation should be supported allowing for a variation in the cumulative floor area on the subject property.

#### **Section 4.15(1)(a)(iv) The Regulations**

- **In the case of a development application for the demolition of a building, the provisions of AS 2601 (Clause 92)**  
Not applicable to this application.
- **In the case of a development application for the carrying out of development on land that is subject to a subdivision order made under Schedule 7 to the Act, the provisions of that order and of any development plan prepared for the land by a relevant authority under that Schedule (Clause 92)**  
Not applicable to this application.
- **Fire safety and other considerations (Clause 93)**  
Not applicable to this application.

- **Buildings to be Upgraded (Clause 94)**  
Not applicable to this application.
- **BASIX Commitments (Clause 97A)**  
Not applicable to this application.

**Section 4.15(1)(b) The likely impacts of the development, including environmental impacts both the natural and built environments, and social and economic impacts in the locality**

The likely impacts of the proposed development have been considered in the body of this report. Based on this assessment, it is considered that the proposed development is unlikely to have a significant or detrimental impact and will have a positive improvement on the amenity of the surrounding area

**Section 4.15(1)(c) The suitability of the site for the development**

The foregoing assessment demonstrates that the subject property is suitable for the proposed development.

**Section 4.15(1)(d) Any submissions made in accordance with this Act or the regulations**

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

**Section 4.15(1)(e) The public interest**

The proposed development is considered to be of minor interest to the wider public due to the localised nature of potential impacts. The proposal is not inconsistent with any relevant policy statements, planning studies, guidelines etc. that have not been directly considered in this assessment.

**Risk/Policy/Legislation Considerations:**

The proposal is permissible with consent of Council. The proposed development complies with the relevant aims, objectives and provisions of *BLEP*. A Section 4.15 assessment of the development indicates that the development is acceptable in this instance.

Attached is a draft Notice of Decision outlining conditions considered appropriate to ensure that the development proceeds in an acceptable manner.

**PROPOSED CONDITIONS****SCHEDULE A**  
**CONDITIONS ISSUED WITH DEVELOPMENT APPLICATION NO. 154/2022****Reasons for Decision**

Statutory and legislative statutory requirements and public interest.

**Approved Plans**

1. Development is to take place in accordance with:

<b>Plan/DocNo.</b>	<b>Plan/Doc Title</b>	<b>Prepared by</b>	<b>Issue</b>	<b>Date</b>
-	Statement of Environmental Effects	-	-	07/07/2022
416744-GA	Floor and Elevation Plans	Ranbuild	-	-
-	Site Plan	Lucky Sheds	-	04/08/2022

As amended in accordance with any conditions of this consent.

*NOTE: Any modifications to the proposal shall be the subject of an application under Section 4.55 of the Environmental Planning and Assessment Act, 1979.*

**Prescribed Conditions**

2. The building work must be carried out in accordance with the requirements of the Building Code of Australia. A reference to the *Building Code of Australia* is a reference to that Code as in force on the date the application for the relevant construction certificate is made.

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

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

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

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

5. Residential building work within the meaning of the *Home Building Act 1989* must not be carried out unless the principal certifying authority for the development to

which the work relates (not being the Council) has given the Council written notice of the following information:

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

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

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

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

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

<b>Prior to Issue of a Construction Certificate</b>
---

NIL

<b>Prior to Works Commencing</b>
----------------------------------

7. Prior to commencement of any works, a Construction Certificate for the proposed alterations to the existing residence is to be obtained, and where Council is not the PCA, a copy is to be submitted to Council.

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

9. The developer is to submit a soil and water management plan for the site in accordance with *WBC Guidelines for Engineering Work*. No building, engineering, or excavation work, or topsoil stripping or vegetation removal, is to be carried out in relation to this development until such time as the plan has been approved by Council and the measures detailed in the plan are in place prior to works commencing. The measures detailed in the plan are to remain in place until all landscaping is completed.

10. That the applicant submit a landscaping plan to Council to the satisfaction of the Director Planning and Environmental Services detailing species and height at maturity of trees to soften the visual impact of the proposed shed.

#### **During Construction**

11. Construction or demolition only be carried out between 7.00 am and 6.00 pm on Monday to Friday, and 8am to 5pm on Saturdays. No construction or demolition is to be carried out at any time on a Sunday or a public holiday.

*Note: The principal contractor shall be responsible to instruct and control their sub-contractors regarding the hours of work.*

12. Erosion and sediment control measures are to be established prior to commencement of construction and maintained to prevent silt and sediment escaping the site or producing erosion. This work must be carried out and maintained in accordance with Council's *WBC Guidelines for Engineering Works* (see Council's website), and the Dept Housing – *Soil and Water Management for Urban Development (The Blue Book)*.

13. All rubbish and debris associated with the development, including that which can be windblown, must be contained on site in a suitable container at all times. The container shall be erected on the development site prior to work commencing. Materials, sheds or machinery to be used in association with the development must be stored and stacked wholly within the worksite unless otherwise approved by Council.

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

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

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

Each toilet must:

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

15. All roof and wall finishes shall be comprised of low reflective surface materials.

*Note 1: Sheet metal shall be of factory prefinished (eg, colorbond or galvanised iron) type material.*

*Note 2: Zinalume will be not accepted.*

16. The ground surrounding the buildings shall be graded and drained to ensure that all surface and seepage water is diverted clear of buildings on the site and clear of adjoining properties. Permanent surface or subsoil drains or a combination of both shall be provided to all excavated areas, hard standing areas and depressions. The invert of such drains shall be a minimum of 100 mm below the finished floor level and shall have a minimum grade of 1:100 to the approved storm water disposal location.

17. All earthworks, filling, building, driveways or other works, are to be designed and constructed (including stormwater drainage if necessary) so that at no time will any ponding of stormwater occur on adjoining land as a result of this development.

18. Roofwater from the buildings shall be disposed of to water tanks via a drainage system in accordance with the Plumbing Code of Australia, with all work carried out by a licensed plumber or drainer. Overflow from the tanks is to be connected to the existing stormwater disposal system.

19. All road and inter allotment drainage is to be conveyed to a legal point of discharge,

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

#### **Prior to Issue of Occupation Certificate**

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

22. All landscape planting shall be in place in accordance with the approved landscaping plan.

#### **Ongoing Matters**

23. The approved building must not be used for any other purpose other than the approved use i.e. sheds. Any proposed change of use shall only be permitted with the consent of Council. The sheds shall not be used for any industrial or commercial purpose.

#### **Advisory Notes**

##### **Inspection Schedule**

AN1. The Principal Certifying Authority is required to ensure all work is carried out in accordance with the consent, Building Code of Australia (BCA), and relevant standards, which is done during inspections at nominated stages of the work. The "Inspection Schedule" lists the mandatory and other required inspections that must be carried out by Blayney Shire Council during construction of the work.

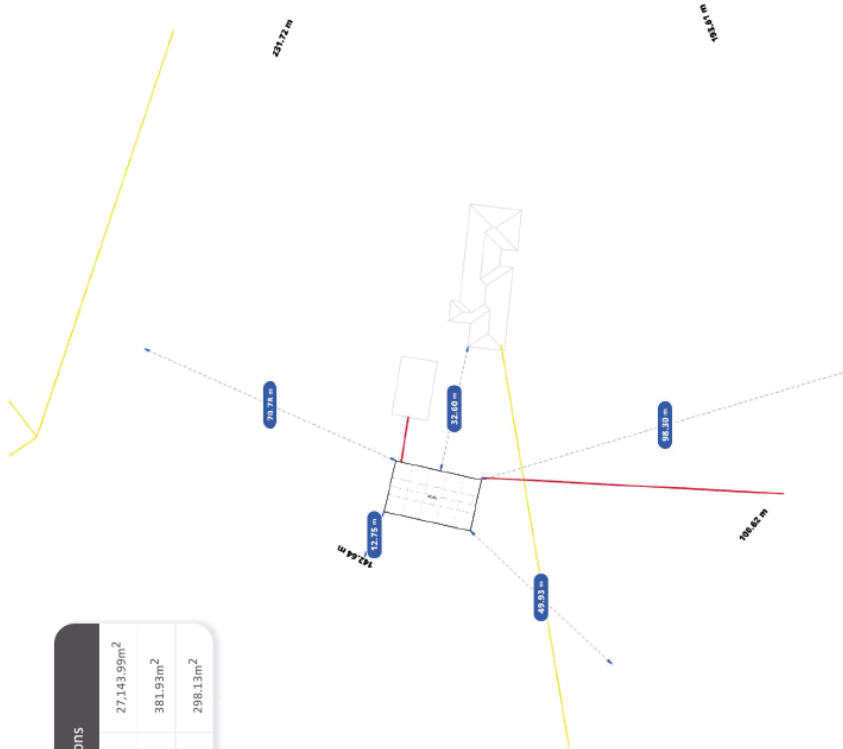
As the Principal Certifying Authority, Council must be contacted to undertake inspections of the various stages of construction as follows:

- a. Slab/footing inspection when steel is laid prior to the pouring of concrete.
- c. Frame inspection
- b. Final/stormwater inspection at time of completion of all works.

##### **Notice of Commencement**

AN2. Notice of commencement of building works – The attached form needs to be completed and emailed, faxed or mailed to Council at least 2 days before any work commences on the site.





Site Calculations	
SITE AREA	27,143.99m <sup>2</sup>
EXISTING FLOOR AREA	381.93m <sup>2</sup>
PROPOSED AREA	298.13m <sup>2</sup>

Disrupted by Camibuild.



**Client Name**  
Generated by Gavin ibreit  
gavin@westmuralcentr.com.au

**Client Email**  
Phone +6143029806

**Client Phone**  
Sheet no. 1  
Site Plan

**Signature**

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**Job no.**  
369019

**Scale**  
1:1000 @A3

**Current version date**  
04/08/2022

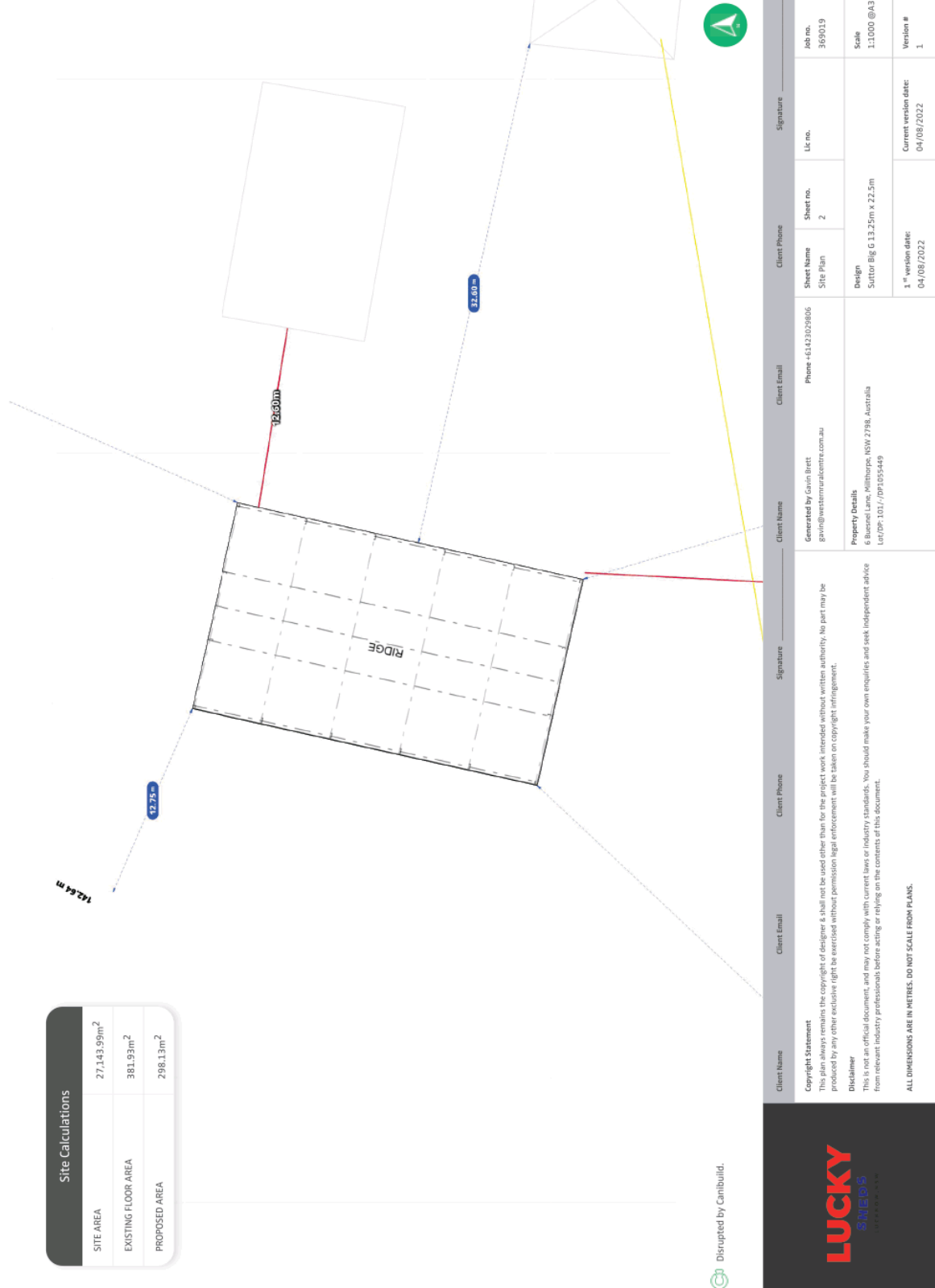
**Version #**  
1

**Property Details**  
6 Buswell Lane, Millthorpe, NSW 2798, Australia  
Lot/DP: 103 / DP 1955449

**Design**  
Site Plan  
1:1000 @A3

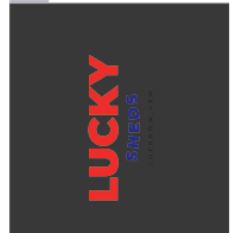
**1<sup>st</sup> version date**  
04/08/2022

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Site Calculations	
SITE AREA	27,143.99m <sup>2</sup>
EXISTING FLOOR AREA	381.93m <sup>2</sup>
PROPOSED AREA	298.13m <sup>2</sup>

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**Client Name** \_\_\_\_\_ **Client Email** \_\_\_\_\_ **Client Phone** \_\_\_\_\_ **Signature** \_\_\_\_\_

**Client Name** \_\_\_\_\_ **Client Email** \_\_\_\_\_ **Client Phone** \_\_\_\_\_ **Signature** \_\_\_\_\_

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Phone +6123029866

**Sheet Name** Site Plan  
**Sheet no.** 2

**Job no.** 369019  
**Uc no.** \_\_\_\_\_

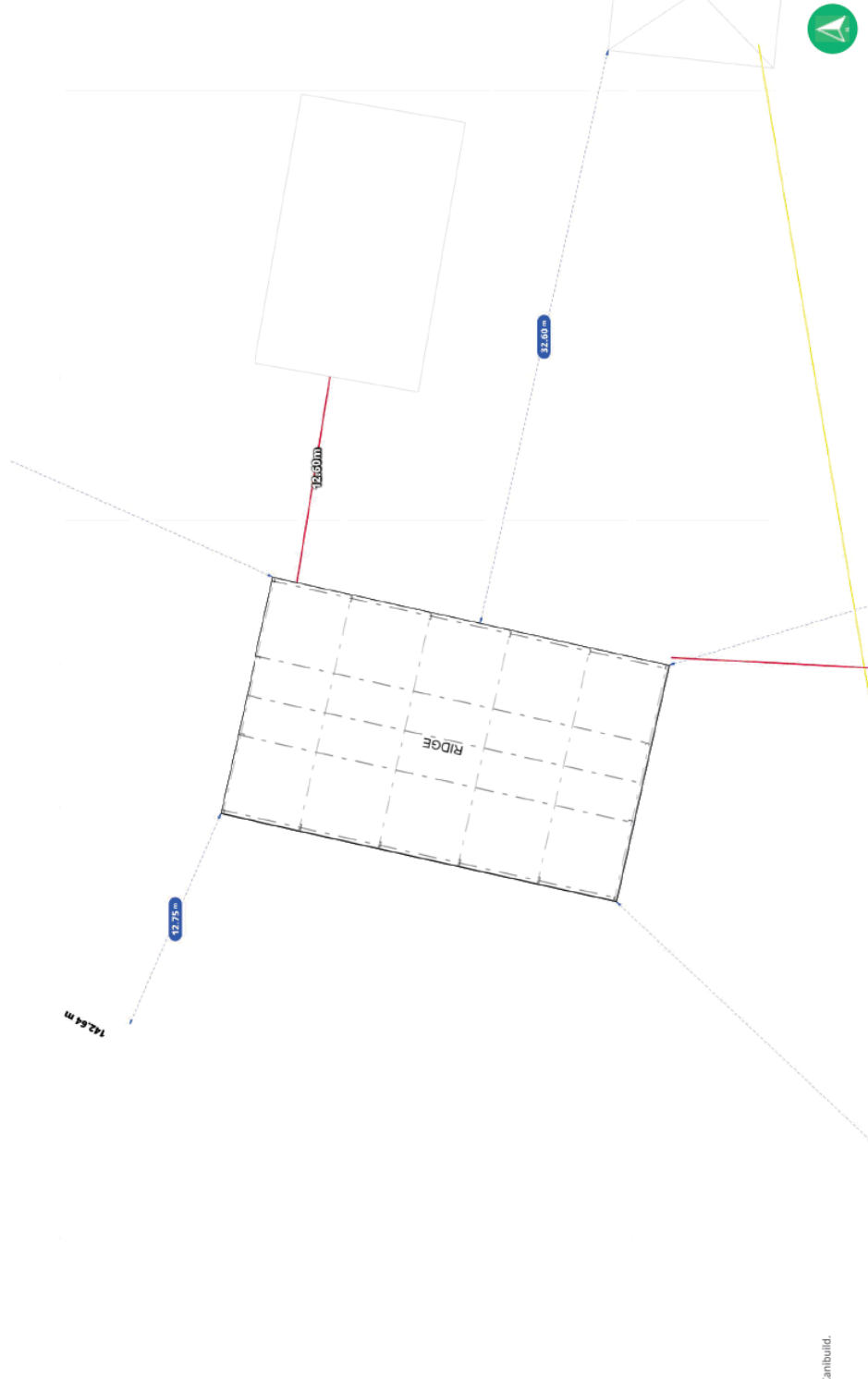
**Property Details**  
6 Basemel Lane, Hilltop, NSW 2798, Australia  
Lot/DP: 103 / DP 1955449

**Design**  
Sutor Big G 13.25m x 22.5m

**Scale** 1:1000 @A3

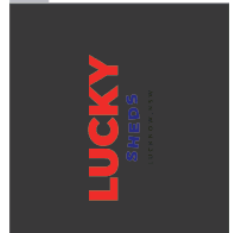
**1<sup>st</sup> version date:** 04/08/2022  
**Current version date:** 04/08/2022


**Version #** 1

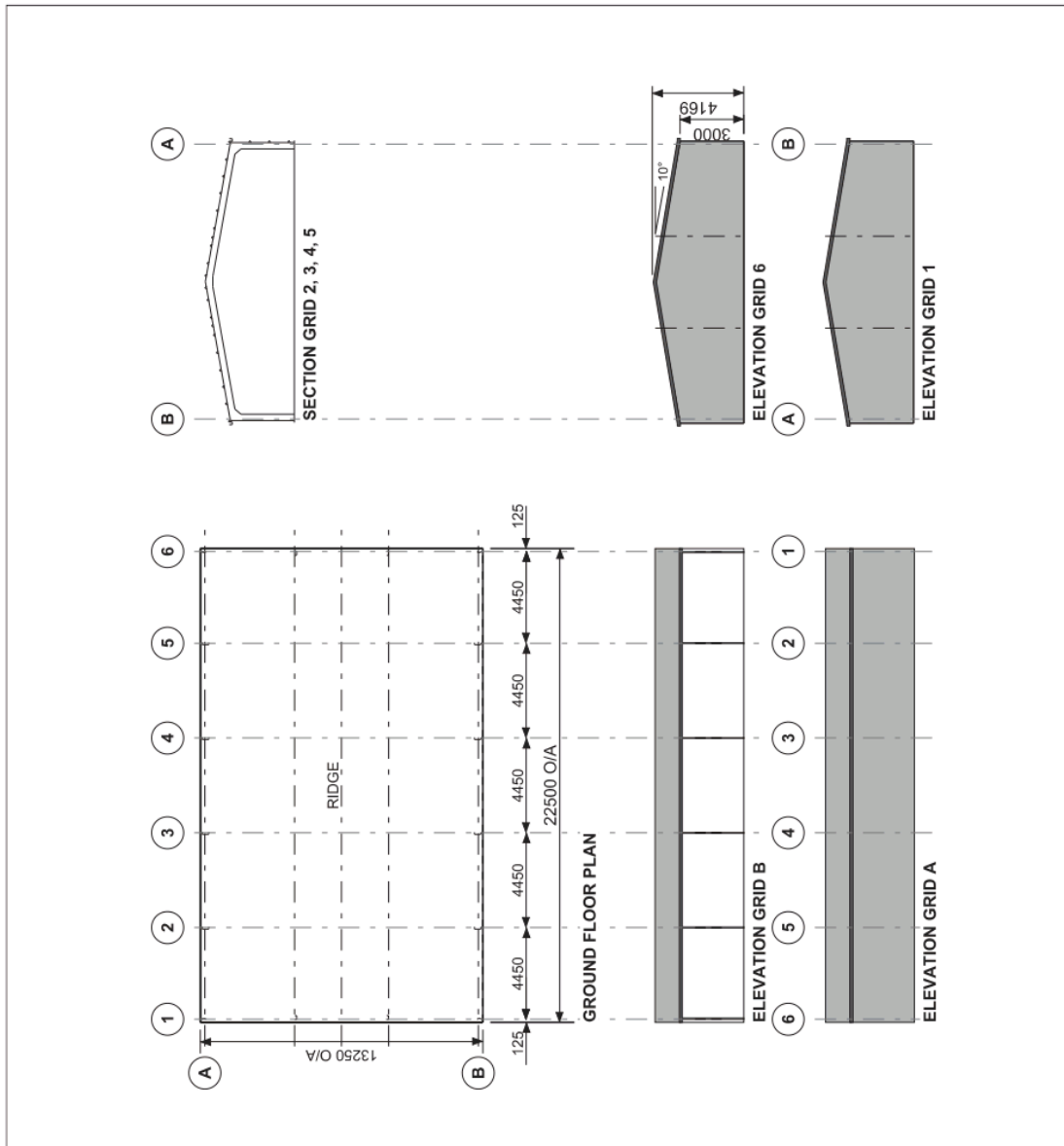


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<p>Generated by Gavin Street gavin@warrimurlocalcouncil.com.au</p> <p>Phone +6143029806</p>		<p>Sheet no. 3</p>	<p>Sheet no. 3</p>	<p>Job no. 369019</p>	<p>Client Name Site Plan</p>	<p>Generated by Gavin Street gavin@warrimurlocalcouncil.com.au</p> <p>Phone +6143029806</p>	<p>Client Email</p>	<p>Client Phone</p>	<p>Signature</p>
<p>Property Details 6 Basenel Lane, Hilltop, NSW 2798, Australia Lot/DP: 103 / DP1955449</p>		<p>Design Site Plan 6.13.25m x 22.5m</p>		<p>Scale 1:200 @ A3</p>	<p>Current version date: 04/08/2022</p>	<p>Version # 1</p>			



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CLADDING			
ITEM	PROFILE (min)	FINISH	COLOUR
ROOF	CUSTOM ORB 0.42 BMT	CB	DU
WALLS	TRIMDEK 0.42 BMT	CB	DU
CORNERS	-	CB	DU
BARGE	-	CB	DU
GUTTER	SHEERLINE	CB	IS
DOWNPIPE	100x75	CB	DU
0.35bmt=0.40ct; 0.42bmt=0.47ct; 0.48bmt=0.53ct			
ACCESSORY SCHEDULE & LEGEND			
QTY	MARK DESCRIPTION		
ARCHITECTURAL DRAWING ONLY. NOT FOR CONSTRUCTION USE			
WIND DESIGN			
IMPORTANCE LEVEL	REGION	TERRAIN	Ms
2	B	2.5	1.0
CLIENT Anthony Suttor			
SITE 6 Buesnel Lane MILLTHORPE NSW 2798			
BUILDING BIG G 13250 SPAN x 3000 EAVE x 22500 LONG			
GENERAL ARRANGEMENT			
SCALE A4 SHEET 1:250	DRAWING NUMBER 416744-GA	REV A	PAGE 1/1





# STATEMENT OF ENVIRONMENTAL EFFECTS FOR GARAGES, CARPORTS, SHEDS, OUTBUILDINGS AND SWIMMING POOLS/SPAS

## WHY IS A STATEMENT OF ENVIRONMENTAL EFFECTS REQUIRED?

A Statement of Environmental Effects (SEE) is a report which:

- Details the proposed development;
- Describes the site, including its history, constraints and context;
- Addresses compliance of the proposal with relevant planning controls and regulations; and
- Identifies and explains the potential impacts of your development proposal.

Whilst only a brief statement is required for proposals likely to have minimal impact, you must still provide a clear explanation of why there will be little impact.

## APPLICATION DETAILS

Applicant: Gavin Brett  
 Lot/Section/DP: 101/-/DP1055449  
 Address: 6 Buesnel Lane

## DESCRIPTION OF THE DEVELOPMENT

What is the proposed development?  
Large 3 sided shed

What building structures exist on the site?  
House and workshop/tool shed

What is the wall material and colour?  
Colorbond and Dune with Ironstone trim

What is the roof material and colour?  
Dune

Is any demolition required?  Yes  No

Further description:  
No

## DESCRIPTION OF THE SITE

What is the area of the site? 27.144m<sup>2</sup>

What is the current use of the site?  
Rural residential

What is the previous use of the site?  
Rural residential

Is the site subject to any natural hazards?  
 Flood  Bushfire  Other No

Is the site subject to any other constraints?  
 Easements  Vegetation  Sloping Land  
 Other Possibly a power line easement

What type of development exists on the surrounding land?  
Rural residential

Further description:

## PLANNING CONTROLS

### What is the zoning?

- Residential 
  Large Lot Residential 
  Rural Landscape  
 Rural 
  General Industrial 
  Light Industrial

### Is the proposal consistent with zone objectives? Yes No

### Does the proposal comply with the Blayney Development Control Plan 2018, Part C: Residential? Yes No

- Is the proposed outbuildings, garages and sheds not being used as a dwelling, habitable room, or home business/industry (without approval)?  Yes  No
- Is the proposal not to be used as a dwelling, habitable room, or home business/ industry (without approval)?  Yes  No
- Will the proposal be in keeping with the scale and setting of the surrounding area and integrate with the dwelling design and surrounding landscaping and buildings?  Yes  No

### Attached garage or carport in urban areas/zones (e.g. Zone R1 / RU5 / B2 / R5<1ha) must be:

- Located at least 0.5m behind the front building line and 5.5m from the front boundary?  Yes  No
- Not exceed 50% of the front elevation of the building, garage door 6 metres in width (whichever is greater) and one (open-sided) carport in addition to the above that is setback a further 1m behind the line of the other garages/ carports?  Yes  No
- Attached carports in the front setback of existing buildings will need to demonstrate there are no other suitable locations and address the visual impact?  Yes  No

### Detached garages/carports/sheds/shipping containers in urban areas/zones (e.g. Zone R1 / RU5 / must be:

- Located behind any existing or proposed dwelling or towards the rear of any property?  Yes  No
- Must not exceed a ridge height of 4.8m from existing ground level?  Yes  No
- Must not exceed a cumulative floor area (detached from the dwelling), if the lot is < 900m<sup>2</sup> in size – maximum of 96m<sup>2</sup> or if the lot is > 900m<sup>2</sup> in size – maximum of 128m<sup>2</sup>?  Yes  No

### Garages, carports, outbuildings or sheds in Zone R5 Large Lot Residential areas where the existing lot size is > 1ha in addition to the visual impact/amenity controls above any must not exceed:

- A ridge height of 6m from existing ground level?  Yes  No
- A cumulative floor area greater than 300m<sup>2</sup>?  Yes  No
- A minimum setback of 10m; or where the dwelling on the allotment is within 50m of a public road, the outbuilding should be located behind the front building line of any dwelling?  Yes  No

### Shipping Containers in Zone RU5 Village, Zone R1 General Residential, Zone R5 Large Lot Residential, and Zone B2 Local Centre must not exceed:

- Shipping container style sheds or storage are prohibited in heritage conservation areas, on a heritage item, or on lots with a classified road frontage?  Yes  No
- In all other areas, a maximum of one (1) shipping container is permitted per lot or ownership holding or must appear as one (1) shed form if multiple containers are enclosed; and it must be located behind the rear building line of the primary dwelling on urban land?  Yes  No
- Where visible from any public place, it must be integrated into a shed structure, clad in shed materials, and/or painted to make it appear like a standard shed?  Yes  No
- In any Rural Zone (unless the business moves goods by shipping containers) the shipping container(s) should be unobtrusive, suitably painted and/or their visual impact reduced through landscaping?  Yes  No

### Water tanks, pools and spas must not exceed:

- In urban areas/zones water tanks, pools and spas should be located behind the front building line (i.e. not in the front setback to a public street)?  Yes  No
- In heritage conservation areas pools and spas should be located behind the rear building line (i.e. in the rear yard) or where they are suitably screened from a public street or space?  Yes  No
- Machinery (e.g. pumps, filtration equipment, generators or heat pumps) must be located away from sensitive areas of adjacent dwellings (e.g. bedrooms) in urban areas or suitably shielded to meet standard noise requirements?  Yes  No

## JUSTIFICATION

Council may consent to a Development Application involving departure from a control contained within this DCP, but only where Council has considered a written request from the applicant that seeks to justify the departure by demonstrating:

- a) Compliance with the particular control within this DCP is unreasonable or unnecessary in the circumstance of the case; and
- b) The objectives of the particular control are met or sufficiently addressed; and
- c) There are sufficient environmental planning grounds to justify the departure from the particular control within this DCP; and
- d) The impacts of the non-compliant proposal will not be significantly greater than a compliant proposal or may enhance the outcome.

Further description:

.....  
.....  
.....  
.....

**THE LIKELY IMPACTS OF THE PROPOSAL**

Provide an assessment of the likely impacts of the proposal, and steps taken to avoid, minimise or manage any adverse impacts resulting from the proposed works. Some examples of potential environmental impacts/issues to consider may include (as relevant), but are not limited to, the following:

- Will the proposal affect the amenity of surrounding residences by overshadowing/loss of privacy/increased noise or vibrations?  Yes  No
- Is legal and practical access available to the development?  Yes  No
- Is power, water, electricity, sewer and telecommunications services existing and/or available to the site?  Yes  No
- Will the proposal have any social or economic consequences in the area?  Yes  No
- Does the development involve any significant excavation or filing?  Yes  No
- Are there any threatened species, populations and/or ecological communities and/or their habitats on the land or nearby?  Yes  No

Further description:

.....  
.....  
.....  
.....

Applicants Signature:

Date: 07/07/2022.....

**Matters to be dealt with in closed committee**

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

**23) CONTRACT 16/2022: CONSTRUCTION OF THREE CARPARKS, KING GEORGE OVAL**

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