



11 May 2021

Dear Councillor,

Your attendance is requested at an Ordinary Council Meeting of the Blayney Shire Council to be held in the Chambers, Blayney Shire Community Centre on Monday, 17 May 2021 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 19.04.21
- (9) Matters arising from Minutes
- (10) Reports of Staff
 - (a) Executive Services
 - (b) Corporate Services
 - (c) Infrastructure Services
 - (d) Planning and Environmental Services

Yours faithfully

Mark Dicker
Acting General Manager

Meeting Calendar 2021

May

<u>Time</u>	<u>Date</u>	<u>Meeting</u>	<u>Location</u>
6.00pm	17 May 2021	Council Meeting	Community Centre
4.00pm	18 May 2021	Local Emergency Management Committee Meeting	Community Centre
6.00pm	20 May 2021	Sports Council Meeting	Community Centre
9.00am	21 May 2021	Mining and Energy Related Councils Meeting	Gunnedah
6.15pm	25 May 2021	Tourism, Towns and Villages Committee Meeting	Community Centre

June

<u>Time</u>	<u>Date</u>	<u>Meeting</u>	<u>Location</u>
9.00am	2 June 2021	Audit, Risk and Improvement Committee Meeting	Cabonne
10.00am	3 June 2021	Central NSW JO Board Meeting	Orange
10.00am	18 June 2021	Traffic Committee Meeting	Community Centre
2.30pm	18 June 2021	Upper Macquarie County Council Meeting	Kelso
6.00pm	28 June 2021	Council Meeting	Community Centre

July

<u>Time</u>	<u>Date</u>	<u>Meeting</u>	<u>Location</u>
6.00pm	19 July 2021	Council Meeting	Community Centre
10.00am	23 July 2021	Traffic Committee Meeting	Community Centre
9.00am	28 July 2021	Audit, Risk and Improvement Committee Meeting	Community Centre
5.00pm	28 July 2021	Cemetery Forum	Community Centre
6.00pm	28 July 2021	Access Advisory Committee Meeting	Community Centre

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HELD ON MONDAY 17 MAY 2021

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01) MINUTES OF THE PREVIOUS COUNCIL MEETING HELD 19 APRIL 2021**Department:** Executive Services**Author:** General Manager**CSP Link:** 3. The Local and Visitor Economy**File No:** GO.ME.3**Recommendation:**

That the Minutes of the Ordinary Council Meeting held on 19 April 2021, being minute numbers 2104/001 to 2104/026 be confirmed.

**MINUTES OF THE BLAYNEY SHIRE COUNCIL ORDINARY MEETING
HELD IN THE CHAMBERS, BLAYNEY SHIRE COUNCIL COMMUNITY
CENTRE, ON 19 APRIL 2021, COMMENCING AT 6.00PM**

Present: Crs S Ferguson (Mayor), A Ewin (Deputy Mayor), D Kingham, J Newstead, B Reynolds and D Somervaille

General Manager (Mrs R Ryan), Director Corporate Services (Mr A Franze), Director Infrastructure Services (Mr G Baker) and Executive Assistant to the General Manager (Mrs L Ferson)

ACKNOWLEDGEMENT OF COUNTRY**RECORDING OF MEETING STATEMENT****APOLOGIES****2104/001****RESOLVED:**

That the apology tendered on behalf of Cr Denton be accepted.
(Reynolds/Newstead)

CARRIED**DISCLOSURES OF INTEREST**

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

Councillor /Staff	Interest	Item	Pg	Report	Reason
Cr Ferguson	Pecuniary	6	25	Central NSW Business HQ	Related to the nominee

MAYORAL MINUTE

The Mayor reported he and the Mayor of Cabonne, had a video meeting with a representative from the Commonwealth Bank regarding the upcoming closure of the branches at Blayney and Molong. The Commonwealth Bank will come back to Council with further information on this matter.

CONFIRMATION OF MINUTES

MINUTES OF THE PREVIOUS COUNCIL MEETING HELD 15 MARCH 2021

2104/002

RESOLVED:

That the Minutes of the Ordinary Council Meeting held on 15 March 2021, being minute numbers 2103/001 to 2103/019 be confirmed.

(Somervaille/Ewin)

CARRIED

MATTERS ARISING FROM THE MINUTES

Cr Reynolds asked for an update on the timeframe for CentrePoint Roof Replacement Project. The General Manager confirmed a start-up meeting was held with contractors last week and a date will be communicated.

EXECUTIVE SERVICES REPORTS

APPLICATION FOR LEAVE OF ABSENCE

2104/003

RESOLVED:

That Council approve the Leave of Absence application submitted by Councillor Ewin for the May 2021 Council meeting.

(Reynolds/Newstead)

CARRIED

COUNCIL RESOLUTION REPORT

2104/004

RESOLVED:

That Council notes the Resolution Report to March 2021.

(Somervaille/Ewin)

CARRIED

RISK, WORK HEALTH AND SAFETY QUARTERLY REPORT

2104/005

RESOLVED:

That Council receive and note the Risk, Work Health and Safety Report for the quarter January 2021 to March 2021.

(Reynolds/Ewin)

CARRIED

TOURISM EVENT DEVELOPMENT PROGRAM

2104/006

RESOLVED:

That Council approve the \$1,000 request for funding from the Millthorpe and District Historical Society for Stage 1 of the Golden Memories marketing plan.

(Ewin/Newstead)

CARRIED

The Mayor, Cr Ferguson, having declared an interest departed the Chair and left the meeting. The Deputy Mayor, Cr Ewin, assumed the Chair.

- 2104/007** **CENTRAL NSW BUSINESS HQ**
RESOLVED:
 That Council approve the nomination of Heather Ferguson as Council's representative on the Central NSW Business Enterprise HQ Board.
 (Reynolds/Somervaille)
CARRIED

The Mayor, Cr Ferguson, returned to the meeting and resumed the Chair.

- 2104/008** **FIXING COUNTRY BRIDGES PROGRAM - ROUND ONE**
RESOLVED:
 That Council
 1. Accept the NSW Government offer for funding of \$735,000 under the Fixing Country Bridges Program Round One and endorse the General Manager signing of the Funding Agreement.
 2. Invite tenders for the Gally Swamp Bridge (Gallymont Road) by the open tendering method.
 (Newstead/Ewin)
CARRIED

- 2104/009** **BRIDGE RENEWAL PROGRAM - ROUND 5**
RESOLVED:
 That Council accept the Australian Government offer for funding of \$170,000 under the Bridge Renewal Program Round 5 and endorse the General Manager signing of the Funding Agreement.
 (Reynolds/Somervaille)
CARRIED

- 2104/010** **FIXING LOCAL ROADS ROUND 2**
RESOLVED:
 That Council
 1. Accept the NSW Government offer for funding of \$1,920,750 under the Fixing Local Roads Program Round 2 and endorse the General Manager signing of the Funding Agreement.
 2. Invite tenders for the Panuara Road Heavy Patching Project by the open tendering method.
 (Reynolds/Kingham)
CARRIED

CORPORATE SERVICES REPORTS

- 2104/011** **REPORT OF COUNCIL INVESTMENTS AS AT 31 MARCH 2021**
RESOLVED:
 1. That the report indicating Council's investment position as at 31 March 2021 be received.
 2. That the certification of the Responsible Accounting Officer be received and the report be adopted.

(Somervaille/Newstead)
CARRIED

INFORMATION TECHNOLOGY QUARTERLY REPORT

2104/012

RESOLVED:

That Council receive the Information Technology report for the January 2021 to March 2021 quarter.

(Reynolds/Ewin)
CARRIED

CHANGE OF TENURE - CROWN LAND CEMETERIES

2104/013

RESOLVED:

That Council seek approval from Department Planning, Industry and Environment – Crown Lands for amendment of the management structure of Crown Land cemeteries located at Carcoar, Lyndhurst, Neville and Newbridge from 'Devolved to Council' to 'Crown Land Manager'.

(Newstead/Kingham)
CARRIED

LEASE OF INDUSTRIAL LAND FOR AGISTMENT PURPOSES

2104/014

RESOLVED:

That Council lease industrial land for the period 1 May 2021 to 29 February 2024 with a 1 year option to the following party:
Lot 8: (Part Lot 2, DP 881885): K.Westwood \$1,500 p.a.

(Kingham/Ewin)
CARRIED

**MINUTES OF THE BLAYNEY SHIRE AUDIT, RISK AND
IMPROVEMENT COMMITTEE MEETING HELD 10 MARCH
2021**

2104/015

RESOLVED:

1. That the minutes of the Blayney Shire Audit, Risk and Improvement Committee meeting held 10 March 2021 be received.
2. That the Management Letter on the Final Phase of the Audit for the year ended 30 June 2020 from the NSW Audit Office be received.
3. That the report on the Audit Engagement Plan for the year ended 30 June 2021 from the NSW Audit Office be received.

(Somervaille/Newstead)
CARRIED

INFRASTRUCTURE SERVICES REPORTS

**DIRECTOR INFRASTRUCTURE SERVICES MONTHLY
REPORT**

2104/016

RESOLVED:

That the Director Infrastructure Services Monthly Report for April 2021 be received and noted.

(Reynolds/Ewin)
CARRIED

**PATHWAY HIERARCHY, STANDARD AND MAINTENANCE
POLICY**

2104/017

RESOLVED:

That the Pathway Hierarchy, Standard and Maintenance Policy be placed on public exhibition for a period of at least 28 days.

(Newstead/Somervaille)
CARRIED

**MINUTES OF THE TRAFFIC COMMITTEE MEETING HELD 9
APRIL 2021**

2104/018

RESOLVED:

- 1) That the minutes of the Blayney Traffic Committee Meeting, held on Friday 9 April 2021, be received and noted.
- 2) That Council endorse the Traffic Management Plan for the Newbridge Winter Solstice, to be staged on 19 June 2021 on Trunkey Street Newbridge as a Class 2 event, subject to the conditions detailed in the Director Infrastructure Services' Report.
- 3) That Council endorse the Blayney section of the Classic Outback Trial, to be staged on Fell Timber and Mt Macquarie Roads, Carcoar on 25 August 2021. The event to be classified as a Class 2 event, and approved subject to the conditions detailed in the Director Infrastructure Services' Report.
- 4) That Council endorse the Traffic Management Plan for the Millthorpe Anzac Day Service as a Class 3 event, subject to the conditions detailed in the Director Infrastructure Services' Report.
- 5) 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.
- 6) That Council seek Transport for NSW approval for the installation of No Through Road (G5-10) signage on both legs of Stoke Lane at the intersection with Naylor Street, Carcoar.
- 7) That Council install Side Road Ahead (W2-4) signs on Cadia Road approaching the intersection with Panuara Rd.
- 8) a) That Council remove:-
 - i) 'Crossroad' intersection warning signage from both Carcoar Road approaches to the intersection with Browns Creek Road.
 - ii) 'Crossroad' intersection warning signage from both Browns Creek Road approaches to the intersection with Carcoar Road.
 - iii) 'Stop Sign Ahead' warning signage from the northern leg of Carcoar Rd.
- b) That Council reinstate line marking at the Carcoar &

Browns Roads intersection.

- 9) That Council approve the formalisation of parking (90° Rear to Kerb) on the southern side of the Blayney Railway Station carpark, by way of delineation, and the installation of Angle Parking Rear to Kerb (R5-505 (90°)) signs, and investigate the possibility of further parking along the northern side of the carpark, subject to Transport for NSW approval.
- 10) That Council approve the extension of the Cooks Buses Forest Reefs to Orange school bus route subject to the turn around point being at the western cul de sac end of Hillside Lane.

(Reynolds/Newstead)
CARRIED

**MINUTES OF THE FLOODPLAIN RISK MANAGEMENT
COMMITTEE MEETING - 31 MARCH 2021**

2104/019

RESOLVED:

That the Minutes of the Floodplain Risk Management Committee Meeting held on Wednesday 31 March 2021, be received and noted.

(Ewin/Somervaille)
CARRIED

PLANNING AND ENVIRONMENTAL SERVICES REPORTS

**MINUTES OF THE BLAYNEY SHIRE CEMETERY FORUM
MEETING HELD 24 MARCH 2021**

2104/020

RESOLVED:

1. That the minutes of the Blayney Shire Cemetery Forum meeting, held on Wednesday 24 March 2021, be received and noted.
2. Council investigate options and consider establishment of a memorial garden for early pregnancy loss within the Blayney Shire.

(Newstead/Kingham)
CARRIED

**MINUTES OF THE BLAYNEY SHIRE ACCESS ADVISORY
COMMITTEE HELD 24 MARCH 2021**

2104/021

RESOLVED:

1. That the minutes of the Blayney Shire Access Advisory Committee meeting, held on Wednesday 24 March 2021, be received and noted.
2. That Council note the Blayney Shire Access Committee endorsement of the annual report to 31 December 2020 of the Blayney Shire Disability Inclusion Action Plan.
3. That Council note the Blayney Shire Access Committee endorsement on preparation of the 2021 – 2025 Disability Inclusion Action Plan;
4. That Council note Access Committee' endorsement of Jenny

- McMahon and Shane Oates as representatives on the 2021-2025 Disability Inclusion Action Plan reference group;
5. Council seek 3 community members to be part of the 2021 – 2025 Disability Inclusion Action Plan reference group.
 6. That Council consider using any additional grant funding available to repair footpaths, prioritising where hazards have been identified.
 7. That Council investigate options for installation of adult change tables at Heritage Park Blayney and Redmond Oval Millthorpe.

(Reynolds/Newstead)

CARRIED

DELEGATES REPORTS

REPORT OF THE CENTRAL NSW JOINT ORGANISATION MEETING HELD 11 MARCH 2021

2104/022

RESOLVED:

That the Mayoral Report from the Central NSW Joint Organisation Meeting held 11 March 2021 be received and noted.

(Ewin/Somervaille)

CARRIED

CLOSED MEETING

2104/023

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:

GENERAL MANAGER'S ANNUAL PERFORMANCE REVIEW

This matter is considered to be confidential under Section 10A(2) (a) of the Local Government Act, as it deals with personnel matters concerning particular individuals.

SALE OF LAND FOR UNPAID RATES - LAND TITLE ANOMALY 6370 MID WESTERN HIGHWAY, LYNDHURST

This matter is considered to be confidential under Section 10A(2) (e) of the Local Government Act, as it deals with information that would, if disclosed, prejudice the maintenance of law.

(Reynolds/Ewin)

CARRIED

CONFIDENTIAL MEETING REPORTS

2104/024

GENERAL MANAGER'S ANNUAL PERFORMANCE REVIEW

RESOLVED:

That the report of the General Manager's Review Panel be received and adopted by Council.

(Kingham/Ewin)
CARRIED

**2104/025 SALE OF LAND FOR UNPAID RATES - LAND TITLE
ANOMALY 6370 MID WESTERN HIGHWAY, LYNDHURST**

2104/025 RESOLVED:

1. That the rates outstanding from A348636 in the name of Edward James Earl 6370 Midwestern Highway, Lyndhurst (Lot 12 DP 1173235) in the amount of \$3,562.77 be written back and the rates record be noted as a duplicate valuation and therefore not to be rated.
2. That the property owner of 6376 Midwestern Highway, Lyndhurst seek legal representation to establish a “Good root of title” to resolve ownership of 6370 Midwestern Highway, Lyndhurst (Lot 12 DP 1173235).
3. That following issue of an amended title deed that the Valuer General be informed of the duplicate valuation for 6370 Midwestern Highway, Lyndhurst (Lot 12 DP 1173235).

(Kingham/Newstead)
CARRIED

2104/026 RESOLVED:

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

(Reynolds/Newstead)
CARRIED

**AT THE RE-OPENING OF THE MEETING TO THE PUBLIC, THE MAYOR
ANNOUNCED THE OUTCOMES OF RESOLUTION NUMBERS 2104/024
TO 2104/025.**

There being no further business, the meeting concluded at 7.06pm

The Minute Numbers 2104/001 to 2104/026 were confirmed on 17 May 2021 and are a full and accurate record of proceedings of the Ordinary Meeting held on 19 April 2021.

Cr S Ferguson
MAYOR

Mrs R Ryan
GENERAL MANAGER

02) REPORT OF COUNCIL INVESTMENTS AS AT 30 APRIL 2021

Department: Corporate Services

Author: Chief Financial Officer

CSP Link: 2. Local Governance and Finance

File No: FM.IN.1

Recommendation:

1. That the report indicating Council's investment position as at 30 April 2021 be received.
2. That the certification of the Responsible Accounting Officer be received and the report be adopted.

Reason for Report:

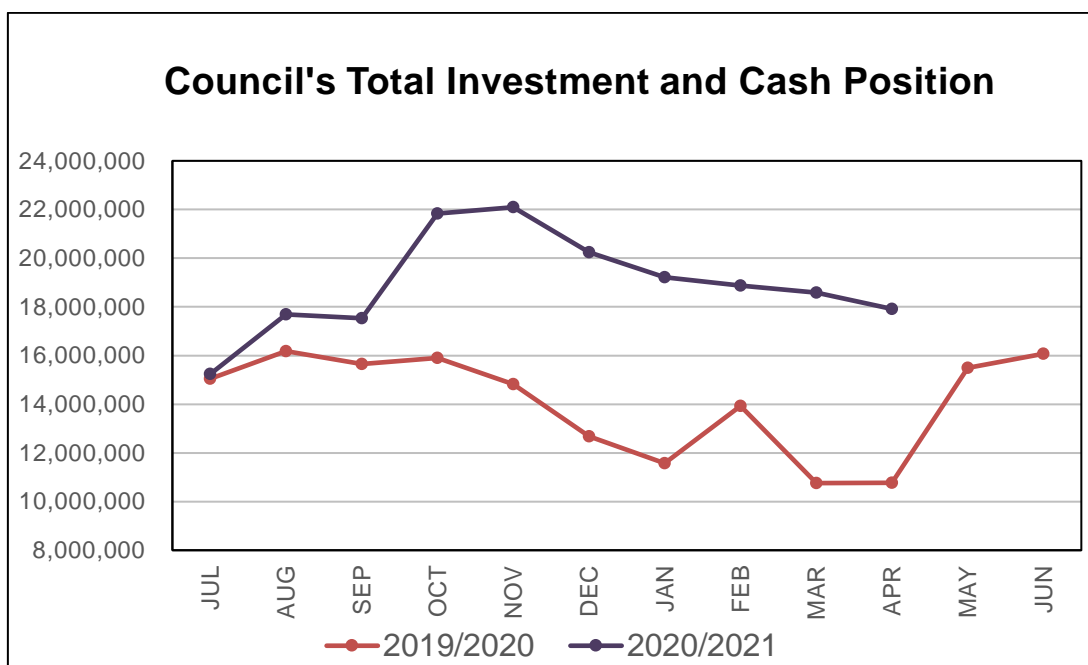
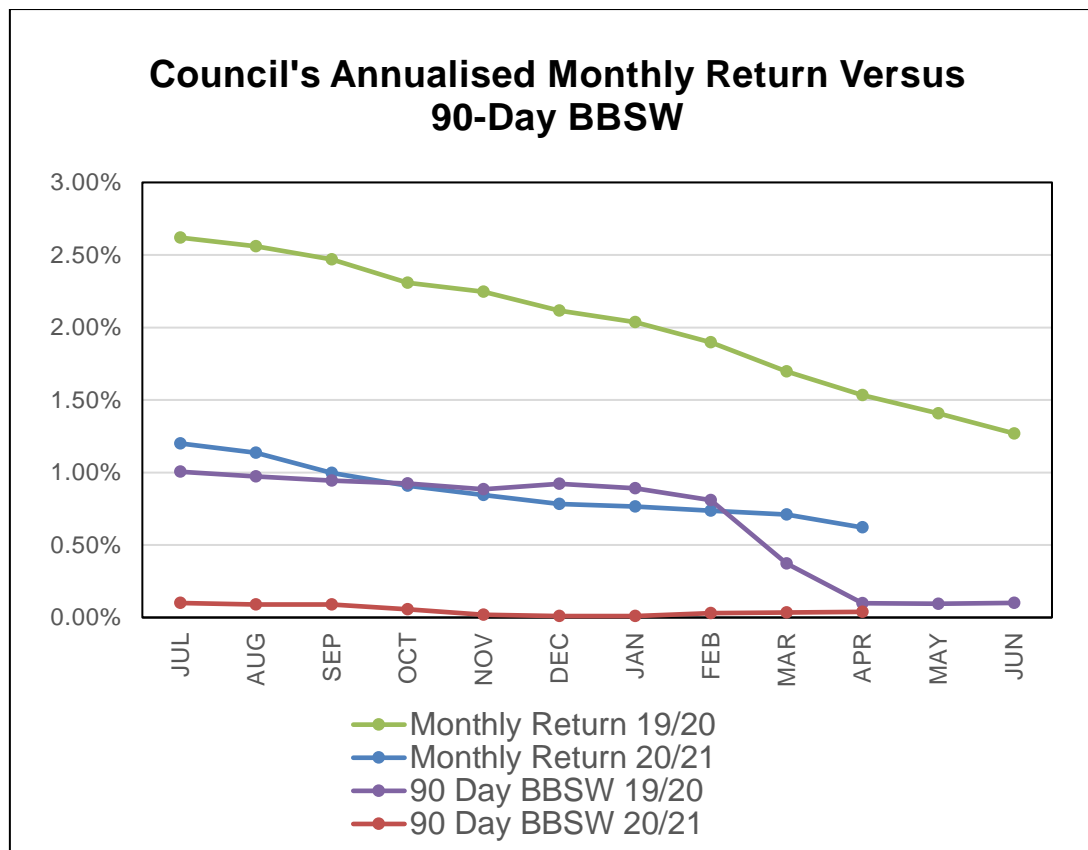
For Council to endorse the Report of Council Investments as at 30 April 2021.

Report:

This report provides details of Council's Investment Portfolio as at 30 April 2021.

Council's total investment and cash position as at 30 April 2021 is \$17,913,112. Investments earned interest of \$8,750 for the month of April 2021.

Council's monthly net return on Term Deposits annualised for April of 0.62% outperformed the 90 day Bank Bill Swap Rate of 0.04%.



REGISTER OF INVESTMENTS AND CASH AS AT 30 APRIL 2021					
Institution	Method	Rating	Maturity	Amount \$	Interest Rate
NAB	Direct	A1+/AA-	11/05/2021	500,000	0.970%
NAB	Direct	A1+/AA-	18/05/2021	500,000	0.450%
NAB	Direct	A1+/AA-	25/05/2021	500,000	1.000%
Bank of Queensland	Curve	A2/BBB+	01/06/2021	500,000	0.450%
Westpac	Direct	A1+/AA-	01/06/2021	500,000	0.940%
Westpac	Direct	A1+/AA-	08/06/2021	500,000	0.940%
Westpac	Direct	A1+/AA-	22/06/2021	500,000	0.980%
CBA	Direct	A1+/AA-	06/07/2021	500,000	0.680%
CBA	Direct	A1+/AA-	20/07/2021	500,000	0.680%
AMP Bank	Rim Sec	A2/BBB	03/08/2021	500,000	0.800%
Westpac	Direct	A1+/AA-	17/08/2021	500,000	0.770%
NAB	Direct	A1+/AA-	31/08/2021	500,000	0.750%
CBA	Direct	A1+/AA-	14/09/2021	500,000	0.700%
CBA	Direct	A1+/AA-	28/09/2021	500,000	0.700%
CBA	Direct	A1+/AA-	12/10/2021	500,000	0.640%
CBA	Direct	A1+/AA-	19/10/2021	500,000	0.570%
NAB	Direct	A1+/AA-	26/10/2021	500,000	0.550%
CBA	Direct	A1+/AA-	02/11/2021	500,000	0.570%
CBA	Direct	A1+/AA-	09/11/2021	500,000	0.550%
NAB	Direct	A1+/AA-	16/11/2021	500,000	0.550%
Macquarie Bank	Curve	A1/A+	23/11/2021	500,000	0.500%
Reliance Bank	Direct	Unrated	23/11/2021	500,000	0.750%
Macquarie Bank	Rim Sec	A1/A+	30/11/2021	500,000	0.500%
Westpac	Direct	A1+/AA-	30/11/2021	500,000	0.480%
NAB	Direct	A1+/AA-	07/12/2021	500,000	0.400%
Macquarie Bank	Curve	A1/A+	11/01/2022	500,000	0.700%
CBA	Direct	A1+/AA-	25/01/2022	500,000	0.370%
NAB	Direct	A1+/AA-	08/02/2022	500,000	0.400%
NAB	Direct	A1+/AA-	22/02/2022	500,000	0.350%
ME Bank	Rim Sec	A2/BBB	15/03/2022	500,000	0.450%
MyState Bank Ltd	Curve	A2/BBB	22/03/2022	500,000	0.500%
Macquarie Bank	Rim Sec	A1/A+	29/03/2022	500,000	0.450%
CBA	Direct	A1+/AA-	12/04/2022	500,000	0.410%
Total Investments				16,500,000	0.621%
Commonwealth Bank - At Call Account ⁽¹⁾				509,623	0.150%
Commonwealth Bank Balance - General ⁽¹⁾				903,489	0.000%
TOTAL INVESTMENTS & CASH				17,913,112	
Benchmarks:		BBSW 90 Day Index ⁽¹⁾			0.040%
		RBA Cash Rate ⁽¹⁾			0.100%

1. % Interest rates as at end of reporting period

Summary of Investment Movements - April 2021		
Financial Institution	Investment/(Recall) Amount \$	Commentary
CBA	(501,755)	Term Deposit Matured 13/04/2021
CBA	500,000	Term Deposit Reinvested 13/04/2021
CBA	(501,863)	Term Deposit Matured 27/04/2021
CBA	500,000	Term Deposit Reinvested 27/04/2021

Long Term Credit Rating (or Moody's, Fitch, S&P or Equivalent)	Policy Maximum	Current Holding %	Current Holding \$
TCorp IM Funds	100%	0%	-
AAA – AA Category	100%	73%	12,000,000
A- Category	40%	12%	2,000,000
BBB+ Category ⁽²⁾	30%	3%	500,000
BBB Category ⁽²⁾	10%	9%	1,500,000
BBB- Category and below: Local ⁽³⁾ ADI's	5%	3%	500,000
			16,500,000

2. BBB+ / BBB categories are not to exceed 30% collectively

3. ADI's located within the Local Government Area

Individual Institution Limit	Rating	Policy Maximum	Current Holding
AMP Bank	A2/BBB	-	500,000
Bank of Queensland	A2/BBB+	1,000,000	500,000
CBA	A1+/AA-	5,000,000	5,000,000
Macquarie Bank	A1/A+	3,000,000	2,000,000
ME Bank	A2/BBB	500,000	500,000
MyState Bank Ltd	A2/BBB	500,000	500,000
NAB	A1+/AA-	5,000,000	4,500,000
Reliance Bank	Unrated	500,000	500,000
Westpac	A1+/AA-	5,000,000	2,500,000

RESTRICTED CASH, CASH EQUIVALENTS & INVESTMENTS		
	Actual 30/06/2020 \$ 000's	Forecast 30/06/2021 \$ 000's
External Restrictions	9,304	8,472
Internal Cash Restrictions	6,391	4,481
TOTAL RESTRICTED ASSETS	15,695	12,953

CERTIFICATION – RESPONSIBLE ACCOUNTING OFFICER

I, Tiffaney 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.

As per Resolution 2103/003 AMP Bank has been declared to be a prohibited investment for the purposes of clause 1.8 of Council's Investment Policy. Council has a term deposit with AMP maturing in August 2021. Council will transition to compliance when the investment falls due as per the grandfathering clause in the resolution.

Budget Implications:

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

Enclosures (following report)

Nil

Attachments (separate document)

Nil

03) QUARTERLY BUDGET REVIEW STATEMENT - MARCH 2021

Department: Corporate Services

Author: Chief Financial Officer

CSP Link: 2. Local Governance and Finance

File No: FM.IN.1

Recommendation:

1. That the Quarterly Budget Review Statement for the quarter ending 31 March 2021 be received.
2. That the supplementary votes of \$283k proposed in the Quarterly Review Statement be adopted, resulting in an increase to operating expenditure of \$555k, a decrease in capital expenditure of \$529k and an increase in income of \$309k, that includes an increase of \$396k in capital income variations.

Reason for Report:

For Council to endorse the Quarterly Budget Review Statement (QBRs) for the quarter ending 31 March 2021.

Report:

The budget review statement must show, by reference to the estimate of income and expenditure set out in the Operational Plan adopted by Council, a revised estimate of the income and expenditure for the year. The budget review statement must also be accompanied by a report as to whether or not the Responsible Accounting Officer believes that the financial position of the council is satisfactory, having regard to the original estimates of income and expenditure.

The NSW Office of Local Government (OLG) developed a set of minimum requirements for reporting the financial position of Council, to facilitate explanations and major variations and recommend changes to the budget for Council approval. The report as tabled satisfies this minimum disclosure.

The QBRs reports the Council Consolidated position combining General and Sewer Funds and is composed of, but not limited to, the following budget review components:

- A statement by the Responsible Accounting Officer on Council's financial position at the end of the year based on the information in the QBRs;
- Summary of Operational, Capital, Net and Restricted cash positions **(QBRs: Part 1)**
- Income and Expenses (Operational) Budget Review Statement in the following formats:
 - by income and expense type including capital grants and contributions **(QBRs: Part 2)**

- by function / activity to align with the operational plan including capital grants and contributions **(QBRs: Part 4)** and further detailed, excluding capital grants and contributions **(QBRs: Part 4A)**
- Capital Expenditure and Funding Budget Review **(QBRs: Part 3)** and further detailed **(QBRs: Part 5)**
- Recommended changes to revised budget with commentary for Operational Income and Expenditure **(QBRs: Part 6)** and Capital **(QBRs: Part 7)**
- Budget Review Cash and Investments position **(QBRs: Part 8)** and narrative **(QBRs: Part 9)**
- Budget Review Key Performance Indicators **(QBRs: Part 10)**
- Contracts Budget Review Statement **(QBRs: Part 11)** and narrative **(QBRs: Part 12)**
- Consultancy & Legal Expenses Overview **(QBRs: Part 13)**
- Loans summary **(QBRs: Part 14)**.

The purpose of the quarterly budget review is to act as a barometer of Council's financial health during the year and disclose Council's overall financial health position. It is also a means to ensure Council meets its objectives, targets and outcomes as set out in its Operational Plan.

The attached report provides a detailed review of Council's 2020/21 Budget Review covering the March 2021 quarter.

Risk/Policy/Legislation Considerations:

Clause 203 of the Local Government (General) Regulation 2005 requires that the Responsible Accounting Officer of a council prepare and submit to Council a budget review statement. The format as presented reports on an income and expense type, in a similar format to that included in the annual financial reports, as well as by Council activity and helps to inform Council on the anticipated Income Statement operating result for the financial year. Other information is also disclosed including budgeted capital income and expenditure; restricted cash movements and key performance indicators.

Budget Implications:

Overall the net variations in Continuing Operations for the quarter of \$246k will increase the projected deficit in Net Operating Result before Capital Items to a forecast \$744k.

Operational income variations include an additional \$127k for Development Contributions, \$167k for the Pipeline Demobilisation at the Sewerage Treatment Plant, training Incentive payments of \$102k, a \$73k increase in Waste Management user charges and Capital Income for Hobby's Yards Road.

There is also a variation of \$172k to recognise Council's share of the net operating result of Joint Ventures that includes Central Tablelands Water.

This was offset by a decrease in quarries income due to a lower demand for Council's own material for construction activities. A 65k reduction in diesel fuel rebates and a transfer of \$346k for the Errowanbang Rd Storm Damage repairs from operational grants to capital grants to match capital expenditure.

Operational expenditure includes variations of \$550k for net loss from disposal of assets. This includes \$400k for the Carcoar St Rehabilitation as a result of an increased scope of works, not previously forecast, due to additional funding of \$1.86m received under Fixing Local Roads.

The other major contributing write-off was \$104k from the Hobby's Yards Road Rehabilitation project.

The replacement of the roof at CentrePoint was brought forward to 2021/22 from 2023/24 following success with grant funding which has resulted in accelerated depreciation of \$162k prior to disposal in the next financial period.

Variations to reduce capital expenditure totalling \$529k includes deferral of the stormwater drainage project in Frape St of \$500k now programmed in 2021/22.

The Lining/Replacement of sewer mains has also been deferred to 2021/22 to allow sufficient time to identify sufficient quantity of deteriorating sewer mains to make it economically viable.

The Reseal Program was completed with \$200k in budgeted savings that has been reallocated to an expanded Gravel Re-sheeting works program across the Shire increased by \$196k.

Increases to funding for Four Mile Creek Road of \$60k and Forest Reefs Road of \$48k are funded from the 2020/21 Mining SRV allocation.

Enclosures (following report)

1 Quarterly Budget Review Statement - March 2021 23 Pages

Attachments (separate document)

Nil



Quarterly Budget Review 2020-2021

**Period ending
31 March 2021**

Blayney Shire Council

Quarterly Budget Review Statement
for the period 01/01/21 to 31/03/21

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Blayney Shire Council

Quarterly Budget Review Statement
for the period 01/01/21 to 31/03/21

Report by Responsible Accounting Officer

The following statement is made in accordance with Clause 203(2) of the Local Government (General) Regulations 2005:

31 March 2021

It is my opinion that the Quarterly Budget Review Statement for Blayney Shire Council for the quarter ended 31/03/21 indicates that Council's projected financial position at 30/06/21 will be satisfactory at year end, having regard to the projected estimates of income and expenditure and the original budgeted income and expenditure.

Signed: 

date: 10/05/2021

Tiffany Irlam
Responsible Accounting Officer

Blayney Shire Council

PART 1:

Income & Expenses Budget Summary

Budget review for the quarter ended 31 March 2021

Income & Expenses - Council Consolidated

(\$000's)

	Original Budget \$ 000	Revised Budget 2020/21	Other than by QBRS Mar \$ 000	Variations for this Mar Qtr	Projected Year End Result	Actual YTD figures
Total Income from Continuing Operations	22,354	24,406	27	309	24,742	18,411
Total Expenses from Continuing Operations	18,280	19,173	15	555	19,743	14,211
Net Operating Result from Continuing Operations	4,074	5,233	12	(246)	4,999	4,200
Total Capital Expenditure	9,432	12,937	30	(529)	12,438	7,057



Blayney Shire Council

Quarterly Budget Review Statement
for the period 01/01/21 to 31/03/21

Income & Expenses Budget Review Statement (By Type)

Budget review for the quarter ended 31 March 2021

Income & Expenses - Council Consolidated

(\$000's)	Original Budget 2020/21	Revised Budget 2020/21	Other than by QBRs Mar Qtr	Variations for Mar Qtr	Notes	Projected Year End Result	Actual YTD figures *
Income							
Rates and Annual Charges	11,505	11,540		1	u	11,541	11,354
User Charges and Fees	1,872	1,532		(37)	e,f,i,o,u	1,495	1,304
Interest and Investment Revenues	287	172		-		172	115
Other Revenues	294	312		(42)	a,b,e,n,u	270	215
Grants & Contributions - Operating	5,097	5,458		(181)	b,c,e,p,t,u	5,277	2,307
Grants & Contributions - Capital	3,227	5,320	27	396	p,q,s,u	5,743	2,919
Net gain from disposal of assets	47	47				47	-
Share of Interests in Joint Ventures	25	25		172		197	197
Total Income from Continuing Operations	22,354	24,406	27	309		24,742	18,411
Expenses							
Employee Costs	7,000	6,575	41	202	b,c,g,h	6,818	5,144
Borrowing Costs	278	278		(3)	u	275	176
Materials & Contracts	1,918	2,381	(26)	(252)	a,b,c,d,e,m,o,t,u	2,103	1,688
Depreciation	5,721	6,554		190	b,j,k,u	6,744	4,912
Legal Costs	53	118		2	a,u	120	72
Consultants	255	250		(11)	c,u	239	147
Other Expenses	3,055	3,017		(123)	a,b,c,i,k,r,u	2,894	1,948
Net Loss from disposal of assets	-	-		550	j,u	550	124
Total Expenses from Continuing Operations	18,280	19,173	15	555		19,743	14,211
Net Operating Result from Continuing Operations	4,074	5,233	12	(246)		4,999	4,200
Discontinued Operations - Surplus/(Deficit)		-				-	
Net Operating Result from All Operations	4,074	5,233	12	(246)		4,999	4,200
Net Operating Result before Capital Items	847	(87)	(15)	(642)		(744)	1,281

* Rates and annual charges are levied in full in July with minor variations made throughout the year. There are other income and expenditure items that vary in timing when paid or received (e.g. weekly, monthly or annually).

Blayney Shire Council

Quarterly Budget Review Statement
for the period 01/01/21 to 31/03/21

Income & Expenses Budget Review Statement (By Function/Activity)

Budget review for the quarter ended 31 March 2021

Income & Expenses - Council Consolidated

(\$000's)	Original Budget 2020/21	Revised Budget 2020/21	Other than by QBRS Mar Qtr	Variations for Mar Qtr	Notes	Projected Year End Result	Actual YTD figures
Income							
Governance	18	18		(7)	u	11	5
Administration	545	562		(4)	a,b,u	558	257
Public Order & Safety	59	173		5	u	178	134
Health	12	6		(4)	u	2	2
Environment	1,470	1,505		141	e,f,u	1,646	1,437
Community Services & Education	3	3		-		3	3
Housing & Community Amenities	230	230		42	e,i	272	139
Sewer Supplies	2,328	2,273		(331)	s,u	1,942	1,756
Recreation & Culture	2,193	2,451	27	37	t,u	2,515	759
Manufacturing & Construction	513	533		(130)	n,o	403	329
Transport & Communication	3,634	5,387		386	p,u	5,773	3,508
Economic Affairs	235	211		10	u	221	102
General Purpose Revenue	11,114	11,054		164	u	11,218	9,980
Total Income from Continuing Operations	22,354	24,406	27	309		24,742	18,411
Expenses							
Governance	524	529		2	u	531	319
Administration	4,548	4,599		(115)	a,b,c,u	4,484	3,379
Public Order & Safety	515	497		10	u	507	367
Health	24	24		(5)	u	19	14
Environment	1,775	1,865		24	d,e,g,u	1,889	1,345
Community Services & Education	22	27		1	u	28	19
Housing & Community Amenities	590	648		19	c,h,i,u	667	471
Sewer Supplies	1,318	1,318		2	u	1,320	980
Recreation & Culture	3,406	3,294		191	k,l,m,t,u	3,485	2,259
Manufacturing & Construction	485	505		(129)	n,o	376	243
Transport & Communication	4,626	5,391	15	537	j,r,u	5,943	4,527
Economic Affairs	447	476		18	u	494	288
Total Expenses from Continuing Operations	18,280	19,173	15	555		19,743	14,211
Net Operating Result from Continuing Operations	4,074	5,233	12	(246)		4,999	4,200
Discontinued Operations - Surplus/(Deficit)		-				-	
Net Operating Result from All Operations	4,074	5,233	12	(246)		4,999	4,200
Net Operating Result before Capital Items	847	(87)	(15)	(642)		(744)	1,281

Blayney Shire Council
PART 3A:
Quarterly Budget Review Statement
for the period 01/01/21 to 31/03/21

Operating Income & Expenses Budget Review Statement (By Function/Activity - Detailed)

Budget review for the quarter ended 31 March 2021

Operating Income & Expenses - Council Consolidated (Excludes Capital Grants and Contributions)

Operating Income & Expenses - Council Consolidated (Excludes Capital Grants and Contributions)														
	Operating Income						Operating Expenditure							
	Original Budget \$ '000	Revised Budget \$ '000	Other than by QBRs Mar \$ '000	Variations for Mar-21	Projected Year End Result	Actual YTD figures	%	Original Budget \$ '000	Revised Budget \$ '000	Other than by QBRs Mar \$ '000	Variations for Mar-21	Projected Year End Result	Actual YTD figures	%
Governance														
Council	18	18		(7)	11	5	45.5%	524	529		2	531	319	60.1%
Administration														
Corporate Services	229	228		(27)	201	71	35.3%	2,820	2,878		(68)	2,810	2,004	71.3%
Engineering & Works	313	331		23	354	183	51.7%	1,402	1,395		(39)	1,356	1,153	85.0%
Environmental	3	3		-	3	2	66.7%	326	326		(8)	318	222	69.8%
	545	562	-	(4)	558	256	45.9%	4,548	4,599	-	(115)	4,484	3,379	75.4%
Public Order & Safety														
Rural Fire Service	46	59		-	59	59	100.0%	360	338		9	347	259	74.6%
Animal Control	9	9		1	10	7	70.0%	111	115		1	116	78	67.2%
Emergency Services	4	5		-	5	5	100.0%	39	39		-	39	30	76.9%
Other Public Order & Safety	-	-		-	-	-	0.0%	5	5		-	5	-	0.0%
	59	73	-	1	74	71	270.0%	515	497	-	10	507	367	72.4%
Health														
Administration/Food Control	12	6		(4)	2	3	150.0%	24	24		(5)	19	14	73.7%
	12	6	-	(4)	2	3	150.0%	24	24	-	(5)	19	14	73.7%
Environment														
Noxious Plants	-	-		-	-	-	0.0%	108	108		(20)	88	88	100.0%
Domestic Waste Management	981	1,005		65	1,070	1,035	96.7%	850	850		21	871	600	68.9%
Other Waste Management	349	360		76	436	383	87.8%	358	358		-	358	250	69.8%
Street Cleaning	-	-		-	-	-	0.0%	170	170		26	196	133	67.9%
Urban Stormwater Drainage	140	140		-	140	20	14.3%	289	378		(3)	375	274	73.1%
	1,470	1,505	-	141	1,646	1,438	87.4%	1,775	1,864	-	24	1,888	1,345	71.2%
Community Services & Education														
Child Care	-	-		-	-	-	0.0%	10	10		-	10	10	100.0%
Aged & Disabled	-	-		-	-	-	0.0%	-	-		-	-	-	0.0%
Youth Services	3	3		-	3	3	100.0%	5	10		1	11	5	45.5%
Community Services Administration	-	-		-	-	-	0.0%	7	7		-	7	4	57.1%
	3	3	-	-	3	3	100.0%	22	27	-	1	28	19	67.9%
Housing & Community Amenities														
Housing	-	-		-	-	-	0.0%	-	-		-	-	-	0.0%
Town Planning	121	121		52	173	92	53.2%	302	361		43	404	227	56.2%
Public Cemeteries	60	60		-	60	44	73.3%	81	81		19	100	75	75.0%
Public Conveniences	49	49		(10)	39	3	7.7%	207	206		(43)	163	169	103.7%
	230	230	-	42	272	139	51.1%	590	648	-	19	667	471	70.6%

Blayney Shire Council
PART 3A:
Quarterly Budget Review Statement
for the period 01/01/21 to 31/03/21

Operating Income & Expenses Budget Review Statement (By Function/Activity - Detailed)

Budget review for the quarter ended 31 March 2021

Operating Income & Expenses - Council Consolidated (Excludes Capital Grants and Contributions)

Operating Income															Operating Expenditure					
\$000's	Original Budget \$ 000	Revised Budget \$ 000	Other than by QBRs Mar \$ 000	Variations for Mar-21	Notes	Projected Year End Result	Actual YTD figures	%	Original Budget \$ 000	Revised Budget \$ 000	Other than by QBRs Mar \$ 000	Variations for Mar-21	Projected Year End Result	Actual YTD figures	%					
Recreation & Culture																				
	Public Libraries	80	79		-	79	78	98.7%	254	220		-	220	30	13.6%					
	Public Halls	16	16		-	16	10	62.5%	143	144		-	144	101	70.1%					
	Centrepont Sport & Leisure	435	49		-	49	49	100.0%	1,334	1,225		134	1,359	789	58.1%					
	Sporting Grounds	(45)	(45)		-	(45)	(45)	-31.1%	296	296		17	313	187	59.7%					
	Parks & Gardens	53	53		-	53	24	45.3%	1,188	1,218		5	1,223	966	79.0%					
	Blayney Showground	7	7		38	45	44	97.8%	167	167		38	205	180	87.8%					
Other Cultural Services				-	-	-	-	0.0%	24	24		(3)	21	6	28.6%					
	546	159		38	197	219	111.2%	3,406	3,294		191	3,485	2,259	64.8%						
Mining Manufacturing & Construction																				
	Building Control	141	161		40	201	180	89.6%	134	154		41	195	143	73.3%					
	Quarries & Pits	372	372		(170)	202	149	73.8%	351	351		(170)	181	100	55.2%					
	513	533		(130)	403	329	81.6%	485	505		-	(129)	376	243	64.6%					
Transport & Communication																				
	Local Roads	2,240	2,586		(346)	2,240	963	43.0%	3,618	4,163		374	4,537	3,549	78.2%					
	Regional Roads	335	335		5	340	340	100.0%	126	126	15	-	141	119	84.4%					
	State Roads	60	60		-	60	60	100.0%	-	1	-	-	1	1	0.0%					
	Bridges - Local	7	7		-	7	-	0.0%	447	485		-	485	340	70.1%					
	Bridges - Regional				-	-	-	0.0%	25	25		-	25	59	0.0%					
	Footpaths				-	-	-	0.0%	-	-		-	21	155	133	85.8%				
	Kerb and Gutter				-	-	-	0.0%	92	168		152	320	123	38.4%					
	Street Lighting	23	23		(1)	22	22	100.0%	139	139		84	129	84	65.1%					
	Other Transport and Communication	1	1		3	4	4	100.0%	99	151		-	151	119	78.8%					
	2,605	3,012		(339)	2,673	1,389	52.0%	4,626	5,392	15	537	5,944	4,527	76.2%						
Economic Affairs																				
	Tourism & Area Promotion	81	83		9	92	24	26.1%	347	375		9	384	271	70.8%					
	Industrial Development & Promotion	39	11		-	11	8	72.7%	19	19		-	19	10	52.6%					
	Real Estate	41	41		-	41	12	29.3%	24	25		9	34	(48)	-441.2%					
	Other Business - Private Works	74	74		-	74	58	78.4%	57	57		-	57	55	96.5%					
	235	209		9	218	102	46.8%	447	476		18	494	288	58.3%						
General Purpose Revenue																				
	General Purpose Revenues	11,114	11,054		164	11,218	9,980	89.0%				-			-	0.0%				
Sewerage Services																				
	1,777	1,722		2	1,724	1,558	90.4%	1,318	1,318		2	1,320	980	74.2%						
Surplus/(Deficit) From Ordinary Activities before Capital Grants & Contributions																				
	19,127	19,086		(87)	18,999	15,492	81.5%	18,280	19,173		15	19,743	14,211	72.0%						

*Note expense figures include depreciation

Quarterly Budget Review Statement
for the period 01/01/21 to 31/03/21

Budget Variations being recommended include the following material items:

Notes Details		Variations to:	
		Income \$000	Expenditure \$000
a	Corporate Services adjustments		
	- Lower legal expenses and income due to change in approach to debt recovery	(13)	(13)
	- Income from Sale of Unpaid Rates allocated against general revenue	(15)	
	- Fringe Benefits Tax actual expenditure higher than budgeted		7
	- Building Maintenance expenditure lower than budgeted		(24)
	- Software licensing cost increases higher than forecast		10
	- Contract work for DIAP not required		(10)
	- Rates from sale of land written off lower than anticipated		(20)
	- Costs for sale of land for unpaid rates lower than anticipated		(12)
		(28)	(62)
b	Engineering Services adjustments		
	- Removal of Drought Communities Funding that relates to Community Group Projects	(40)	(40)
	- Salaries above budget, offset by:		10
	superannuation being below budget		(10)
	- Increase to training costs due to extra courses undertaken, offset by:		10
	decrease in traveling costs		(10)
	- Insurance costs were lower than forecast		(20)
	- Utility costs were lower than forecast, offset by:		(11)
	increase to salaries for building maintenance at the depot		11
	Plant Operations		
	- Cost of Fuel & Oil is under budget, partially offset by:		(120)
	Diesel Fuel Rebate lower than forecast	(65)	
	- Increase in the provision for plant insurance		35
	- Plant depreciation higher than forecast		20
	Works Support		
	Superannuation higher than forecast, offset by:		10
	- Employees Leave Entitlements lower than forecast		(10)
	- Worker Compensation Insurance higher than forecast		15
	- Training costs lower than forecast		(10)
	- Sick leave higher than forecast		44
	- Workers compensation labour costs higher than forecast, partially offset by higher income	10	17
	- Training incentive payments not forecast	102	
	- Jobseeker top-up payments for trainees	15	
		22	(59)
c	Transition to NSW Planning Portal grant, offset by grant related expenditure of:	50	
	- I.T expenditure		17
	- Website upgrade		15
	- Salary expense for implementation, partially offset by:		18
	Environment Services salaries already budgeted for in relation to the implementation		(12)
		50	38
d	Cadia Willow Removal Program not proceeding this year		(20)
		-	(20)
e	Domestic Waste Fees higher than budgeted	40	
	Sale of scrap metal not budgeted for	20	
	Increased contractor costs for Regional Environmental monitoring, partially offset by:		30
	- Lower than anticipated materials costs		(10)
		60	20
f	Other Waste Management charges higher than budgeted	55	
	Scrap metal and recycling income not budgeted for	18	
		73	-
g	Street Cleaning - wage expenses higher than forecast. Budget reallocated from Works Support		34
		-	34
h	Public cemeteries - higher wage costs due to increased maintenance required.		17
	Budget moved from Works Support		
		-	17
i	Water bore maintenance - no licence/compliance expenditure		(35)
	Lower utilities costs due to lower demand from changes to keys available for bores		(8)
	Lower income due to the lower demand	(10)	
		(10)	(43)

j	Loss on disposal of assets: - Write-offs from Roads disposals - Write-offs from Footpaths disposals - Anticipated write-off from Carcoar St rehabilitation project, due to increased scope of works Roads component write-off Kerb & Gutter component write-off Purchase by Whites Quarry of 4300 tonnes of material extracted during Carcoar St project		118 21 280 152 (32)
		-	539
k	CentrePoint expenditure budget adjustments: - Materials expenditure not required - Water costs lower than forecast - Depreciation expense higher than forecast - Accelerated depreciation expense, 50% of anticipated write-off from CentrePoint roof replacement		(15) (25) 21 162
		-	143
l	Demolition costs for Newbridge Rec Ground Pavilion project. Budget moved to operational expense		17
		-	17
m	Parks & Gardens - depreciation higher than forecast Belubula River Willow Removal project below budget. Funds moved back to Restricted asset.		11 (6)
		-	5
n	Building Control - Higher salary expenditure due to increased demand. Offset by: Building certificate income higher than forecast	40 40	41 41
o	Quarries - lower income and expenditure due to decreased use of quarry material	(170)	(170)
		(170)	(170)
p	Errowanbang Rd Storm Damage Repairs, offset by Capital Expenditure - Reallocate Errowanbang Rd income to capital to match income, offset by: - Reduction of operating income from Errowanbang Rd Local Roads - development contributions higher than forecast Cadia Voluntary Planning Agreement payment	88 346 (346) 127 58	- - - - -
		273	-
q	Regional Roads - Hobby's Yards Road capital income	105	-
		105	-
r	Street lighting expense lower than forecast		(10)
		-	(10)
s	Sewer Capital Income - recycled water treatment plant was funded from external restriction Contribution towards demobilisation of pipeline	(500) 167	- -
		(333)	-
t	CWELC - Club Grants final payment. Operational income to partly offset: Substation upgrade as part of CWELC, operational expenditure as not a Council asset	30 30	41 41
u	Joint Venture - share of Central Tablelands Water net operating result for 2019/20	172	-
		172	-
v	Minor budget adjustments	25	24
		25	24
		-	-
		309	555
	Net adjustment to operating result		(246)

Blayney Shire Council

Quarterly Budget Review Statement for the period 01/01/21 to 31/03/21

Capital Budget Review Statement

Budget review for the quarter ended 31 March 2021

Capital Budget - Council Consolidated

(\$000's)	Original Budget 2020/21	Revised Budget 2020/21	Other than by QBRS Mar Qtr	Variations for this Mar Qtr	Notes	Projected Year End Result	Actual YTD figures
Capital Expenditure							
New Assets							
- Plant & Equipment	1,171	1,141	-	(14)	14,15,17	1,127	835
- Land & Buildings	175	262	-	(6)	5,6	256	241
- Sewer	750	623	-	(9)	16	614	75
- Roads, Bridges, Footpaths	762	662	-	(539)	8,12	123	230
- Other	562	735	-	-		735	469
Renewal Assets (Replacement)							
- Plant & Equipment	-	-	-	-		-	-
- Land & Buildings	644	1,043	3	(57)	1,2,3,4,6	989	400
- Sewer	110	162	-	(110)	16	52	279
- Roads, Bridges, Footpaths	4,038	6,617	-	174	7,8,9,10,11,17	6,791	3,337
- Other	632	1,104	27	32	4	1,163	761
Loan Repayments (Principal)	588	588	-	-		588	430
Total Capital Expenditure	9,432	12,937	30	(529)		12,438	7,057
Capital Funding							
Rates & Other Untied Funding	2,798	3,312	-	(394)		2,918	2,060
Capital Grants & Contributions	3,227	5,847	30	396		6,273	3,247
Reserves:							
- External Restrictions/Reserves		220	-	-		220	72
- Internal Restrictions/Reserves	1,167	1,318	-	(31)		1,287	782
New Loans	500	500	-	(500)		-	-
Receipts from Sale of Assets							
- Plant & Equipment	943	943	-	-		943	99
- Land & Buildings	797	797	-	-		797	797
Total Capital Funding	9,432	12,937	30	(529)		12,438	7,057
Net Capital Funding - Surplus/(Deficit)	-	-	-	-		-	-

Blayney Shire Council

PART 4A:

Capital Budget Review Statement

Quarterly Budget Review Statement

for the period 01/01/21 to 31/03/21

Budget review for the quarter ended 31 March 2021

Capital Budget - Council Consolidated

(\$000's)	Original Budget 2020/21	Revised Budget 2020/21	Other than by QBRs Mar Qtr	Variations for Mar Qtr	Notes	Projected Year End Result	Actual YTD figures	%
LAND & BUILDINGS								
Blayney Library	R	32				32	-	0%
DSP - Blayney Library - Refurbishment Project	R	175	175			175	28	16%
Blayney Library - Exterior Painting	R	14	14			14	-	0%
Blayney Library - Master Plan	R	20	3			23	-	0%
Blayney Community Centre - Minor Assets	R	6	6			6	-	0%
Blayney Community Centre - Internal Painting	R	24	24			24	24	100%
CCTV Cameras - Council Office	N	3	3			3	3	100%
Event Display Boards - Community Centre	N	5	5			5	5	100%
Carcoar Dam Amenities	R	7	7			7	-	0%
DCF - Blayney Tennis Centre - Amenities	R	136	72			72	72	100%
Council Administration Office - Carpet Renewal	R	11	11	(11)	1	-	-	0%
Depot Workshop - Pit Extension & Hydraulic Lift	R	100	100	(14)	2	86	-	0%
CWA/Meals on Wheels - Roofing Improvements	R	14	14	(14)	3	-	-	0%
DCF - Newbridge Rec Ground - Brian Bennett Pavilion	R	181	280	(49)	4	231	120	52%
Blayney Showground - CWELC	N	62	62	(10)	5	52	52	100%
SCCF2 Carcoar Sportsground Amenities Block	R	43	43			43	36	84%
Blayney Showground - Commentator Box Repairs	R	5	5			5	5	100%
Barry Hall Shelter - Repairs	R	8	8			8	-	0%
RFS Amenities - Barry	N	50	50	4	0	54	54	100%
Rural Fire Service Shed - Blayney	R	-	-			-	8	100%
RFS Shed Upgrade - Newbridge	R	50	50			50	8	16%
BBRF4 - KGO Amenities	R	9	9	31	5	40	15	38%
CentrePoint Building & Pool Upgrade Electrical & Fire Compliance	R	1	1			1	1	100%
CentrePoint Major Upgrade Stage 2	R	101	101			101	21	21%
DSP - Dakers Oval Amenities	N	175	175			175	149	85%
Carcoar - Land Transfer Investigatoin	R	-	-			-	2	100%
TOTAL LAND & BUILDINGS		819	1,267	3	(63)	1,207	603	50%
OTHER STRUCTURES								
Public Cemeteries - Infrastructure Renewals	R	11	11			11	10	91%
SCCF Round 2 - Sports Facility Masterplan - Napier Oval	R		306			306	254	83%
DCF - Lyndhurst Recreation Ground Grandstand and Cricket Pitch	R	26	26			26	25	96%
DSP - Lyndhurst Recreation Ground Cricket Nets	R	90	90			90	73	81%
DCF - Dakers Oval Perimeter Fence	N	77	69			69	69	100%
DCF - KGO Recycled Water	N	205	270			270	189	70%
DCF - Redmond Oval Community Recreation Shelter	R	70	79			79	74	94%
Redmond Oval Junior Skate Park	N	180	180			180	-	0%
Stillingfleet Netball Courts - Resurface	R	301	301			301	295	98%
Neville Multipurpose Court	N	100	111			111	6	5%
Pipe Renewal & Water Meters - Industrial Land (Gerty Street)	R	7	7			7	-	0%
Showground - Eastern Internal Access Road	N	131	131			131	131	100%
Blayney Showground - Boundary Fencing & Signage	R	72	72			72	72	100%
Blayney CBD Masterplan	N	-	-	27		27	5	19%
VEP Blayney	R	9	13			13	2	15%
VEP Carcoar	R	25	25			25	-	0%
VEP Lyndhurst	R	15	45			45	-	0%
VEP Mandurama	R	15	15			15	-	0%
VEP Millthorpe	R	32	68			68	10	15%
VEP Neville	R	8	-			-	-	0%
VEP Barry & Hobbs Yards	R	8	13			13	13	100%
VEP Newbridge	R	15	7	32	4	39	2	5%
TOTAL OTHER STRUCTURES		1,194	1,839	27	32	1,898	1,230	65%

Blayney Shire Council

PART 4A:

Capital Budget Review Statement

Quarterly Budget Review Statement

for the period 01/01/21 to 31/03/21

Budget review for the quarter ended 31 March 2021

Capital Budget - Council Consolidated

(\$000's)	Original Budget 2020/21	Revised Budget 2020/21	Other than by QBRS Mar Qtr	Variations for Mar Qtr	Notes	Projected Year End Result	Actual YTD figures	%
INFRASTRUCTURE								
Local Roads - Construction								
Forest Reefs Road	R	-	-	48	10	48	13	0%
Carcoar St Blayney - Church to Martha St	R	1,101	2,033	(21)	11	2,012	1,050	52%
Culvert Approach Repair Program	R	-	-	21	11	21	21	100%
Initial Sealing - Coombing Lane Barry	N	87	-	-	-	-	-	100%
Initial Sealing - Mendham Lane Barry	N	81	-	-	-	-	-	0%
Initial Sealing - Hay/Leabeater Street	N	104	100	4	8	104	104	100%
Errowanbang Rd - Storm Damage Repairs	R	-	346	26	7	372	372	100%
Errowanbang Rd - Emergency Works - Storm Damage Repairs	R	-	-	62	7	62	62	100%
Newbridge Road Repair/Construction 2020/21	R	537	-	17	9	554	554	100%
Forest Reefs Road - 2022/23 Fixing Country Roads	R	-	2	14	9	16	2	100%
Four Mile Creek Road (20/21)	R	-	301	60	10	361	56	16%
Speed Zone Signage Neville	R	-	-	2	10	2	2	100%
Heavy Patching	R	504	378	(31)	9	347	306	88%
Gravel Resheeting	R	370	370	196	8	566	-	0%
TOTAL LOCAL ROADS CONSTRUCTION		2,247	4,067	-	398	4,465	2,542	57%
Local Roads - Reseal Program								
Reseal Program	R	400	400	(242)	8	158	146	92%
TOTAL RESEAL PROGRAM		400	400	-	(242)	158	146	92%
Regional Roads								
Regional Roads - Hobbys Yards Road - Reseals	R	-	-	37	8	37	37	100%
Regional Roads - Hobbys Yards Road - 2019/20	R	-	10	-	-	10	10	100%
Regional Roads - Hobbys Yards Road - Rehabilitation 20/21 - McKellars Lane	R	174	521	5	8	526	526	100%
TOTAL REGIONAL ROADS		174	531	-	42	573	573	
Bridges								
Wombiana Lane	R	-	10	-	-	10	10	100%
Leabeater St Grubbenbun Creek	R	-	-	-	-	-	-	0%
Gallymont Road Bridge Replacement	R	170	340	-	-	340	23	7%
Naylor Street Bridge - Abutment Repairs	R	150	150	-	-	150	-	0%
Boondaroo Bridge	R	500	500	-	-	500	40	8%
Bridge Repair - Belubula Way over Icely Creek	R	-	55	-	-	55	34	62%
TOTAL BRIDGES		820	1,055	-	0	1,055	107	10%
Footpaths								
Renewals	R	46	51	-	-	51	2	4%
Plumb & Palmer St - Stage 1 - Carcoar St - Piggott Pl	N	92	92	-	-	92	20	22%
DSP - Eulamore St - Naylor St - Retirement Village	N	72	72	-	-	72	14	19%
DSP - Boomerang St - Victoria St - Redmond Oval (AMP)	N	50	50	-	-	50	-	0%
Charles St - Mount St - Carcoar St	N	23	22	-	-	22	22	100%
DSP - Victoria St - Improve access under railway - Construction - Elliot St - Glenorie Road	N	200	200	-	-	200	15	8%
Crouch St to Carcoar St Neville	N	53	32	-	-	32	32	100%
Carcoar - Icely St - FP School to exist Natural Surface	N	-	23	-	-	23	23	100%
Shared Pathway to Dakers Oval Entrance	N	-	21	-	-	21	21	100%
TOTAL FOOTPATHS		536	563	-	0	563	149	26%
Stormwater								
Stormwater Drainage Renewals	R	63	39	(34)	12	5	-	0%
Stormwater Analysis - Banana St Mandurama	R	-	24	-	-	24	19	79%
Stormwater Drainage - 119 Adelaide St Blayney	R	10	10	14	12	24	-	0%
Stormwater Drainage - Frape St	N	500	500	(500)	12	-	-	0%
TOTAL STORMWATER		563	573	-	(520)	53	19	36%
Kerb & Gutter								
Ogilvy Street	N	60	90	(43)	13	47	31	66%
TOTAL - RENEWALS		60	90	-	(43)	47	31	66%
TOTAL INFRASTRUCTURE		4,800	7,279	-	(365)	6,914	3,567	52%

Blayney Shire Council

PART 4A:

Capital Budget Review Statement**Quarterly Budget Review Statement**

for the period 01/01/21 to 31/03/21

Budget review for the quarter ended 31 March 2021

Capital Budget - Council Consolidated

(\$000's)	Original Budget 2020/21	Revised Budget 2020/21	Other than by QBRS Mar Qtr	Variations for Mar Qtr	Notes	Projected Year End Result	Actual YTD figures	%
PLANT & EQUIPMENT								
Light Vehicle								
Light Vehicle Replacement	N 357	357		(18)	18	339	265	78%
TOTAL LIGHT VEHICLE	357	357	-	(18)		339	265	78%
Minor Plant								
Trailer - Skid Steer	N 15	18				18	-	0%
Small Plant & Tools	N 32	32		6	18	38	38	100%
Leica Viva GS15 Equipment	N -	28				28	28	100%
TOTAL MINOR PLANT	47	78	-	6		84	66	79%
Major Plant								
P31 - Kenworth Tipper	N 318	259				259	259	100%
Vehicle Tracking	N 60	-				-	-	0%
Kubota Ride-on Mower x 2	N 51	36		2	18	38	38	100%
Flail Mower	N -	-		18	18	18	18	100%
P44 - Isuzu NPR55-15S Tipper	N 82	72				72	-	0%
P48 - Isuzu NPR55-15S MWB	N 87	87				87	-	0%
P171 - Dog Trailer	N 92	96				96	96	100%
2 x VMS Boards	N -	30				30	-	0%
TOTAL MAJOR PLANT	690	580	-	20		600	411	69%
Information Technology								
Lorawan	N 5	5		(2)	18	3	1	33%
Mimecast Email Filtering	N 2	2				2	2	100%
IPad/Tablet Replacements	N 5	5		(2)	18	3	1	33%
Mobile Phone Replacements	N 5	5				5	2	40%
Rack Mounted Monitor / KVM Keyboard (DR Site)	N -	2		(1)	18	1	2	200%
8 * iPads - Gangers	N -	7				7	7	100%
Server Replacement	N 40	25				25	25	100%
Councilors - iPad Replacement/Accessories	N 2	4				4	4	100%
iPad - Waste Management	N -	-		2	18	2	2	100%
TOTAL INFORMATION TECHNOLOGY	59	55	-	(3)		52	46	88%
Other Plant & Equipment Purchases								
Minor Asset Purchases - Corporate Services	N 3	3		(1)	18	2	1	50%
Minor Assets Purchases - CentrePoint	N 11	29		4	18	33	33	100%
Microfilm reader - Blayney Library	N -	13				13	13	100%
Library Fit out	N -	22		(22)	14	-	-	0%
Minor Assets Purchases - Library	N 4	4				4	-	0%
TOTAL OTHER PLANT & EQUIPMENT PURCHASES	18	71	-	(19)		52	47	90%
TOTAL PLANT & EQUIPMENT	1,171	1,141	-	(14)		1,127	835	74%
Sewerage Services								
Compliance for CVO Pump Station	R 52	52				52	3	6%
Renewable Energy Project	N 75			(3)	15	72	72	100%
Chemical & Storage Shed	N 13			(6)	15	7	-	0%
Lining/Replacement Sewer Mains	R 110	110		(110)	15	-	-	0%
Recycled Water Treatment Plant	N 750	535				535	279	52%
TOTAL SEWERAGE SERVICES	860	785	-	(119)		666	354	53%
Principal Loan Repayments								
Bridge Replacement Program	239	239				239	178	74%
Works Depot	85	85				85	63	74%
Millthorpe Sewer	51	51				51	37	73%
Residential Land Development	122	122				122	92	75%
CentrePoint Major Upgrade	80	80				80	60	75%
Stormwater	11	11				11	-	0%
	588	588	-	0		588	430	73%
Other Business Undertakings								
Streathfield Close Land Development	N -	38				38	38	100%
	-	38	-	0		38	38	100%
Total Capital Expenditure	9,432	12,937	30	(529)		12,438	7,057	

Blayney Shire Council

Quarterly Budget Review Statement
for the period 01/01/21 to 31/03/21

Capital Budget Review Statement
Recommended changes to revised budget

Budget Variations being recommended include the following material items:

Notes	Details	Variations to: Expenditure \$000
1	Council administration office - carpet renewal - project moved to 21/22	(11) (11)
2	Depot workshop - pit extension & hydraulic lift - change in scope of project	(14) (14)
3	CWA/Meals on Wheels - roofing improvements. Roof leaks not evident in last 12 months and works not required	(14) (14)
4	DCF - Newbridge Rec Ground - Brian Bennett Pavilion - \$17k of demolition costs budget moved to operational expense - Budget savings from Stage 1 & 2 of project. Budget moved back to Newbridge VEP	(49) 32 (17)
5	CWELC - Club Grants final payment Substation upgrade as part of CWELC, which is operational expenditure as not a Council asset BBRF4 - KGO Amenities. Funded from KGO internal restrictions	30 (41) 31 20
6	RFS Shed Amenities - Barry, offset by capital contribution from RFS	4 4
7	Errowanbang Rd - Storm Damage Repairs, offset by capital income Errowanbang Rd - Emergency Works - storm damage repairs, offset by capital income	26 62 88
8	Reseal program, projected works completed. Budget moved to cover: - Gravel Resheeting - increased works programmed - Regional Roads - Hobbys Yards Road - Reseals. Move budget to match expenditure under Regional Roads - Regional Roads - Hobbys Yards Road - Rehabilitation 20/21 - McKellars Lane, project over budget - Initial Sealing - Hay/Leabeater Street	(242) 196 37 5 4 -
9	Newbridge Road Repair/Construction 2020/21 funded from Developer Contributions Forest Reefs Road - 2022/23 Resources for Regions Heavy Patching	17 14 (31) -
10	Funding from Mining SRV 20/21 not yet restricted - Four Mile Creek Road (20/21) - Forest Reefs Road	60 48 108
11	Culvert Approach Repair Program - funded as part of LRCI funding (Carcoar St). Remaining funds from LRCI to be carried forward to 21/22	21 (21) -
12	Stormwater Drainage Renewals, \$20k of budget savings, remaining funds to cover; Stormwater Drainage - 119 Adelaide St Blayney Stormwater Drainage - Frape St. Works to be completed in 21/22	(34) 14 (500) (520)
13	Kerb & Gutter - Ogilvy St Rehabilitation. Completed in conjunction with Dakers Oval project	(43) (43)
14	Library Fitout (Library Priority Grant)	(22) (22)
15	Sewerage Services: - Renewable Energy Project - completed under budget - Chemical & Storage Shed - Shed was completed in 19/20, only fitout remains - Lining/Replacement Sewer Mains - works deferred until it's economically viable to engage contractors	(3) (6) (110) (119)
16	Minor budget adjustments	11 11
TOTAL		(529)

Blayney Shire Council

Quarterly Budget Review Statement
for the period 01/01/21 to 31/03/21

Cash & Investments Budget Review Statement

Budget review for the quarter ended 31 March 2021

Cash & Investments - Council Consolidated

(\$000's)	Opening Balance 1/07/2020	Projected Result Pre QBRS	Other than by QBRS Mar Qtr	Variations for Mar Qtr	Notes	Projected Year End Result
Externally Restricted ⁽¹⁾						
Developer Contributions - General	683	683		(17)	i	666
Developer Contributions - Sewer	860	860				860
Unexpended Grants	907	-				-
Sewerage Services	5,343	5,418				5,418
Domestic Waste Management	1,171	1,171				1,171
Voluntary Planning Agreement - Mining	195	195				195
Rates Special Variation - Mining	145	145		(2)	ii	143
Total Externally Restricted	9,304	8,472	-	(19)		8,453
(1) Funds that must be spent for a specific purpose						
Internally Restricted ⁽²⁾						
Plant and Vehicle Replacement	372	469		(2)	iii	467
Employees Leave Entitlement	957	957				957
Asset Reserve - Transport	302	302				302
Asset Reserve - Buildings	9	9		(9)	vii	-
Asset Reserve - Parks & Recreation	81	81		(81)	vii	-
Asset Reserve - Stormwater	52	52		(52)	vii	-
Blayney Sports Facility Master Plans	12	12		(12)	vii	-
CentrePoint	-	-				-
Election Reserve	77	77				77
Environmental Projects – Belubula River	53	23		6	iv	29
I.T Reserve	184	184				184
King George Oval	258	193		(31)	v	162
Property Account	801	749		(9)	vi	740
Property Account - Borrowings	1,320	1,173				1,173
Quarry	200	200				200
Village Enhancement Program	126	-				-
Financial Assistance Grant	1,417	-				-
Carryover Works	170	-				-
Total Internally Restricted	6,391	4,481	-	(190)		4,291
(2) Funds that Council has earmarked for a specific purpose						

Blayney Shire Council

Quarterly Budget Review Statement
for the period 01/01/21 to 31/03/21**Cash & Investments Budget Review Statement****Investments**

Investments have been invested in accordance with Council's Investment Policy.

Cash

The Cash at Bank figure included in the Cash & Investment Statement totals \$20,243

This Cash at Bank amount has been reconciled to Council's physical Bank Statements.
The date of completion of this bank reconciliation is 31/03/21**Reconciliation Status**

The YTD Cash & Investment figure reconciles to the actual balances held as follows:

		\$ 000's
Cash at Bank (as per bank statements) - General Fund		1,509
Cash at Bank (as per bank statements) - Online Saver		576
Investments on Hand		16,500
less: Unpresented Cheques	(Timing Difference)	-
add: Undeposited Funds	(Timing Difference)	-
less: Identified Deposits (not yet accounted in Ledger)	(Require Actioning)	-
add: Identified Outflows (not yet accounted in Ledger)	(Require Actioning)	-
less: Unidentified Deposits (not yet actioned)	(Require Investigation)	-
add: Unidentified Outflows (not yet actioned)	(Require Investigation)	-
Reconciled Cash at Bank & Investments		18,585
Balance as per Review Statement:		18,585
Difference:		-

Recommended changes to revised budget - Restricted Cash

Budget Variations being recommended include the following material items:

		Variations \$000
i	Newbridge Road - additional budget required to finalise project	(17)
		(17)
ii	Increase in Community Financial Assistance program allocation	(2)
		(2)
iii	Plant replacement variations	(2)
		(2)
iv	Belubula River willow removal project completed below budget	6
		6
v	BBRF4 - KGO Amenities	(31)
		(31)
vi	Survey work for Frape/Beaufort St development	(9)
		(9)
vii	Removal of internal restrictions not tied to specific projects	(154)
		(154)
	TOTAL	(209)

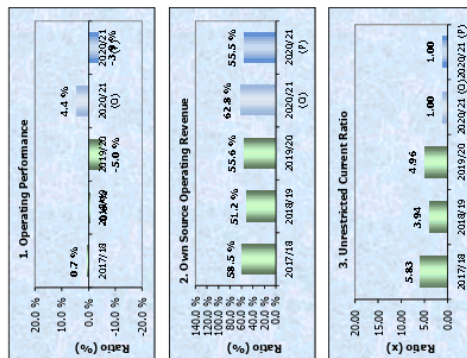
Blayney Shire Council

Key Performance Indicators Budget Review Statement - Industry KPI's (OLG)

Budget review for the quarter ended 31 March 2021

Quarterly Budget Review Statement
for the period 01/01/21 to 31/03/21

(\$'000's)	Current Projection Amounts Indicator 20/21 20/21	Original Budget 20/21	Actuals Prior Periods 19/20 18/19
NSW Local Government Industry Key Performance Indicators (OLG):			
1. Operating Performance			
Operating Revenue (excl. Capital) - Operating Expenses	-744	847	-5.0 % -0.6 %
Operating Revenue (excl. Capital Grants & Contributions)	18999	19127	
This ratio measures Council's achievement of containing operating expenditure within operating revenue.			
2. Own Source Operating Revenue			
Operating Revenue (excl. ALL Grants & Contributions)	13722	14030	55.6 % 51.2 %
Total Operating Revenue (incl. Capital Grants & Cont)	24742	22354	
This ratio measures fiscal flexibility. It is the degree of reliance on external funding sources such as operating grants & contributions.			
3. Unrestricted Current Ratio			
Current Assets less all External Restrictions	1	1.00	4.96 3.94
Current Liabilities less Specific Purpose Liabilities	1		
To assess the adequacy of working capital and its ability to satisfy obligations in the short term for the unrestricted activities of Council.			



Quarterly Budget Review Statement
for the period 01/01/21 to 31/03/21

Blayney Shire Council

Key Performance Indicators Budget Review Statement - Industry KPI's (OLG)

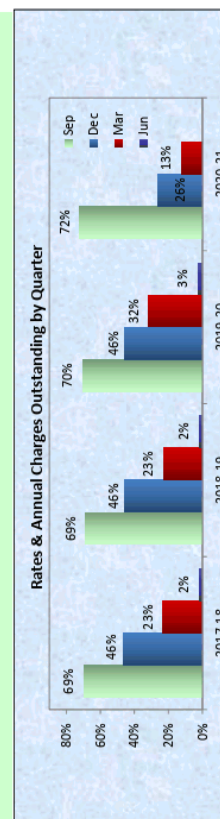
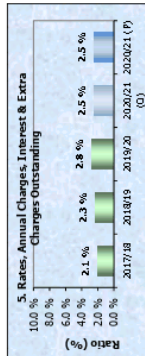
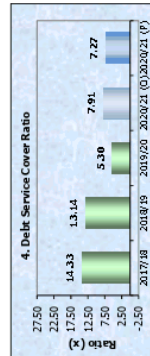
Budget review for the quarter ended 31 March 2021

(\$'000's)	Current Projection Amounts Indicator 20/21 20/21	Original Budget 20/21	Actuals Prior Periods 19/20 18/19
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NSW Local Government Industry Key Performance Indicators (OLG):

4. Debt Service Cover Ratio			
Operating Result before Interest & Dep. exp (EBITDA)	6275	6846	5.30
Principal Repayments + Borrowing Interest Costs	863	886	13.14
This ratio measures the availability of operating cash to service debt including interest, principal and lease payments.			
5. Rates, Annual Charges, Interest & Extra Charges Outstanding			
Rates, Annual & Extra Charges Collectible	2.5	2.5 %	2.8 %
Rates, Annual & Extra Charges Outstanding	100	2.5 %	2.3 %

To assess the impact of uncollected rates and annual charges on Council's liquidity and the adequacy of recovery efforts.



Quarterly Budget Review Statement for the period 01/01/21 to 31/03/21						
Contractor	Contract detail & purpose	Contract Value	Start Date	Duration of Contract	Budgeted (Y/N)	Notes
Contracts Entered > 50,000						
Contracts Paid > \$50,000						
Agile Arbor	Willow Island Removal Belubula River Blayney	84,168		Finished	Y	
Aussie Digger Bobcat Specialist	Culvert and Kerb & Gutter Works	65,618		Ongoing	Y	
Boral Construction Materials	Supply of Road Construction Materials	107,460		Ongoing	Y	
Central West Linemarking	Linemarking Works	59,155		Ongoing	Y	
CGB Civil	Trenching & Irrigation Works at Napier Oval	43,779		Finished	Y	
	Tank pad preparations at KGO	6,090		Finished	Y	
	Installation of Mechanical Equipment at the BERP	29,212		Finished	Y	
CPB Excavations	Earthworks to Napier Oval	91,053		Finished	Y	
	Civil Works for BERP	14,857		Ongoing	Y	
	Construction of Truck Access Road at STP	73,310		Finished	Y	
Dave Cowan Constructions	Construction of Dakers Oval Amenities	11,916		Finished	Y	
	Works at RFS Shed Blayney	9,000		Finished	Y	
Downer EDI Works	Supply of Bitumen Seal	239,094		Ongoing	Y	
Energy Australia	Supply of Electricity	61,855		Ongoing	Y	
Hadlow Earthmoving	Waste Facilities Management Contract	144,233		Ongoing	Y	
	Excavator Wet Hire	15,065		Ongoing	Y	
Hanson Construction Materials	Supply and Delivery of Road Construction Material	281,141		Ongoing	Y	
Josh Nixon Excavations	Machinery Hire	38,148		Ongoing	Y	
	Boxing Kerb & Gutter	21,120		Ongoing	Y	
JR Richards & Sons	Waste Contract	95,785		Ongoing	Y	
L-Don Sporting Areas	Restorations works at Netball Courts	310,387		Finished	Y	
	Supply & Install Synthetic Turf for Cricket Nets at Lyndhurst	8,500		Finished	Y	
Midwest Traffic Management	Traffic Control	53,665		Ongoing	Y	
Oilsplus	Supply of Fuel	53,980		Ongoing	Y	
Orange City Council	NSW RFS Contribution	226,301		Ongoing	Y	
Premise Australia	Survey, REF, Hydraulic & Hydrological Services	62,667		Ongoing	Y	
Riverpark Constructions	Newbridge Pavilion Works	80,028		Ongoing	Y	
Stabilised Pavement of Aust	Road Stabilisation Works	91,086		Ongoing	Y	

Notes:

1. Minimum reporting level is 1% of estimated income from continuing operations of Council or \$50,000 - whatever is the lesser.
2. Contracts for employment are not required to be included.

Blayney Shire Council

Quarterly Budget Review Statement
for the period 01/01/21 to 31/03/21

Contracts Budget Review Statement
Comments & Explanations relating to Contractors Listing

Notes Details

Nil

Blayney Shire Council

Quarterly Budget Review Statement

for the period 01/01/21 to 31/03/21

Consultancy & Legal Expenses Budget Review Statement

Consultancy & Legal Expenses Overview

Expense	YTD Expenditure (Actual Dollars)	Budgeted (Y/N)
Consultancies	198,925	Y
Legal Fees	81,952	Y

Definition of a consultant:

A consultant is a person or organisation engaged under contract on a temporary basis to provide recommendations or high level specialist or professional advice to assist decision making by management. Generally it is the advisory nature of the work that differentiates a consultant from other contractors.

Comments

Expenditure included in the above YTD figure but not budgeted includes:

Details	\$000

Quarterly Budget Review Statement
for the period 01/01/21 to 31/03/21

Blayney Shire Council
PART 8:

Loans Summary

Budget review for the quarter ended 31 March 2021

(A) External Loans

	LOAN DETAILS	Loan Term	Original Principal	Int %	Opening Balance 1/07/20	Interest Year to date	Repayments Year to date	Closing Balance 31/03/21	Scheduled completion date
3	Millthorpe Sewer	20	900,000	8.05%	520,390	30,930	68,210	483,110	26-Feb-28
4	Blayney Works Depot	20	600,000	6.73%	169,690	7,997	41,123	136,563	04-Dec-23
5	Blayney Works Depot	20	600,000	6.00%	202,730	8,651	38,798	172,583	21-Dec-24
7	Blayney Bridges Program (LIRS)*	10	1,000,000	5.73%	442,955	17,860	99,045	361,770	22-Jan-24
8	Bridge Replacement Program	20	3,000,000	3.97%	2,768,306	81,619	163,541	2,686,384	15-Feb-38
9	Residential Land Development**	10	1,320,000	2.09%	1,200,034	18,333	109,963	1,108,405	28-Jun-29
10A	CentrePoint	20	2,000,000	2.36%	1,980,365	34,702	94,304	1,920,763	13-Feb-40
10B	Cowriga Creek Bridge	20	500,000	2.36%	495,091	8,676	23,576	480,191	13-Feb-40
			9,320,000	4.66%	7,779,560	208,769	638,561	7,349,768	

* Blayney Bridges Program loan is funded under the Local Infrastructure Renewal Scheme (LIRS) subsidising 4% of the interest payable

** Residential Land Development loan is funded under the Low Cost Loans Initiative (LCLI) subsidising 50% of the interest payable

04) 2021/22 - 2024/25 DELIVERY PROGRAM AND 2021/22 OPERATIONAL PLAN**Department:** Corporate Services**Author:** Director Corporate Services**CSP Link:** 2. Local Governance and Finance**File No:** GS.LI.1

Recommendation:

1. That Council endorses the draft 2021/22 - 2024/25 Delivery Program and 2021/22 Operational Plan; and
2. That the draft 2021/22 - 2024/25 Delivery Program and 2021/22 Operational Plan be placed on public exhibition for a period of 28 days.

Reason for Report:

For Council to consider and endorse the 2021/22 - 2024/25 Delivery Program and 2021/22 Operational Plan for public exhibition, pursuant to section 405 of the Local Government Act.

Report:

All councils in NSW are required to develop long term, medium term and short term plans as part of the Integrated Planning and Reporting (IP&R) Framework under the *Local Government Amendment (Governance and Planning) Act 2016*.

The Delivery Program details the principal activities it will undertake to achieve the objectives established in the Community Strategic Plan, within the resources available under the Resourcing Strategy. Council must prepare a new Delivery Program after each ordinary election of councillors to cover the principal activities of the council for a 4 year period and roll it over on an annual basis to maintain this timeframe.

The Operational Plan spells out the individual projects and activities that will be undertaken in the forthcoming year to achieve the commitments made in the Delivery Program. Council must adopt its annual Operational Plan before the beginning of each financial year, outlining the activities to be undertaken that year, as part of the Delivery Program. The Operational Plan must also include a detailed annual budget and include the Statement of Council's Revenue Policy which includes the proposed rates, fees and charges.

The Operational Plan has been reviewed and updated to reflect service delivery for the 2021/22 year. The Operational Plan and the four year Delivery Program are presented to Council in one document.

Following any amendments by Council and endorsement via resolution, the draft 2021/22 - 2024/25 Delivery Program and 2021/22 Operational Plan will be available on Council's website on Tuesday 18 May 2021. In addition, a hard copy for viewing will be made available at the Council office.

Public submissions must be advertised for a period of 28 days as per the Local Government Act (1993). Council must consider any comments and public submissions prior to adoption at the 28 June 2021 meeting.

Council has proposed the following rating structures for 2021/22:

Rating Structure for the 2021/22 Rating Year						
Name of Category/Sub Category	No. of Assessments	Base Rate	Ad Valorem	Land Value	Total Yield	% Yield from Base Amount
Residential						
Ordinary Rate	1,173	\$345	0.00188540	\$219,856,042	\$819,202	49.40%
Sub Category – Blayney & Carcoar	1,365	\$345	0.00423202	\$120,794,540	\$982,130	47.95%
Sub Category – Millthorpe	329	\$345	0.00172446	\$71,881,560	\$237,462	47.80%
Business						
Ordinary Rate	91	\$445	0.00406360	\$14,370,430	\$98,891	40.95%
Sub Category - Business Blayney	168	\$445	0.00817252	\$16,841,400	\$212,397	35.20%
Sub Category - Business Millthorpe & Carcoar	57	\$445	0.00551905	\$8,693,600	\$73,345	34.58%
Farmland						
Ordinary Rate	736	\$560	0.00220200	\$842,387,970	\$2,267,098	18.18%
Mining						
Ordinary Rate	1	\$1,100	0.03840800	\$426,000	\$17,462	6.30%
Sub Category - Mining Gold	-	\$1,100	0.04000000			0.00%
Sub Category - Mining Gold / Copper Combined	1	\$1,100	0.04170870	\$110,000,000	\$4,589,057	0.02%
Total Yield	3,921			\$1,405,251,542	\$9,297,043	

Council has indexed its overall total rate yield by the rate peg of 2% or \$182k. An amount of \$14,977 in catch-up of rate revenue is also proposed in the rates structure. These increases to rate revenue have been applied to the base rate and ad valorem amounts within each rate category to ensure this increase is apportioned evenly across all assessments.

As part of Council's ongoing strategy to deliver equity the following action to rate categories are proposed:

Farmland

- An increase of the base rate amount by \$10 to \$560 has been applied. The average rate has increased from \$3,024.26 in 2020/21 to \$3,080.30.

Business

- An increase of the base rate amount by \$12 to \$445 has been applied. The average for the Business sub-categories range from \$1,086.71 to \$1,286.76. For reference the averages for the 2020/21 year ranged from \$1,048.77 to \$1,280.91.

Residential

- An increase of the base rate amount by \$12 to \$345 has been applied. This equates to an increase of \$12 in the base rate per assessment. The average for the Residential sub-categories range from \$698.38 to \$721.77. For reference the averages for the 2020/21 year ranged from \$678.44 to \$700.49.

Sewerage Charges have been indexed by 5%. The following wastewater (sewerage) service charges for 2021/22 are proposed:

Non Residential					
	Annual Charge (Prior to SDF Factor)	No of Properties	Quarter Charge before SDF applied	Min. quarterly amount charged	TOTAL YIELD
20mm Water Service	\$584	161	\$146	\$175	
25mm Water Service	\$896	21	\$224	\$175	
32mm Water Service	\$1,204	18	\$365	\$175	
40mm Water Service	\$1,880	11	\$572	\$175	
50mm Water Service	\$2,940	24	\$892	\$175	
80mm Water Service	\$7,520	1	\$2,278		
100mm Water Service	\$11,756	6	\$3,572		
150mm Water Service	\$26,452	2	\$8,037		
Vacant/Unmetered	\$360	49			
Usage Charge (per kl)	\$1.50				
Estimated Total Yield					\$ 397,000

Residential			
	Access Charge	No of Properties	Total Yield
Connected	\$700	1,517	\$1,061,900
Vacant/Unmetered	\$360	114	\$41,040
Estimated Total Yield			\$1,102,940

The Future Sewerage Infrastructure Subsidy Charge, introduced in 2020/21, is not proposed to increase. This charge was based on the Sewerage Development Servicing Plan (DSP) which informs Developer Charges to be applied to new development. In the plan Council elected to levy Developer

Charges lower than the calculated Developer Charges for the 2 service areas, Blayney and Millthorpe. The Developer Charges have been set in consideration of financial, social and environmental factors to determine a Developer Charge which is balanced, fair and meets Council's objectives.

The cross-subsidy, resulting from capping of Developer Charges, must be disclosed in Council's DSP, annual Operational Plan and Annual Report.

The amount determined per Typical Residential Bill (TRB) is disclosed below and will apply to all assessments within the service areas:

Future Sewerage Infrastructure Subsidy Charge			
	Access Charge	No of Properties	Total Yield
Connected - Residential	\$55	1,543	\$84,865
Connected - Business	\$55	206	\$13,310
Vacant (Unconnected)	\$55	168	\$9,240
Estimated Total Yield			\$107,415

The interest rate charged on overdue rates and charges for 2021/22 determined by the Office of Local Government is 6%.

Included in the 2021/22 Operational Plan is the Schedule of Financial Assistance outlining allocation of proposed funding under the Community Financial Assistance Policy. This schedule has been included to expedite the funding process for recurrent recipients of financial assistance and for greater transparency to the community.

Risk/Policy/Legislation Considerations:

Legislative requirements are disclosed in the report.

Council will be required to undertake a strategic financial review to address forecast operating deficits (Net Operating Result before Grants and Contributions for Capital Purposes) reported for years 2021/22 – 2021/25.

Budget Implications:

The financial implications of this report are detailed in the 2021/22 Operational Plan and an overview is provided as follows:

Council's 2021/22 Draft Operational Plan budget proposes an operational deficit forecast of (\$1.33m) before capital grants and contributions. This consists of a forecast deficit from the General Fund of (\$1.51m) and a surplus from the Sewer Fund of \$180k.

The major contributors to Council's income in the draft budget for the 2021/22 financial year include the following:

Operational Income

For 2021/22 IPART has released the rate peg index at 2% down from 2.6% in the previous financial year.

The mining rate continues to contribute a substantial amount to Council's rate base (49.55%). Council should be wary of associated risks of such a position to be heavily reliant on this income to help fund the general operations of Council. To mitigate this risk a large proportion of this revenue has been directed towards funding capital projects.

Domestic Waste annual charges are not proposed to increase. Commercial (Non-Domestic) Waste annual charges are not proposed to increase. The Waste Management Levy is proposed to increase by \$6 to \$36.

Capital Grants & Contributions

Council was successful in obtaining \$3.06m under Resources for Regions Round 7 of which \$2.91 is budgeted in 2021/22 to fund the roof replacement at CentrePoint, rehabilitation works on Carbine Road and master plans for the Blayney Library and CBD precinct.

A further \$1.92m was received under Fixing Local Roads to undertake significant heavy patching works on Panuara Road.

Round 2 of the Local Roads & Community Infrastructure program will deliver a culvert replacement on Belubula Way over Icely Creek, culvert approach repairs across the shire and footpath upgrades including a new shared path in Stillingfleet and Queen St Blayney.

Grant funding of \$905k was awarded under Fixing Country Bridges and the Bridge Renewal Program to replace the Gally Swamp Bridge on Gallymont Rd, Limestone Creek Bridge on Lucan Road and Grubbenbun Creek Bridge on Leabeater St.

Grant funding from Building Better Regions Round 5 of \$750k will enable construction of new home and away change rooms at King George Oval.

Operating Expenditure

Council's operational expenditure for the 2021/22 Financial Year includes provision of a 3.0% increase to wages inclusive of the 2.0% State Award increase, 0.5% compulsory superannuation guarantee increase and a further 0.5% progression based increase on Award entitlement where applicable.

Following completion of the major upgrade at CentrePoint in 2020, a review was undertaken which recommended outsourcing management of the facility. In June Council resolved to engage YMCA NSW to provide operational management of CentrePoint Sport and Leisure Centre.

In August 2020, YMCA commenced this role at a cost of \$130k plus any deficit in operations which is forecast at \$264k in 2021/22. This is impacted by a temporary shutdown of the facility in 2021/22 for replacement of the roof, of up to 3 months at a cost of around \$100k.

Council's contribution to Rural Fire Services is forecast to increase by \$142k following cessation of NSW government rebate to fund the increase in prior years. This equates to a 47% increase since 2019/20. Council is awaiting formal confirmation of this contribution and will be subject to variation.

Following finalisation of the transportation revaluation in 2019/20, depreciation on infrastructure assets is budgeted to increase by \$855k.

As a result of a significant grant funded capital works program, write-off on renewed assets brought forward to 2021/22 is forecast to be \$506k that includes \$163k on the roof replacement at CentrePoint, \$118k for heavy patching works on Panuara Rd and \$225k on bridge replacements.

Capital Expenditure

Budgeted works on Council's buildings and sporting facilities totalling \$2.99m is forecast including \$1.73m to replace the roof at CentrePoint and \$1.05m to construct new home and away change rooms at King George Oval.

The Major and Minor Plant renewal program continues with replacements of \$1.1m scheduled to take place in the 2021/22 year.

Road rehabilitation on local roads works totalling \$4.18m include finalisation of rehabilitation works on Carcoar Street Blayney, heavy patching on Panuara Rd, reconstruction of Carbine Rd and pre construction investigation on Forest Reefs Rd.

Bridge replacements of \$2m are programmed throughout the shire and include Gally Swamp Bridge on Gallymont Rd, Limestone Creek Bridge on Lucan Rd, Grubbenbun Creek Bridge on Leabeater St and Boondaroo Creek Bridge.

A further \$1.81m to fund routine heavy patching, gravel resheeting, reseal and culvert renewal works throughout the shire.

A provision for new borrowings deferred from 2020/21 of \$500k has been made to complete stormwater drainage works in Frape Street.

Enclosures (following report)

Nil

Attachments (separate document)

1	2021/22 - 2024/25 Delivery Program and 2021/22 Operational Plan	95 Pages
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05) LICENCE AGREEMENT: UNNAMED ROAD OFF MARSHALLS LANE**Department:** Corporate Services**Author:** Director Corporate Services**CSP Link:** 1. Public Infrastructure and Services**File No:** DB.AB.1309

Recommendation:

1. That the Council endorse the General Manager to finalise the Licence contract terms with Bonus Quarrying Resources Pty Ltd.
2. That Council endorse execution of the licence for the unnamed road off Marshalls Lane, Blayney north of and through Lot 2 DP 847740, north of Lot 236 DP 750390 and Lot 1 DP 520426 and associated documentation by the Mayor and General Manager under Council seal, if required.

Reason for Report:

For Council to consider endorsement of the licence for the unnamed road off Marshalls Lane, Blayney north of and through Lot 2 DP 847740, north of Lot 236 DP 750390 and Lot 1 DP 520426

Report:

Council has been approached by Bonus Quarrying Resources Pty Ltd, the operator of the proposed Extractive Industry determined under DA85/2018 at 12 Greghamstown Road, Blayney, for preparation of an agreement to access the unnamed road off Marshalls Lane north of and through Lot 2 DP 847740, north of Lot 236 DP 750390 and Lot 1 DP 520426.

The Development Application was determined by the Western Regional Planning Panel in November 2019 and a Condition of Consent, number 16, requires that an agreement be formalised prior to issue of the Construction Certificate, to protect individual parties' rights to use the road. The agreement also includes the ability for the road to be activated for emergency access in the event of the Adelaide Street Railway Crossing being blocked. Ensuring Council and Emergency Services can gain access between Blayney and the Industrial Estate.

The licence agreement is proposed for a term of 23 years with a licence fee of \$500 per annum indexed annually by CPI. The agreement places responsibility for road upgrade / improvement and ongoing maintenance of the road on the licensee.

To assist expediting finalisation of the licence, Council endorsement for the General Manager to negotiate as required to finalise contract terms of the lease is recommended.

Risk/Policy/Legislation Considerations:

Council endorsement of this report will assist the Licencee with progressing their development.

Budget Implications:

Legal fees associated with the lease contract are recoverable from the Licencee pursuant to clause 4 of the agreement.

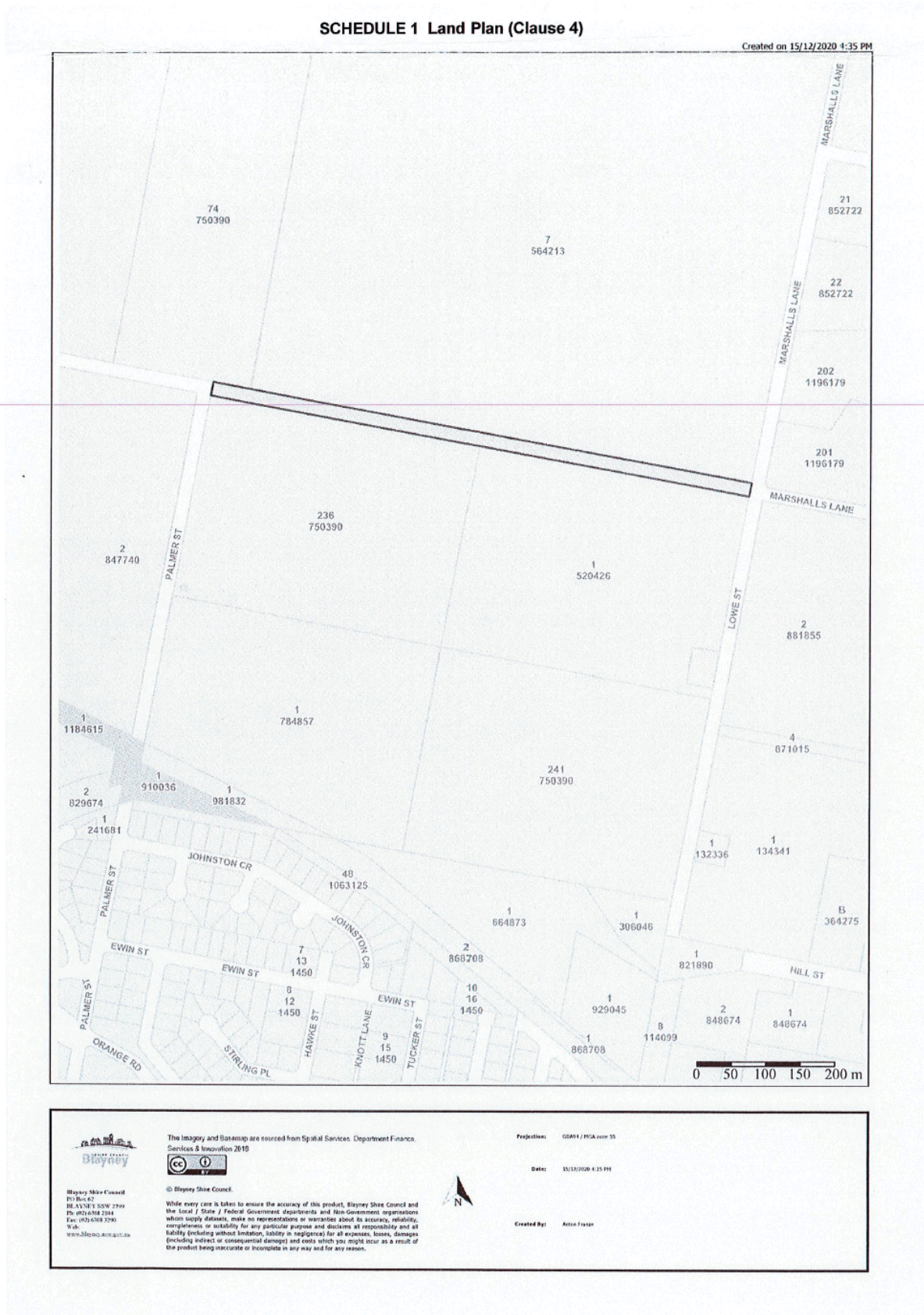
Enclosures (following report)

- | | | |
|---|------------------------|--------|
| 1 | Unnamed Road Land Plan | 1 Page |
|---|------------------------|--------|

Attachments (separate document)

- | | | |
|---|---|---------|
| 2 | Draft Licence Agreement - Unnamed Road off Marshalls Lane | 3 Pages |
|---|---|---------|

This matter is considered to be confidential under Section 10A(2) (e) of the Local Government Act, as it deals with information that would, if disclosed, prejudice the maintenance of law.



06) COMPLAINTS MANAGEMENT POLICY**Department:** Corporate Services**Author:** Director Corporate Services**CSP Link:** 2. Local Governance and Finance**File No:** GO.PO.1**Recommendation:**

That the Complaints Management Policy be placed on public exhibition for a period of at least 28 days.

Reason for Report:

For Council to endorse the Complaints Management Policy for public exhibition.

Report:

Council has undertaken a review of the Complaints Management Policy and sought to align it with the NSW Ombudsman's Office Model Complaint Handling Policy.

The Complaints Management Policy provides a framework to ensure complaints received are dealt with courteously, investigated thoroughly, resolved quickly and appropriately, in accordance with the relevant statutory requirements and this policy and procedure.

A copy of the draft policy is provided as an attachment to this report.

As part of Council's commitment to transparency and openness, public notice is recommended to be given prior to the policy adoption process.

Risk/Policy/Legislation Considerations:

Adoption of the policy will assist Council to formalise its complaint management framework.

Budget Implications:

Nil

Enclosures (following report)

1 2C Complaints Management Policy

15 Pages

Attachments (separate document)

Nil



Complaints Management Policy

Policy	2C Complaints Management Policy
Officer Responsible	Director Corporate Services
Last Review Date	XX/XX/2021

Strategic Policy

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1. Introduction

Customers have a right to expect that principles of economy, efficiency, effectiveness, fairness, impartiality, and responsiveness will underpin service delivery. When they believe that their expectations have not been met, the Customer has a right to expect that the Council will deal with their concerns in a professional, respectful and timely manner.

This policy is intended to ensure that Council handles complaints fairly, efficiently and effectively. Council's complaint management system is intended to:

- Enable Council to respond to issues raised by people making complaints in a timely and cost-effective way;
- Boost public confidence in Council's administrative process; and
- Provide information that can be used by Council to deliver quality improvements in Council's services, systems and complaint handling.

This policy provides guidance to Council's staff and people who wish to make a complaint on the key principles and concepts of Council's complaint management system. It provides a framework to ensure complaints received are dealt with courteously, investigated thoroughly, resolved quickly and appropriately, in accordance with the relevant statutory requirements and this policy and procedure.

2. Scope

This policy applies to all staff receiving or managing complaints from the public regarding Council's services.

Code of conduct complaints and public interest disclosures are dealt with through separate mechanisms.

3. Organisational Commitment

Council expects staff at all levels to be committed to fair, effective and efficient complaint handling. The below table outlines the nature of the commitment expected from staff and the way that commitment should be implemented.

Who	Commitment	How
General Manager	Promote a culture that values complaints and their effective resolution	<ul style="list-style-type: none"> • Report publicly on Council's complaint handling. • Provide adequate support and direction to key staff responsible for handling complaints. • Regularly review reports about complaint trends and issues arising from complaints. • Encourage all staff to be alert to complaints and assist those responsible for handling complaints to resolve them promptly. • Encourage staff to make recommendations for system improvements. • Recognise and reward good complaint handling by staff. • Support recommendations for service, staff and complaint handling improvements arising from analysis of complaint data.
Public Officer	Establish and manage Council's complaint management system.	<ul style="list-style-type: none"> • Provide regular reports to the General Manager on issues arising from complaint handling work. • Ensure recommendations arising out of complaint data analysis are canvassed with the General Manager and implemented where appropriate. • Recruit, train and empower staff to resolve complaints promptly and in accordance with Council's policies and procedures. • Encourage staff managing complaints to provide suggestions on ways to improve the complaint management system. • Encourage all staff to be alert to complaints and assist those responsible for handling complaints to resolve them promptly. • Recognise and reward good complaint handling by staff.
Staff whose duties include complaint handling	Demonstrate exemplary complaint handling practices	<ul style="list-style-type: none"> • Treat all people with respect, including people who make complaints. • Assist people make a complaint, if needed. • Comply with this policy and its associated procedures. • Remain informed about best practice in complaint handling. • Provide feedback to management on issues arising from complaints. • Provide suggestions to management on ways to improve Council's complaints management system. • Implement changes arising from individual complaints and from the analysis and evaluation of complaint data as directed by management.
All staff	Understand and comply with Council's complaint handling practices.	<ul style="list-style-type: none"> • Treat all people with respect, including people who make complaints. • Be informed and aware of Council's complaint handling policies and procedures. • Assist people who wish to make complaints access the Council's complaints process. • Be alert to complaints and assist staff handling complaints resolve matters promptly. • Provide feedback to management on issues arising from complaints. • Implement changes arising from individual complaints and from the analysis and evaluation of complaint data as directed by management.

4. Definitions

Complaint - A complaint is an expression of dissatisfaction with the Council's policies, procedures, charges, staff, agents or quality of service. A complaint may relate to a specific incident or issue involving Council, or to matters of a more philosophical or general nature regarding Council's processes and/or procedures.

A complaint covered by this Policy can be distinguished from:

- Public interest disclosures made by Council staff (see 2D Public Interest Disclosures: Internal Reporting Policy);
- Code of conduct complaints (see Council's policies 1B, 1D and 1E on Code of Conduct);
- Responses to requests for feedback about the standard of Council's service provision (see the definition of 'feedback' below);
- Reports of problems or wrongdoing merely intended to bring a problem to Council's notice with no expectation of a response (see definition of 'feedback');
- Service requests (see definition of 'service request' below); and
- Requests for information (see 2G Access to information policy).

Complaints Management System - All policies, procedures, practices, staff, hardware and software used by Council in the management of complaints.

Dispute - An unresolved complaint escalated either within or outside of Council.

Feedback - Opinions, comments and expressions of interest or concern, made directly or indirectly, explicitly or implicitly, to or about Council services or complaint handling where a response is not explicitly or implicitly expected or legally required.

Service Request – A service request is likely to include:

- requests for approval;
- requests for action;
- routine enquiries about the Council's business;
- requests for the provision of services and assistance; and
- requests for explanation of policies, procedures and decisions.

Policy - A statement of instruction that sets out how Council should fulfil its vision, mission and goals.

Procedure - A statement or instruction that sets out how Council policies will be implemented and by whom.

Public Interest Disclosure - A report about wrong doing made by a public official in New South Wales that meets the requirements of the Public Interest Disclosures Act 1994.

5. Guiding Principles

5.1. Facilitate Complaints



5.2. People Focus

Council staff are committed to seeking and receiving feedback and complaints about Councils facilities, services, systems, practices, procedures and complaint handling. Any concerns raised in feedback or complaints will be dealt with within a reasonable time frame.

People making complaints will be:

- Provided with information about Councils complaint handling process.
- Provided with multiple and accessible ways to make complaints.
- Listened to, treated with respect by staff and actively involved in the complaint process where possible and appropriate.
- Provided with reasons for Councils decision/s and any options for redress or review.

The manager will acknowledge receipt of the complaint, informing the complainant who is managing the complaint and what the process to be followed for handling the complaint is.

5.3. No Detriment To People Making Complaints

Council staff will take all reasonable steps to ensure that people making complaints are not adversely affected because a complaint has been made by them or on their behalf.

5.4. Anonymous Complaints

Council can accept anonymous complaints and will carry out an investigation of the issues raised where there is enough information provided. Where Council reviews a complaint and finds there is insufficient information to investigate, it will be closed with the action officer recording reasons why for audit trail purposes.

In some circumstances Council can deal with anonymous complaints however these can prove difficult where limited information is provided.

5.5. Accessibility

Council will ensure that information about how and where complaints may be made about Council is well publicised. Council will ensure that its systems to manage complaints are easily understood and accessible to everyone, particularly people who may require assistance.

If a person prefers or needs another person or organisation to assist or represent them in the making and/or resolution of their complaint, Council will communicate with them through their representative (if this is their wish). Anyone may represent a person wishing to make a complaint with their consent (e.g. advocate, family member, legal or community representative, Member of Parliament or another organisation).

6. Respond To Complaints

6.1. Early Resolution

Where possible, complaints will be resolved at first contact with the relevant departmental manager. If a complaint is resolved at the first point of contact that manager who received and addressed the complaint is required to make a file note in Council's records management system.

6.2. Responsiveness

Council staff will promptly acknowledge receipt of complaints.

Council staff will assess and prioritise complaints in accordance with the urgency and/or seriousness of the issues raised. If a matter concerns an immediate risk to safety or security the response will be immediate and will be escalated from Customer Service staff to the appropriate manager.

Council staff are committed to managing people's expectations, and will inform them as soon as possible, of the following:

- The complaints process.
- The expected time frames for actions by Council.
- The progress of the complaint and reasons for any delay.
- Their likely involvement in the process.
- The possible or likely outcome of their complaint.

Council staff will advise people as soon as possible when Council are unable to deal with any part of their complaint and provide advice about where such issues and/or complaints may be directed (if known and appropriate).

Council staff will also advise people as soon as possible when Council are unable to meet time frames for responding to their complaint and the reason for the delay.

6.3. Objectivity And Fairness

Council staff will address each complaint with integrity and in an equitable, objective and unbiased manner.

Council staff will ensure that the person handling a complaint is different from the staff member whose service or conduct is the subject of the complaint. Conflicts of interest, whether actual or perceived, will be managed responsibly. In particular, internal reviews of how a complaint was managed will be conducted by a person other than the original decision maker.

6.4. Responding Flexibly

Council's staff are empowered to resolve complaints promptly and with as little formality as possible. Council will adopt flexible approaches to service delivery and problem solving to enhance accessibility for people making complaints and/or their representatives.

Council will assess each complaint on its merits and involve people making complaints and/or their representative in the process as far as possible.

7. Confidentiality

Council will protect the identity of people making complaints where this is practical and appropriate.

Personal information that identifies individuals will only be disclosed or used by Council as permitted under the relevant privacy laws, secrecy provisions and any relevant confidentiality obligations.

8. Managing the Parties to A Complaint**8.1. Complaints Involving Multiple Agencies Or Areas**

Where a complaint involves multiple organisations, Council will work with the other organisation/s where possible, to ensure that communication with the person making a complaint and/or their representative is clear and coordinated.

Subject to privacy and confidentiality considerations, communication and information sharing between the parties will also be organised to facilitate a timely response to the complaint.

Where a complaint involves multiple areas within the organisation, responsibility for communicating with the person making the complaint and/or their representative will also be coordinated.

Should a third party need to be contacted to resolve a complaint then the relevant Director should be informed.

Where Council services are contracted out, we expect contracted service providers to have an accessible and comprehensive complaint management system. Council take complaints not only about the actions of Council staff but also the actions of service providers.

8.2. Empowerment Of Staff

All staff managing complaints are empowered to implement Council's complaint management system as relevant to their role and responsibilities.

Staff are encouraged to provide feedback on the effectiveness and efficiency of all aspects of Council's complaint management system.

8.3. Managing Unreasonable Conduct By People Making Complaints

Council staff are committed to being accessible and responsive to all people who approach Council with feedback or complaints. At the same time Council's success depends on:

- The health, safety and security of Council staff;
- Our ability to do our work and perform our functions in the most effective and efficient way possible; and
- Our ability to allocate Council resources fairly across all the complaints we receive.

When people behave unreasonably in their dealings with Council staff, their conduct can significantly affect the progress and efficiency of Council work. As a result, Council staff will take proactive and decisive action to manage any conduct that negatively and unreasonably affects Council and will support staff to do the same in accordance with this policy.

Customer Service staff should escalate any complainant they find is being unreasonable to an appropriate Manager or Director. Customer Service staff will receive training to assist them to manage difficult complainants. Complainants will always be treated respectfully and in a courteous manner.

For further information on managing unreasonable conduct by complainants please see Council's Unreasonable and Unreasonably Persistent Customer policy.

8.4. Malicious, Frivolous And Vexatious Complaints

All complaints received by Council will be treated with the utmost seriousness. However, if following investigation, a complaint is found to be malicious, frivolous or vexatious, Council will take no further action on the complaint.

A decision to take no further action on the complaint will be made by a member of staff at the level of Manager or higher and the complainant will be informed in writing that no evidence was found to support the allegations.

Council management may, at its discretion, seek legal advice with respect to the implications of the suspected vexatious or malicious complaints. Where the complaints relate to a member(s) of staff, such legal advice will be made available to the affected staff member(s) on request.

The matter may also be referred to the Public Officer, who will determine whether the complainant should be requested to apologise in writing to the employee or offer a full retraction.

Where the staff member believes that the nature of the complaint has impugned their professional or personal reputation, they must seek their own legal advice at their own expense with respect to any intended actions in seeking damages for defamation.

Where complaints against an individual staff member cause distress to the staff member, the staff member will be supported via the Employee Assistance Program.

8.5. Persistent Complainants

From time to time, Council will encounter complainants who are persistent and write again and again to the point that Council's resources are unreasonably diverted. Where the complaints are about the same or similar issue(s) and the Council has either addressed or dismissed the issue(s) as being without substance, then an administrative control may be put in place to limit responses to future complaints.

Under these circumstances details of the number and nature of the complaints will be provided to the Director who will make a recommendation to the General Manager that further correspondence and/or telephone contact is to be restricted. The General Manager will consider all the facts and issues of the individual case prior to acting on any recommendation(s). Any action taken shall be in accord with Council's Unreasonable and Unreasonably Persistent Customer policy.

8.6. Difficult Complainants

In cases where a complainant's behaviour is aggressive or threatening e.g. the complainant:

- Is consistently rude or abusive or makes threats to staff or third parties using Council services or on Council premises.
- Causes damage to Council property or threatens physical harm to staff or third parties

Details of the aggressive or threatening behaviour are to be provided to the Director who will make a recommendation to the General Manager that access to the Council be restricted. The General Manager will consider all the facts and issues of each case. Any action taken shall be in accordance with Council's Unreasonable and Unreasonably Persistent Customer policy

All threats of violence will be reported to the NSW Police.

9. Complaint Management System



When responding to complaints, staff should act in accordance with Council's complaint handling procedures as well as any other internal documents providing guidance on the management of complaints. Staff should also consider any relevant legislation and/or regulations when responding to complaints and feedback.

The five key stages in Council's complaint management system are shown in the above diagram.

10. Receipt of Complaints**Verbal Complaints**

Council staff aim to manage complaints and feedback, including anonymous approaches, when they are received. Face to face and telephone customer complaints will be received by Council's customer service staff in the first instance. When taking such complaints staff will endeavour to record details based on their interpretation of the complaint and the requested outcome sought. To this end the recorded complaint should be repeated to the complainant for endorsement.

Written Complaints

Written complaints and feedback, whether anonymous or otherwise, received by Council in writing (hardcopy or email or via website) will be assessed by the records staff and appropriately assigned to a Department Manager / Director.

Council will also assign a unique identifier to the complaint file in Council electronic records management system. The Department Manager responsible for the complaint will inform their Director or General Manager that the complaint has been received and is being managed.

It is the responsibility of Managers to keep Directors and the General Manager informed of complaint management occurring at that time.

The record of the complaint will document:

- The contact information of the person making a complaint.
- Issues raised by the person making a complaint and the outcome/s they seek.
- Any other relevant information.
- Any additional support the person making a complaint requires.

11. Acknowledgement of Complaints

With the exception of anonymous complaints Council will acknowledge receipt of each complaint promptly, and preferably within fourteen (14) working days. Consideration will be given to the most appropriate medium (e.g. email, letter) for communicating with the person making a complaint.

12. Initial Assessment and Addressing Of Complaints**12.1. Initial Assessment**

After acknowledging receipt of the complaint, Council will confirm whether the issue/s raised in the complaint is/are within Council's control. Council will also consider the outcome/s sought by the person making a complaint and, where there is more than one issue raised, determine whether each issue needs to be separately addressed.

When determining how a complaint will be managed, Council will consider:

- how serious, complicated or urgent the complaint is
- whether the complaint raises concerns about people's health and safety
- how the person making the complaint is being affected

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- the risks involved if resolution of the complaint is delayed, and
- whether a resolution requires the involvement of other organisations.

12.2. Addressing Complaints

After assessing the complaint, Council staff will consider how to manage it. To manage a complaint Council staff may:

- give the person information or an explanation
- gather information from the person or area that the complaint is about, or
- investigate the claims made in the complaint.

Council staff will keep the person making the complaint up to date on Council's progress particularly if there are any delays. Council will also communicate the outcome of the complaint using the most appropriate medium. Which actions Council decides to take will be tailored to each case and take into account any statutory requirements.

13. Providing Reasons for Decisions

Following consideration of the complaint and any investigation into the issues raised, Council staff will contact the person making the complaint and advise them:

- the outcome of the complaint and any action taken;
- the reason/s for Council's decision;
- the remedy or resolution/s that Council have proposed or put in place, and
- any options for review that may be available to the complainant, such as an internal review, external review or appeal.

If in the course of investigation, Council staff make any adverse findings about a particular individual, consideration will be given to any applicable privacy obligations under the Privacy and Personal Information Protection Act 1998 and any applicable exemptions in, or made pursuant to that Act, before sharing Council's findings with the person making the complaint.

14. Closing the Complaint, Record Keeping, Redress and Review

Council staff will keep comprehensive records about:

- How the complaint was managed.
- The outcome/s of the complaint (including whether it or any aspect of it was substantiated, any recommendations made to address problems identified and any decisions made on those recommendations.
- Any outstanding actions that need to be followed up.

Council staff will ensure that outcomes are properly implemented, monitored and reported to the complaint handling Manager and/or Senior Management.

15. Alternative Avenues for Dealing with Complaints

Council staff will inform people who make complaints about the internal review options and also external review options available to them.

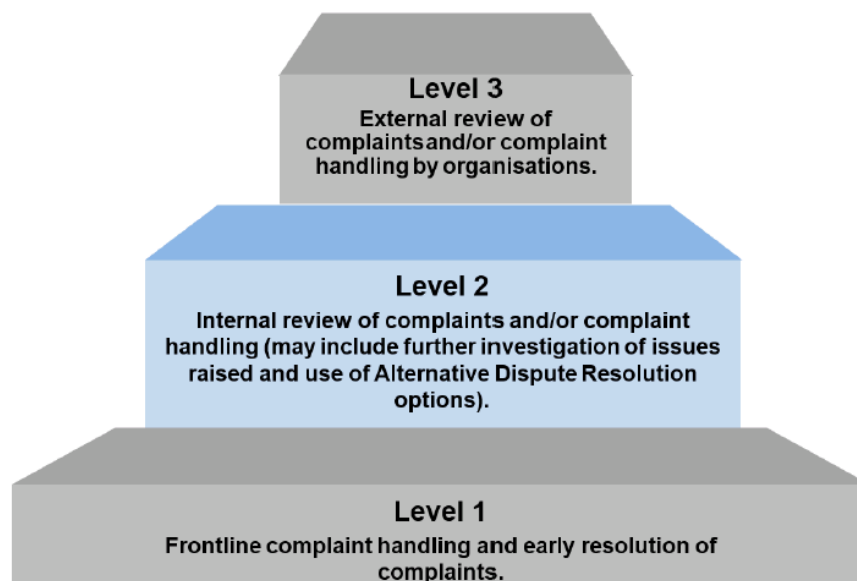
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Blayney Shire Council will in the first instance manage complaints at the Customer Service or managerial level. This will enable complainants to appeal any dissatisfaction internally to Directors or the General Manager. Dissatisfied complainants are encouraged to appeal internally as their first recourse.

Complainants can also appeal externally. The key agencies for external appeals are:

Investigations & Review Branch Office of Local Government Premier's Department Locked Bag 3015 NOWRA NSW 2541 Telephone: (02) 4428 4100 Email: olg@olg.gov.nsw.au	The Office of the Ombudsman Level 24 580 George Street SYDNEY NSW 2000 Telephone: (02) 9286 1000 Toll Free: 1800 451 524 Email: nswombo@ombo.nsw.gov.au
Independent Commission Against Corruption GPO Box 500 SYDNEY NSW 2000 Telephone: (02) 8281 5999 Toll Free: 1800 463 909 Email: icac@icac.nsw.gov.au	Information & Privacy Commissioner GPO Box 7011 Sydney NSW 2001 Toll Free: 1800 472 679 Email: ipcinfo@ipc.nsw.gov.au

16. Levels of Complaint Handling



Council aim to resolve complaints at the first level, the frontline. Wherever possible staff will be adequately equipped to respond to complaints, including being given appropriate authority, training and supervision. Written complaints will be assessed by Records staff and appropriately referred to the relevant Manager. Records staff will be trained to

undertake the initial assessment of complaints so that they are appropriately referred. (Level 1).

Where a person making a complaint is dissatisfied with the outcome of Council's actions they should appeal to the General Manager. (Level 2). The General Manager will ask a Director or the Public Officer to review the complaint, the actions already taken and report back for a response to the complainant.

This level of complaint handling will provide for the following internal mechanisms:

- Assessment and possible investigation of the complaint and decision(s) already made.
- Facilitated resolution (where a person not connected with the complaint reviews the matter and attempts to find an outcome acceptable to the relevant parties).

Where a person making a complaint is dissatisfied with the outcome of review of their complaint, they may seek an external review of Council's decision (by the Ombudsman for example). (Level 3).

17. Accountability and Learning

17.1. Analysis and Evaluation of Complaints

Council will ensure that complaints are recorded in a systematic way so that information can be easily retrieved for reporting and analysis.

Regular reports will be run on:

- the number of complaints received
- the outcome of complaints, including matters resolved at the frontline
- issues arising from complaints
- systemic issues identified, and
- the number of requests Council receives for internal and/or external review of Council's complaint handling.

Regular analysis of these reports will be undertaken to monitor trends, measure the quality of Council's customer service and make improvements.

Both reports and their analysis will be provided to Council's General Manager and senior management for review.

17.2. Monitoring of the Complaint Management System

Council will continually monitor Council's complaint management system to:

- ensure effectiveness in responding to and resolving complaints, and
- identify and correct deficiencies in the operation of the system.

Monitoring may include the use of audits, complaint satisfaction surveys and online listening tools and alerts.

17.3. Continuous Improvement

Council are committed to improving the effectiveness and efficiency of its complaint management system. To this end, Council will:

- support the making and appropriate resolution of complaints;
- implement best practices in complaint handling;
- recognise and reward exemplary complaint handling by staff;
- regularly review the complaints management system and complaints data; and
- implement appropriate system changes arising out of Council's analysis of complaints data and continual monitoring of the system.

End of Policy

Adopted:	09/11/1998	723
Lasted Reviewed:	09/07/2007	07/145
	12/11/2012	1211/014
	XX/XX/2021	
Next Review:	21/02/2022	

07) AMENDMENT TO CODE OF MEETING PRACTICE - REMOTE ATTENDANCE GUIDELINES

Department: Corporate Services

Author: Director Corporate Services

CSP Link: 2. Local Governance and Finance

File No: GO.PO.1

Recommendation:

That the Code of Meeting Practice attachment outlining remote meeting attendance guidelines until 31 December 2021 be adopted and appended to the Code of Meeting Practice for inclusion into Council's policy register.

Reason for Report:

For Council to endorse the Code of Meeting Practice following a review of the model Code of Meeting Practice by the Office of Local Government and Councillor workshop and a period of exhibition.

Report:

On 1 April 2021, the Office of Local Government issued Circular 21/02 that outlines advice and guidance on remote attendance at Council Meetings and provided guidance procedures for attendance by Councillors at meetings using audio-visual (remote) means.

The Local Government (General) Regulation 2005 has been amended to allow Councils to permit individual (but not all) Councillors to attend meetings by audio-visual link. The amendments to the Regulation are temporary and expire on 31 December 2021.

Under the Regulation amendment, the decision to permit Councillors to attend and participate in meetings remotely will be one that is at the discretion of each Council. Approval should only be given for Councillors to attend meetings remotely in exceptional circumstances for example:

- Illness;
- Disability;
- Carer Responsibilities;
- If a Councillor is absent from the local area due to a prior work commitment;
- Natural Disaster; or
- Other such acceptable reason.

It is also noted that Council should act reasonably when considering requests by Councillors to attend meetings remotely.

Council is not required to amend the Code of Meeting Practice to allow for remote attendance while the Regulation amendment is in force, however Council should adopt procedures for remote attendance to supplement the Code.

The minimum requirement of a Councillor to notify in advance for approval to attend a meeting remotely will be 6 days before a scheduled meeting, similar to timeframe for notices of motion under the Code.

It is recommended that Council resolve to approve the model Remote Attendance Guideline and it be added to the current Code of Meeting Practice until 31 December 2021 in line with the amendments to the Regulation.

A copy of the Code of Meeting Practice attachment for adoption is provided as an attachment to this report.

Risk/Policy/Legislation Considerations:

The Local Government (General) Regulation 2005 has been amended to temporarily exempt Councils from complying with section 5.2 of the Code of Meeting Practice for in-person attendance at Council Meetings until 31 December 2021. Council must now resolve whether to permit remote attendance in line with the attachment to the Code of Meeting Practice.

Budget Implications:

Nil

Enclosures (following report)

1	Code of Meeting Practice - Remote Attendance Guideline	3 Pages
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Attachments (separate document)

Nil



**Attachment 1:
Code of Meeting Practice - Remote
Attendance Guideline**

Expiry date: 31 December 2021

Procedures for attendance by councillors at meetings by audio-visual link**What is an “audio visual link”**

For the purposes of these procedures, an audio-visual link is a facility that enables audio and visual communication between persons at different places.

1. APPROVAL FOR COUNCILLORS TO ATTEND MEETINGS BY AUDIO VISUAL LINK

- The council and committees of the council comprising wholly of councillors may, in response to a request made by a councillor, resolve to permit the councillor to attend one or more meetings of the council or committee remotely by audio visual link where it is satisfied that the councillor will be prevented from attending the meeting/s in person because of illness, disability, caring responsibilities, or such other reason that is acceptable to the council or committee.
- Requests by councillors to attend meetings remotely by audio-visual link must be made in writing to the General Manager at least 6 business days before a meeting, and must provide information about the meetings the councillor will be prevented from attending in person and the reason why the councillor will be prevented from attending the meeting/s in person.
- A resolution by the council or a committee of the council permitting a councillor to attend one or more meetings by audio-visual link must provide the following information:
 - the grounds on which the councillor is being permitted to attend meetings remotely by audio visual link, but not where those grounds relate to illness, disability or caring responsibilities, and
 - details of the meetings the resolution applies to.
- The council or committee of the council may permit more than one councillor to attend a meeting by audio-visual link but must not permit all councillors to attend a meeting by audio-visual link.
- A decision to permit a councillor to attend a meeting remotely by audio-visual link is at the council's or the committee's discretion. The council and its committees must act reasonably when considering requests by councillors to attend meetings remotely by audio-visual link.
- The council and its committees are under no obligation to permit a councillor to attend a meeting remotely by audio-visual link where the technical capacity does not exist to allow the councillor to attend a meeting by these means.
- The council and its committees may refuse a councillor's request to attend a meeting remotely by audio-visual link where the councillor has failed to appropriately declare and manage conflicts of interest, observe confidentiality or comply with the council's code of meeting practice on one or more previous occasions when they have attended a meeting of the council or its committees by audio-visual link.

2. ATTENDANCE BY COUNCILLORS AT MEETINGS BY AUDIO VISUAL LINK

- Where a councillor attends a meeting by audio-visual link with the approval of the council or a committee of the council they are to be taken as attending the meeting in person for the purposes of the council's code of meeting practice and will have the same voting rights as if they were attending the meeting in person.

- The council's code of meeting practice will apply to a councillor attending a meeting remotely by audio-visual link, in the same way it would if the councillor was attending the meeting in person.
- Councillors must give their full attention to the business and proceedings of the meeting when attending a meeting by audio-visual link.
- Councillors must be appropriately dressed when attending meetings by audio-visual link and must ensure that no items are within sight of the meeting that are inconsistent with the maintenance of order at the meeting or that are likely to bring the council or the committee into disrepute.
- Where a councillor attends a meeting of the council or a committee of the council by audio-visual link, the minutes of the meeting must record that they attended the meeting by audio-visual link.

3. CONFLICTS OF INTEREST

- Councillors attending a meeting by audio-visual link must declare and manage any conflicts of interest they may have in matters being considered at the meeting in accordance with the council's code of conduct.
- Where a councillor has declared a pecuniary or significant non-pecuniary conflict of interest in a matter being discussed at the meeting, the councillor's audio-visual link to the meeting must be terminated and the councillor must not be in sight or hearing of the meeting at any time during which the matter is being considered or discussed by the council or committee, or at any time during which the council or committee is voting on the matter.

4. CONFIDENTIALITY

- Councillors attending a meeting by audio-visual link must ensure that no other person is within sight or hearing of the meeting at any time that the meeting has been closed to the public under section 10A of the *Local Government Act 1993*.

5. MAINTENANCE OF ORDER

- Where a councillor is attending a meeting by audio-visual link, the chairperson or a person authorised by the chairperson may mute the councillor's audio link to the meeting for the purposes of enforcing compliance with the council's code of meeting practice.
- If a councillor attending a meeting by audio-visual link is expelled from a meeting for an act of disorder, the chairperson of the meeting or a person authorised by the chairperson, may terminate the councillor's audio-visual link to the meeting.

6. COMPLIANCE WITH THE HEALTH PRIVACY PRINCIPLES

- The council must comply with the Health Privacy Principles prescribed under the *Health Records and Information Privacy Act 2002* when collecting, holding, using and disclosing health information in connection with a request by a councillor to attend a meeting remotely by audio-visual link.

End

08) DIRECTOR INFRASTRUCTURE SERVICES MONTHLY REPORT

Department: Infrastructure Services

Author: Director Infrastructure Services

CSP Link: 1. Public Infrastructure and Services

File No: GO.ME.1

Recommendation:

That the Director Infrastructure Services Monthly Report for May 2021 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

High Pedestrian Activity Area (HPAA)

Place Design Group continue to develop early concepts for the business centres of Blayney and Millthorpe following their site visits of February.

A stakeholder survey has been developed for Millthorpe and is currently underway.

Blayney Railway

Following the activation of the Platform Arts Hub, and Traffic Committee consideration concept layout for parking at Blayney Railway Station is currently being developed.

Major Works

Carcoar Street

Stage 1 – Mid Western Highway to Amos Avenue

Asphalt works have been completed, and the only outstanding works are line marking and reinstatement of driveways. Driveway reinstatement will commence in the coming weeks.

Stage 2 – Amos Avenue to Maple Crescent

Asphalt works have been completed, and the only outstanding works are line marking, landscape and reinstatement of driveways. Driveway reinstatement will commence in the coming weeks.

Stage 3 – Maple Crescent to Plumb Street

Road works are completed up to Plumb Street with the exception of the asphalt wearing course. Work is currently underway in the Plumb/Water St intersection working alongside CTW for the installation of the water main. This is on track for completion towards the end of May.

Stage 4 – Plumb Street to Church Street

The majority of drainage as well as kerb and gutter works are completed with road works underway.

Road Maintenance Works

Road maintenance works including pot hole patching, vegetation management, gravel road maintenance and signage works have been undertaken on Beneree Road in the Greghamstown area, Errowanbang Road, Cadia Road, Panuara Road and Ashleigh Park Road.

Four Mile Creek Road Shoulder Works

The shoulders are now sealed and the work is complete with only some minor finishing works remaining, including guideposting and patching of some delaminated sections of old seal. This is scheduled for the coming weeks.

Reseals

Budgetary savings within the resealing budget enabled the scope of works to be expanded and additional reseal works were completed. Remaining reseal funds have been transferred to Gravel Road re-sheeting.

Capital re-sheeting works is programmed for Gap Road, Neville-Trunkey Road & West Wimbledon Road. An additional crew will continue gravel road maintenance at various locations throughout the shire.

Footpaths**Boomerang Street Millthorpe**

The shared path works in Millthorpe (AMP – Millthorpe 3A) and Victoria Street towards Park St (AMP – Millthorpe 2B) are now complete.

Victoria Street Millthorpe Underpass Footpath

Construction has commenced. A two week road closure will commence on the 10th of May. During this time it is planned for the kerb and majority of the footpath works to be completed. It is expected that road works will move into mid-June due to contractor availability. Works are anticipated to be complete end of July, early August.

Eulamore Street, Carcoar

A contractor has been engaged with works scheduled to be complete by the end of May.

Plumb St, Blayney

Works on the concrete path continue to progress in conjunction with the Carcoar Street upgrade project, with completion scheduled for end of financial year.

Assets

Assets staff are continuing to undertake the biannual unsealed road inspections, with a focus on identifying segments requiring gravel resheeting.

Staff have completed a comprehensive review of the Buildings Insurance register, identifying all assets and revising how some assets are insured to ensure full coverage of parks and gardens assets.

Assets staff are in the process of reviewing the 2021 Parks and Gardens Revaluation for the Interim audit in May. Staff are working with the Finance section to determine the financial impacts of the revaluation.

Parks and Recreation

Routine maintenance continues including mowing, spraying and other activities across the sporting oval network, village areas, and the cemetery network. In addition, the annual tree trimming and inspection programme throughout parks and open spaces has commenced.

Newbridge Showground Pavilion Refurbishment

The building is anticipated to achieve lock-up stage in coming weeks, with completion expected by late May.

Redmond Oval Junior Skate Park

Request for quotations are to be released in the coming weeks. It is anticipated the contract could be awarded prior to end of June.

Wastewater

The commissioning of the recycled water treatment plant is due to start in the week commencing 16 May. When commissioning has been deemed successful the validation process will commence. The validation process is required to prove the process, and treatment of the effluent has achieved the designed outcomes of disinfection and polishing of effluent, prior to approval being granted by the NSW Government. This approval is required prior to discharge of the treated water to the sporting fields and for construction purposes.

Fleet and Plant

Portable lift jacks as part of the workshop modifications have been ordered pending delivery. Shipping delays have been experienced. The contractor to install the lights modifications to the pits has been scheduled.

Risk/Policy/Legislation Considerations:

Information report only

Budget Implications:

Information report only

Enclosures (following report)

Nil

Attachments (separate document)

Nil

09) VERGE GARDEN GUIDELINES**Department:** Infrastructure Services**Author:** Director Infrastructure Services**CSP Link:** 1. Public Infrastructure and Services**File No:**

Recommendation:

That Council adopt the Verge Garden Guidelines, and it be included in Council's Policy Register.

Reason for Report:

The draft Verge Garden Guidelines for all Blayney Shire residents are presented for Council's adoption following the public exhibition period.

Report:Executive Summary

In recent years Council has identified a number of verge gardens being installed without approval and presenting an issue to utilities and pedestrians. Council has developed the Verge Garden Guidelines which provides guidance on establishing and maintaining a verge garden with an optional self-declaration.

Council recognises that verge gardens make productive use of land in town and the villages, and can improve visual amenity, however the verge is a public space and verge gardens can present a risk to the public and Council as the local roads authority.

The verge area in front of a home provides scope for the community to help support the greening of our public spaces. These guidelines have been developed to help create a safe and successful verge garden whilst recognising and managing the risks associated with such development.

The verge is the Council owned land between a property boundary and the kerb (or edge of the roadway).

Verge gardens put to practical use small patches of land that are otherwise neglected or planted to simplified plant communities, such as lawn verges, that are unproductive or that may consume excessive water in their maintenance.

Public Exhibition Period

At the ordinary March meeting, Council resolved to place the draft guideline document on public exhibition for a period of 28 days, with promotion via the GM Conversation in the Blayney Chronicle, a direct mailout to Village Progress Associations and Committees, Central Tablelands Water, and via Council's social media platforms. The exhibition period closed on 15 April 2021 with one submission received.

Submissions

Submission 1 – In support of the proposal as it protects existing public infrastructure, and provides protection of alignment for future public infrastructure. Provided minor wording amendments which have been considered and incorporated into the document.

Risk/Policy/Legislation Considerations:

Roads Act 1993

The Roads Act (Section 138) states that a person must not *"erect a structure or carry out work without consent from the roads authority"*.

Council may issue a consent except for a classified road.

Where a verge garden continues to create conflict with public access and safety, Council may direct the property owner to alter any works in the road reserve within 28 days. Council may alter the works if there is no action by the owner, and may incur cost to the owner. (Roads Act 1993 (Section 98)).

Asset Management

Council as the local road authority controls the use of the public road reserve from boundary to boundary. The road reserve generally provides for motor vehicle and pedestrian access.

The road reserve also provides access for various utility services, including electricity (above and below ground), water, gas, sewer and telecommunications.

Allocation of space for services is generally managed by way of either a shared trench (in newer developments) and agreed alignments in older areas.

From time to time, utility service providers require access to the subject service, and uncontrolled development such as gardens within the verge can present access issues.

Council recognises that verge gardens make productive use of land in town and the villages, and can improve visual amenity, however the verge is a public space and verge gardens can present a risk to the public and Council as the local roads authority.

The guidelines provide opportunities for residents to establish and maintain a verge garden that will not impact on community safety, the environment and surrounding infrastructure.

Council may be requested to investigate a verge garden and if so will work with the resident to take action to remedy the issue and ensure the verge garden is modified to ensure public safety.

Budget Implications:

Nil

Enclosures (following report)

1 Verge Garden Guidelines

11 Pages

Attachments (separate document)

Nil



Verge Garden Guidelines

Procedure	XX
Officer Responsible	Director Infrastructure Services
Last Review Date	XX

Guideline

Introduction

The verge area in front of your home provides scope for the community to help support the greening of our public spaces. These guidelines have been developed to help you create a safe and successful verge garden.

The verge is the Council owned land between your property boundary and the kerb (or edge of the roadway).

Verge gardens make productive use of land in town and the villages. It puts to practical use small patches of land that are otherwise neglected or planted to simplified plant communities, such as lawn verges, that are unproductive or that may consume excessive water and fossil fuels in their maintenance.

Do I need Council approval?

No.

These guidelines detail opportunities for residents to establish and maintain a verge garden that will not impact on community safety, the environment and surrounding infrastructure.

There is no approvals process.

There is an optional self-declaration form that you can complete and provide to Council as a record that your garden complies with these guidelines.

Should Council be requested to investigate verge gardens, it is our preference to work with the resident to take action to remedy the issue and ensure the verge garden is modified to ensure public safety.

Where a verge garden continues to create conflict with public access and safety, Council may direct the property owner to alter any works in the road reserve, within 28 days. Council may alter the works if there is no action by the owner, at full cost to the owner. (*Roads Act (Section 98)*).

Residents can only plant a verge garden in the verge area immediately fronting their property. Verge gardens cannot be extended to your neighbours property without written consent, or onto other public land, including traffic islands and median strips.

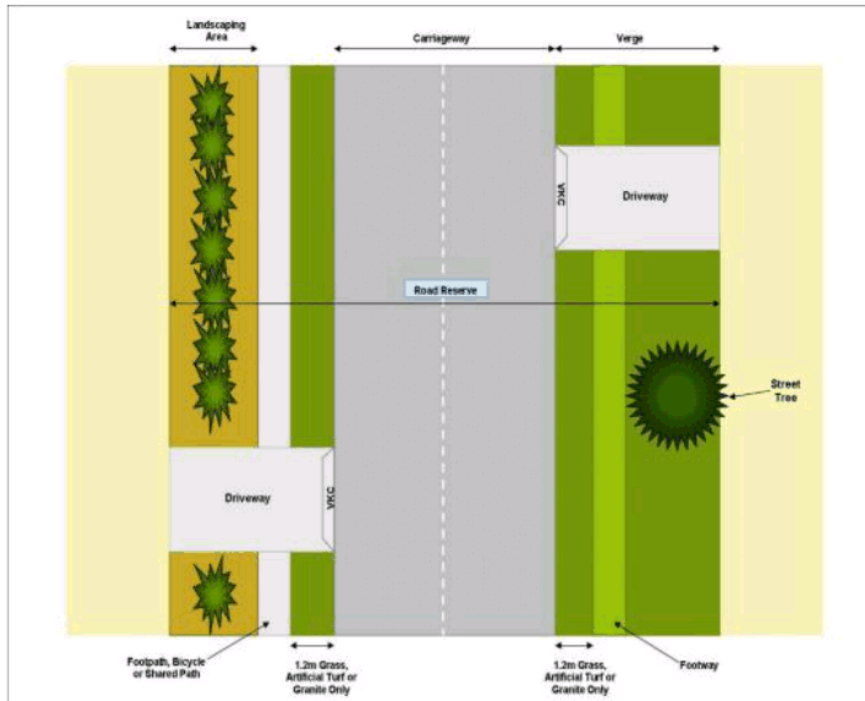
Remember, it will be your responsibility to maintain your garden!

Guidelines for creating your Verge Garden

Here are some "simple rules" to help ensure success.

**What is the verge?**

The following sketch and definitions will give you some guidance on the verge and where you plant.



Carriageway – the portion of road reserve formed for vehicular traffic.

Driveway – the unobstructed strip across the verge set aside for vehicular access between the carriageway and the adjacent property.

Footpath – a formed (1.5m min. width) path along the verge set aside for pedestrian traffic. Some older paths may be narrower than 1.5m in width.

Footway - the unobstructed strip (1.5m min. width) along the verge set aside for pedestrian access which has not been formed. Its width is dependent on whether a footpath, bicycle path or shared path is proposed for the street and it generally begins 1.2m from the back of the kerb or edge of carriageway.

Hard landscaping – refers to retaining structures or edging/borders including bricks, stones, rocks or railway sleepers, but does not include concrete paving, asphalt or pavers.

Road reserve – the strip of public land between abutting property boundaries and includes the carriageway, footpaths, bicycle paths, shared paths, footways and verges.

Shared path – A formed (2.5m min. width) path along the verge set aside for pedestrian and bicycle access.

Street tree - a tree planted in the verge, of a species and location approved by Council.

Verge – the area between the property boundary and the kerb (or edge of the roadway).

**Have you spoken to your neighbours?**

It is always a good idea to let your neighbors know what you are planning.

Having a simple conversation; allowing your neighbours to let you know of any concerns they may have, and adjusting your plans before you start work, helps support positive community engagement, and maintains a positive outlook for the greening of these spaces. It is important to remember that the verge is a public space, and if you plan on growing edible plants, passing pedestrians may seek to harvest from your garden, or neighbourhood animals may foul on your garden

**Enjoy yourself – but be safe.**

Residents are encouraged to create attractive landscapes that complement their homes, the surrounding streetscape, and support the local environment, but enjoy yourself while doing it.

Whenever you are undertaking work, always consider your safety and that of others.

- Wear sturdy enclosed shoes, gloves and sun protection. "Slip, Slop, Slap".
- Never work on the road when planting your verge garden.
- Always maintain safe access for pedestrians and other users of Footways, or Council Footpaths, even during construction.

**Ensure you maintain safe access for pedestrians.**

It is important that pedestrians can use the verge without verge gardens obstructing their path, and being forced onto the road. If the verge does not have a formal footpath, residents must leave a formed (1.5m min. width) path, free from trip hazards, along the verge for pedestrian traffic.

**Can people open their car doors?**

Verge gardens should provide a 600mm clearance from the edge of the kerb, so people can open their car door. Should you wish to plant this space choose a hardy groundcover that will tolerate some trampling.

**Remember the postie!**

Leave enough space for Australia Post or other delivery service to access your letterbox – usually 1m around the letterbox is enough.

**What about services and utilities?**

Underground service provision such as electricity, water, gas and telecommunications are generally assigned standard alignments, although historically this may not be the case. As these are located in the verge, service utility providers need to access them from time to time for maintenance and repairs.

Always obtain a **Dial Before You Dig** report, by visiting www.1100.com.au or calling 1100 to obtain your free dial before you dig report, and check with Council or other authorities who may not have services registered on the Dial Before you Dig service, before you start digging or excavation works.



Dial Before You Dig is a FREE national referral service designed to assist in preventing damage and disruption to Australia's vast infrastructure networks, which provide essential services we use every day.

Remember to leave 0.2m access around power poles and service pits that are located within the verge. If damage is caused to public utility service due to verge gardening activities, you must report this immediately to the relevant authority for repairs, the costs of which will likely be charged back to you.

Infrastructure upgrades within the verge.

It is the service authorities and/or Councils obligation to upgrade and maintain their infrastructure within the verge, and this may result in the excavation of all or part of your garden. There is no obligation from the service authorities or Council to reinstate a verge garden whilst undertaking upgrade or maintenance of their infrastructure.

Where a verge improvement (that is provided by the property owner) is damaged by a Service Authority, the property owner may negotiate with the service authority about rectification works.

Where Council's activities impact the verge, Council will reinstate the verge to the same standard that existed prior to the commencement of work, excluding that area provided for pedestrian access, defined as the footway zone, that shall only be reseeded with grass. Reinstatement of any verge improvement will ensure it complies with these guidelines.

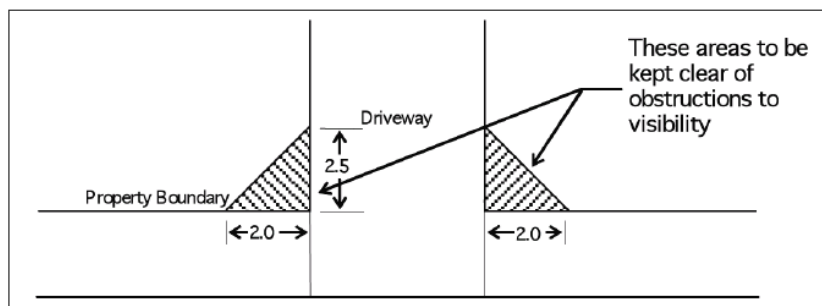


Remember pedestrian and traffic safety!

Verge gardens must not impact on the drivers sight lines, including entering and exiting driveways, delineation of the road edge and / or pedestrian movements.

The streetscape is an important part of community open space and the coordination of plantings is an important aspect of Council works. Council supports plantings (shrubs only) with flora that are drought tolerant and suited to hot, dry summers. Plantings should be maintained to a maximum height of 500mm. A preferred species list for verge gardens is provided at Appendix 2.

Plantings should ensure that no part of the treatment obstructs the required safe sight distance requirements at access driveways according to Figures 3.2 and 3.3 of AS/NZS 2890.1-2004 or Figures 3.3 and 3.4 of AS2890.2-2002 as applicable.



Properties situated at intersections shall ensure that no plantings obstruct safe sight distance at the intersection.



No structures or hard surfaces in your verge garden!

Remember the verge is public land. The area needs to remain free of obstructions and nuisances to others.

It is recommended that only plants and organic mulches are used. The construction of any structure, including retaining walls or fences, of any material or form, between the property boundary and edge of road is not permitted. Council may ask for its removal.

Any edging material, mowing strip, footpath, driveway cross over etc. shall be flush with the surface. Council intends working with owners of existing verge gardens to remove trip hazards, as these present an unacceptable risk to pedestrians.

The following forms of surface treatment are permitted within the 1.5m footpath corridor (whether existing or for a future footpath). This extends to 3m where a boundary or other clear delineation of property boundary has been constructed. Council may remove these, without recompense when constructing a footpath or shared path at some time in the future.

- Compacted rubble capped with crusher fines
- Brick, clay paving
- Asphalt or bituminous surfaces.

Outside of the footpath corridor;

- Un-irrigated grassed surface.
- Mulched surface
- Ground cover - Shrubs, low trees (up to 500mm)

The following surface treatments are not permitted on any side:

- Chemically sterilised treatments.
- Structures.
- Retaining walls.



Don't plant trees in your verge – that's Council's role.

Tree planting will only be undertaken by Council (or a group under the auspice of Council) and Council will be responsible for the location of new trees and their maintenance. The planting of trees and shrubs upon verges must comply with the Council "Street and Open Space Tree Policy".

If you would like a tree as part of your verge garden please contact us, and we will make arrangements for someone from our Parks and Recreation team to meet with you, select a tree suited to your verge, and schedule it for planting.

What shall I plant?

Residents are encouraged to be creative and plant verges to suit their own taste. But remember plantings must not interfere with overhead or underground services including water and sewerage infrastructure, water meter servicing and reading, and sewer manholes.

Plants must also not be known or likely environmental weeds.

Growing edible plants along the nature strips of streets within our town and villages is an effective means of inspiring and enabling urban agriculture and contributes to:-

- Neighbourhood beautification
- Visual amenity
- Urban re-greening
- Increased biodiversity
- Environmental and sustainability education
- Improved garden soil profiles through carbon sequestration
- Reduced air temperatures in developed areas
- Developing social capital and community engagement.



Who can help me?

Advice should be sought by contacting Council's Infrastructure Services Department, prior to the commencement of any works on the verge.

When you are planning your verge garden, call Council's Parks and Recreation team.

Local nurseries can assist with appropriate plant selection, and recommend the use of local native plant species where possible.

Watering

Council supports the responsible use of water to maintain plantings by the use of handheld trigger nozzle hoses. It is recommended that residents check the Central Tablelands Water (CTW) website www.ctw.nsw.gov.au for information related to current water restrictions that may apply.

Related Policies and Strategies:

- NSW Roads Act (1993)
- Statewide Mutual Best Practice Manual- footpaths Nature strips and Medians
- Blayney Shire Council - Street & Open Space Tree Management Procedure

- Blayney Shire Council - Pathway Hierarchy, Standard and Maintenance Policy (Draft)




Council Details

Address: Blayney Shire Council
91 Adelaide Street, BLAYNEY NSW 2799
PO Box 62 BLAYNEY NSW 2799

Website: www.blayney.nsw.gov.au
Email: council@blayney.nsw.gov.au
Phone: (02) 6368 2104
ABN: 47 619 651 511

APPENDIX 1. Sample Verge Gardens

Good Outcomes

	<p>Landscaping area and street trees suitably located and footway clear. Suitability of trees under power lines should be considered.</p>
	<p>Clear footway. Driveway flush, no trip hazard.</p>
	<p>Clear footway. Driveway flush, no trip hazard. Landscaping should not be on roadside of footway. Modifications to the verge plantings may be required to accommodate any future footpath.</p>

Poor Outcomes

	<p>Hard landscaping (timber sleeper retaining wall) and landscaping impedes footway. Modifications to the retaining wall and gardens may be required to accommodate any future footpath.</p>
	<p>Poorly maintained, and impedes footway. Significant trip hazards for pedestrians.</p>
	<p>Poorly located trees, over CTW underground water infrastructure. Well maintained landscaping against boundary fence. Removal of part of the trees will be required to accommodate any future footpath.</p>
	<p>Trip hazard at driveway and landscaping impedes footway and needs to be removed. Well maintained landscaping. Removal of part of the gardens and trip hazard will be required to accommodate any future footpath.</p>

APPENDIX 2. Preferred Species List for Verge Gardens

Type	Name		Mature Height
	Botanical	Common	
Grasses (Dry)			
	dianella revoluta	Blue Flax Lily	1m
	lomandra longifolia	Lomandra	1m
Herbaceous / Shrub			
	Dietes vegeta	Dietes	90cm
	Ophiopogon japonicas	Mondo Grass	40cm
	Gazania	African Daisies	30cm
	Erigeron karvinskianus	Seaside daisy	25cm
	Agapanthus	Dwarf Agapanthus	80cm
	Abelia grandiflora	Dwarf Abelia	1m
Bulbs	Narcissus sp	Daffodil	45cm
	Tulipa sp	Tulip	45cm
	Narcissus sp	Jonquil	45cm
	<u>Cerastium tomentosum</u>	<u>Snow in summer</u>	30cm
	Salvia	Sage smaller sp	To 1m
Succulent	Carpobrotus glaucescens	Pig face	25cm
Annuals			
	Petunias		20cm
	Violets		20cm
	Pansies		20cm

Plants should be maintained to a maximum height of 500mm.

The plants listed are tough and perform well in the local environment.

The list is a guide only, and not comprehensive.

Local nurseries can assist with appropriate plant selection, including different species that may also be suitable, and recommend the use of local native plant species where possible.



Verge Garden Guideline **Self-Assessment and Optional Declaration**

Blayney Shire Council encourages residents to use this checklist when preparing and planting your verge garden.

There is an optional declaration you can complete and send to Council, which we will keep as a record of your verge garden complying with these guidelines, should Council be asked to investigate at a later point in time.

Please email this declaration to council@blayney.nsw.gov.au

For further information, please contact Council on (02) 6368 2104.

DECLARANT DETAILS (optional)		
NAME:		
ADDRESS:		

CHECKLIST		
	Yes	No
I have talked to my neighbors and considered their feedback on my verge garden proposal.	<input type="checkbox"/>	<input type="checkbox"/>
I have planned my verge garden project to ensure safe pedestrian access while I construct my verge garden.	<input type="checkbox"/>	<input type="checkbox"/>
My verge garden is in line with my property boundary, and does not encroach upon my neighbor's verge.	<input type="checkbox"/>	<input type="checkbox"/>
I have ensured my verge garden will retain a pedestrian access 1500mm wide, which is level and free from trip hazards.	<input type="checkbox"/>	<input type="checkbox"/>
My verge garden has been designed to ensure car doors can open with no plants, or with only low groundcovers within 600mm of the edge of kerb.	<input type="checkbox"/>	<input type="checkbox"/>
I have left clear access for the mailman.	<input type="checkbox"/>	<input type="checkbox"/>
I have left clear access around service pits and power poles.	<input type="checkbox"/>	<input type="checkbox"/>
I have a safe and accessible place for the collection of waste/recycling bins.	<input type="checkbox"/>	<input type="checkbox"/>
I contacted Dial before you Dig on 1100 or www.1100.com.au and obtained a free services report to confirm that there are no underground utility services that will be impacted by garden.	<input type="checkbox"/>	<input type="checkbox"/>
I contacted Council to obtain information on any Council or service authority utilities that may be in my verge.	<input type="checkbox"/>	<input type="checkbox"/>
I understand that my verge garden could be impacted by future infrastructure works, and Council or service authorities may not replace any plants lost.	<input type="checkbox"/>	<input type="checkbox"/>
My garden will be maintained to a maximum height of 500mm to ensure line of sight for traffic and pedestrians.	<input type="checkbox"/>	<input type="checkbox"/>
If I want to install a tree, I will contact Council to request a site visit, and assess the specific site constraints.	<input type="checkbox"/>	<input type="checkbox"/>

SIGNATURE:	Date
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10) DEVELOPMENT APPLICATION 2/2021 - INSTALLATION OF A SINGLE STOREY DWELLING - 21 EGBERT STREET NEVILLE

Department: Planning and Environmental Services

Author: Manager Planning

CSP Link: 5. The Natural Environment

File No: DB.AB.1585

Recommendation:

That Council consents to Development Application DA2/2021 for the installation of a Dwelling at Lot 1 Section 33 DP758767 – being 21 Egbert Street, Neville, subject to the recommended conditions of consent.

Reason for Report:

Council's consent is sought for the installation of a new Dwelling at Lot 1 Section 33 DP758767 – being 21 Egbert Street, Neville (the 'subject property').

The subject property is located to the immediate south of the Neville Village. The property comprises a total area in the order 1.26ha in a regular shape. The property is devoid of any significant features with the exception of a shed, which has been constructed in the northeast corner, adjacent to Egbert Street.

Plans submitted with the Development Application show the proposed single storey *Dwelling* to be located centrally within the subject property, being setback in the order of 97m from the northern Egbert Street frontage, 32m from the eastern boundary (approx.), 74m from the southern boundary (approx.) and 16m from the western boundary.

The proposed development is consistent with the majority of the relevant objectives, aims, performance criteria and acceptable solutions of the Blayney Local Environmental Plan 2012 (Blayney LEP 2012) and Blayney Development Control Plan 2018 (Blayney DCP 2018).

However, the key issue for consideration is whether the proposed *Dwelling* achieves a suitable setback from the adjoining property to the west, which is used for *Horticulture* and *Plant nursery*.

In particular, it is noted that the Blayney DCP 2018 *Part G2.6 Buffers to Sensitive Land Uses* sets out recommended buffers distances between potentially higher impact land uses and sensitive land uses, such as new dwellings.

Specifically, G2.6 identifies that the recommended buffer distance between *Horticulture* and a new dwelling is 50m if a vegetated buffer of 30m is provided, or 100m if no vegetated buffer is provided.

Given that the subject property has a maximum width of 68 metres (approx.), there is limited opportunity to achieve the recommended buffer distances.

As the proposed *Dwelling* did not meet the relevant recommended buffer distances, the Development Application was notified to adjoining landowners for comment. One submission was received from the landowners to the immediate west. In summary, that submission identified the following:

- The landowners object to the proposed development;
- The Development Application has not adequately addressed Part G of the Blayney DCP 2018, which deals with recommended buffer distances;
- The proposed development is inconsistent with G2.6 of the Blayney DCP 2018;
- The proposed development will result in land use conflict between the R5 Large Lot zone and the RU1 Primary Production zone;
- The landowners are entitled to use their property to its full agricultural potential, and their operations should not be restricted by allowing a dwelling to be constructed on the subject property;
- Council supports the NSW Right to Farm policy;
- The most suitable location for the proposed dwelling would be the adjoining property to the east, being Lot 2 Section 33 DP758767 which is also owned by the applicant; and
- There are a number of issues with the documentation submitted to Council (e.g. missing dimensions, no colours specified, no shed plans provided).

The issues raised in the submission are acknowledged and are generally consistent with the issues identified by staff.

Notwithstanding, having considered the submission and reviewed the relevant background information, including the document on which the recommended buffer distances set out in the Blayney DCP 2018 are based, it is considered that the proposed development should be approved subject to meeting the relevant conditions of consent.

Specifically, it is recommended that conditions of consent be applied which require the proposed development to be amended as follows;

- to require that the dwelling be relocated on the site to ensure 30m separation is provided between the proposed *Dwelling* and the property used for *Horticulture* to the west (it is noted the orientation of the dwelling may also slightly change as the dwelling may also move further north or south slightly to ensure adequate fall to the septic tank), and

- to incorporate a 20m wide landscaped buffer along the western boundary of the subject property.

In addition it is recommended that a restriction be placed on the Deposited Plan and Section 88B Instrument of the subject property to reserve the 20m wide landscape buffer in perpetuity.

It is noted that the proposed *Dwelling* cannot be moved any further to the east as this may impact the ability to achieve compliant grade to the septic tank.

Subject to meeting the relevant conditions of consent, it is recommended that the proposed development be approved.

These matters are addressed in detail in the body of this report under the heading *G2.6 Buffers to Sensitive Land Uses, G2.7 Buffers & Landscaping and G2.8 Agriculture and Right to Farm*.

Report:

As proposed, the dwelling will be located centrally within the subject property, with a setback in the order of 97m from the northern Egbert Street frontage, 32m from the eastern boundary (approx.), 74m from the southern boundary (approx.) and 16m from the western boundary.

The proposed dwelling would comprise the following:

- Three bedrooms;
- Open plan kitchen, living and dining areas;
- Main bathroom; and
- Laundry.

The proposed *Dwelling* would be finished in heritage board cladding and steel roof cladding.

The proposed *Dwelling* is a Manufactured home for the purpose of the Local Government Act. A Manufactured home is defined in the Local Government Act as 'a self-contained dwelling (that is a dwelling that includes at least one kitchen, bathroom, bedroom and living area that also includes a toilet and laundry facilities)' that is built either in parts or as a whole off-site and then transported to site for installation. It is not a registrable moveable dwelling, and includes any associated structures that form part of the dwelling.

Existing Conditions

The existing conditions of the subject property and surrounding area are illustrated in Figure 1 - 3 below.



Figure 1: Existing Conditions Plan (Subject property identified by heavy red line. North to the top of page)



Figure 2: Proposed location of Dwelling as viewed from the south – note location of star pickets



**Figure 3: Proposed location of Dwelling as viewed from the east – note location of star pickets
(note property used for Horticulture in the background)**

ASSESSMENT - ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979

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

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 *Blayney Local Environmental Plan 2012*. Relevant issues are addressed in the body of this report.

Clause 1.7 Maps

Land zoning:	R5 Large lot residential
Lot size:	1.25ha
Heritage:	N/A
Terrestrial biodiversity:	N/A
Groundwater vulnerability:	N/A
Drinking water catchment:	Yes
Watercourse:	N/A
Flood:	N/A

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.

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 proposed *Dwelling* is considered to be generally consistent with the foregoing objectives.

However, given that the adjoining property to the west is zoned RU1 Primary Production and is used for the purpose of *Horticulture*, it is relevant to note that development as proposed does not meet the buffer distances recommended by Part G2.6 of the Blayney DCP 2018.

As such, the development as proposed is inconsistent with the final objective of the zone that seeks to minimise conflict between land uses within this zone and land uses within adjoining zones.

Notwithstanding, it is considered that the proposed development can achieve this objective subject to meeting the recommended conditions of consent.

These matters are addressed in detail under the heading *G2.6 Buffers to Sensitive Land Uses, G2.7 Buffers & Landscaping and G2.8 Agriculture and Right to Farm*.

Part 5 – Miscellaneous provisions

Clause 5.16 Subdivision of, or dwellings on, land in certain rural, residential or environmental protection zones

Clause 5.16 seeks to minimise potential land use conflict between existing and proposed development on land in the rural, residential or environment protection zones concerned (particularly between residential land uses and other rural land uses).

Specifically, Clause 5.16 requires that prior to the grant of development consent the consent authority must consider the following:

- a) The existing uses and approved uses of land in the vicinity of the development;
- b) Whether or not the development is likely to have a significant impact on land uses that, in the opinion of the consent authority, are likely to be preferred and the predominant land uses in the vicinity of the development;
- c) Whether or not the development is likely to be incompatible with a use referred to in paragraph (a) or (b);
- d) Any measures proposed by the applicant to avoid or minimise any incompatibility referred to in paragraph (c).

The surrounding land uses are illustrated in Figure 1, above.

Notably, while land uses to the north, east and south are predominately residential, the land to the immediate west is used for the purpose of *Horticulture*.

The relevant matters are addressed in detail below under the heading *G2.6 Buffers to Sensitive Land Uses, G2.7 Buffers & Landscaping and G2.8 Agriculture and Right to Farm*.

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 Senior Building Surveyor has recommended that a condition of consent be applied requiring that the overflow for the rainwater tank is to be connected to a drainage line and conveyed to a common drainage line or otherwise disposed of on-site in accordance with the Australian Standard 3500 in a manner that is not adversely affecting adjacent land.

Clause 6.4 Groundwater vulnerability

Clause 6.4 seeks to maintain the hydrological functions of key groundwater systems and protect vulnerable groundwater resources from depletion and contamination as a result of development.

An effluent management study was submitted with the Development Application. Council's Senior Building Surveyor reviewed the effluent management study. No issues have been identified.

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 necessary essential services are either available or can be made available to the subject property. In particular, the following is noted:

- A condition of consent will be applied to require that the proposed development includes a 60,000L rainwater tank;
- An effluent management report was submitted with the Development Application;
- Electricity is available to the subject property;
- Council's Infrastructure Services Department has recommended specific conditions of consent regarding access to the subject property.

State Environmental Planning Policy 55 – Remediation of Land

State Environmental Planning Policy 55 – Remediation of Land (SEPP55) 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, SEPP 55 requires that before determining an application to carry out development that would involve a change of use of land (specified in subclause 4 of the SEPP), the consent authority must consider a preliminary investigation of the land concerned.

There is no evidence of a contaminating land use in the immediate vicinity of the proposed dwelling.

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.

**Section 4.15(1)(a)(iii) Any Development Control Plan
Blayney Shire Development Control Plan 2018**

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. The relevant provisions of Part C are addressed below:

C4 Large Lot & Rural

C4.1 Building Setbacks

C4.1 Building Setbacks seeks to maximise residential amenity on larger lots with appropriate setbacks from road noise and/or dust and visual and acoustic privacy between adjacent dwellings.

The acceptable minimum setback for a dwelling on a lot zoned R5, which is greater than 1ha, is 20m from a public road frontage and 10m from a side or rear boundary.

The development as proposed is consistent with the acceptable solution.

C4.2 Building Siting & Buffers

C4.2 seeks to minimise conflict between land uses within this zone and land uses within adjoining zones; minimise impacts on environmentally sensitive locations and scenic quality; ensure buildings are sited to avoid impacts from natural hazards or impact on environmentally sensitive areas; and protect and enhance residential amenity.

The proposed development is generally consistent with the relevant acceptable solutions. In particular, it is noted that:

- The proposed *Dwelling* will not impact on any existing or significant native trees;
- The proposed *Dwelling* will not overlook a habitable room or private open space of any existing dwelling in the immediate vicinity.

Part G – Environmental Management & Hazards is a relevant requirement under C4.2 and is addressed below.

C4.3 Visual Impact

C4.3 seeks to ensure that the scale, footprint, height and materials of any building must seek to integrate any buildings into the landscape and protect important skyline views.

The proposed development is generally consistent with the relevant acceptable solutions.

Notwithstanding, it is recommended that a condition of consent be applied requiring the proposed colour scheme to be confirmed prior to the issue of a Section 68 approval.

Further, a condition of consent will also be applied to ensure that all external materials have low reflectivity.

C6 Other Residential Types**C6.3 Manufactured / Transportable Homes**

C6.3 applies to Manufactured homes. A Manufactured home is defined in the Local Government Act as 'a self-contained dwelling (that is a dwelling that includes at least one kitchen, bathroom, bedroom and living area that also includes a toilet and laundry facilities)' that is built either in parts or as a whole off-site and then transported to site for installation. It is not a registrable moveable dwelling, and includes any associated structures that form part of the dwelling.

Specifically C6.3 seeks to meet statutory requirements for manufactured homes / transportable dwellings

The proposed Dwelling *is* consistent with the acceptable solutions for Manufactured homes. In particular:

- The installation of the Manufactured home will be subject to a Section 68 approval under the Local Government Act;
- The base of the dwelling will be clad to ensure that elevated piers will be screened from view;
- The proposed *Dwelling* generally complies with other relevant requirements of the Blayney DCP 2018, with the exception of meeting the recommended buffer distance to *Horticulture*. This matters is addressed below under the heading *G2.6 Buffers to Sensitive Land Uses, G2.7 Buffers & Landscaping and G2.8 Agriculture and Right to Farm*; and
- The proposed *Dwelling* will not have a frontage to a classified road, key public space or community facility.

C7 Access & Parking**C7.1 Vehicle Parking**

C7.1 seeks to ensure that there is sufficient on-site car parking for the proposed use(s) so that there is not an unreasonable reliance on on-street or off-site parking that impacts on other users.

The proposed development is consistent with the relevant acceptable solutions. Adequate space is available on-site for vehicle parking.

C7.3 New Access, Entrances & Driveways (Rural Areas)

C7.3 seeks to ensure that all lots have a safe and effective access / entrance and any new driveway minimises impacts on public roads and adjacent dwellings.

Council's Infrastructure Services Department has recommended specific conditions of consent regarding access to the subject property.

C8 Site Planning, Earthworks & Utilities**C8.1 Site Planning**

C8.1 seeks to ensure that the design of any significant new development is based on a site analysis of any relevant opportunities and constraints of the site and (taking into account any other relevant controls in BLEP 2012 and this DCP).

The proposed development is consistent with the relevant acceptable solutions. In particular, it is considered that proposed development

- Presents an adequate response to the topography of the subject property, the climate and surrounding natural environment;
- Avoids natural hazards;
- Integrates with the surrounding built form and landscape character; and
- Maintains reasonable residential amenity.

Land use conflict is addressed in detail under the heading *G2.6 Buffers to Sensitive Land Uses, G2.7 Buffers & Landscaping and G2.8 Agriculture and Right to Farm*

C8.2 Water & Energy Efficiency

C8.2 seeks promote dwelling design that is water and energy efficient, thermally comfortable, and minimises the need for mechanical heating and cooling in accordance with NSW State Government requirements.

As the proposed development is a Manufactured home for the purpose of the Local Government Act, a BASIX Certificate is not required.

Notwithstanding, it is noted that a condition of consent be applied requiring that a 60,000L rainwater tank be installed on-site.

C8.3 Design Principles (Advisory only)

No assessment required.

C8.4 Earthworks

C8.4 seeks to ensure that earthworks will not have a detrimental impact on environmental functions and processes, neighbouring uses, or cultural or heritage items; minimise cut and/or fill or site and potential erosion and sediment entering stormwater systems or watercourses or impacting on adjoining properties; and avoid contaminated fill being relocated or used on sites.

The proposed development is consistent with the relevant acceptable solutions.

In particular, it is noted that the proposed development has been designed to be constructed on piers, which respond to the slope of the property. As such, negligible earthworks will be required.

C8.5 Buildings near Utilities / Easements

C8.5 seeks to ensure all buildings and structures must be located and designed so they do not obstruct access to, or impact on the safe operation of, existing or proposed utilities such as sewer, stormwater, water, electricity, gas, and telecommunications (whether they are above ground or underground).

The proposed development is consistent with the relevant acceptable solutions.

There are no known utilities in the vicinity of the proposed *Dwelling*. However, it is noted that there is a telephone cable in the vicinity of the proposed driveway. In this regard it is noted that Council's Infrastructure Services Department has recommended a condition of consent that any utility service must be relocated at the applicants expense if required.

C8.6 Connection to Utilities

C8.6 seeks to ensure that new developments are appropriately serviced (the type or level of service depending on service availability and cost-effectiveness to connect), and to require development to connect to and support existing utility infrastructure in accordance with Council's *Guidelines for Engineering Works* (as amended).

As previously addressed under the heading *Clause 6.8 Essential services*:

- A condition of consent will be applied to require that the proposed development includes a 60,000 L rainwater tank;
- An effluent management report was submitted with the Development Application;
- Electricity is available to the subject property;
- Council's Infrastructure Services Department has recommended specific conditions of consent regarding access to the subject property.

C8.7 Siting & Visibility of Utilities

C8.7 seeks to minimise the visual impact of any new utilities, connections, or associated structures if visible from public areas.

A condition of consent has been recommended requiring that all utilities must be located underground.

C8.8 Water Tanks

C8.8 seeks to ensure that dwellings have sufficient potable water to cater for the number of people / likely consumption and any ancillary uses.

As previously noted, it is recommended that a condition of consent be applied requiring that the proposed development includes a 60,000L rainwater tank.

C8.9 On-Site Sewage Management

C8.9 seeks ensure (where reticulated / centralised sewage management systems are not available) appropriate on-site systems will be suitably sized and able to operate on the lot without impacting on development on the subject lot, neighbouring lots or surface or ground water systems, and don't require excessive vegetation removal.

An effluent management report was submitted with the Development Application. Council's Senior Building Surveyor has reviewed the report. No issues have been raised.

C8.10 Re-use of Water

C8.10 identifies that re-use of water is encouraged but must be treated to the relevant NSW standards to ensure safety and environmental health.
Not applicable.

C8.11 Solid Waste Management

C8.11 seeks to ensure that all new development has an appropriate solid waste management system to protect the environment.

It is recommended that a condition of consent be applied requiring that the subject property be serviced by Council's Red and Yellow bin service, unless the property cannot be accessed.

C8.12 Letterboxes

C8.12 seeks to ensure that letterboxes are provided for new dwellings.
It is recommended that a condition of consent be applied requiring that a letterbox be provided prior to occupation.

The letterbox must be located where it is easily visible from the road and accessible for Australia Post employees and be clearly marked with the correct house number.

C8.13 Street Numbering

C8.13 seeks to ensure that street numbers are provided for new buildings on vacant lots or new lots.

It is recommended that a condition of consent be applied requiring that appropriate street numbering is provided and clearly visible.

Part G – Environmental Management and Hazards

G2.6 Buffers to Sensitive Land Uses, G2.7 Buffers & Landscaping and G2.8 Agriculture & Right to Farm

G2.6 identifies that development should consider the recommended buffers between potentially higher impact land uses and sensitive land uses.

G2.7 outlines that any buffer or setback should incorporate or be capable of incorporating sufficient landscaping / tree plantings (or other mechanism where appropriate) to minimise or mitigate any impacts from adjacent land uses without increasing the bushfire threat to any existing or proposed buildings.

G2.8 states that any sensitive land uses / development (or subdivision that supports those sensitive land uses) that has a boundary with rural zoned land, should seek to incorporate buffers or setbacks to that rural land to enable the rural land to be used for standard agricultural practices to the fullest agricultural potential of that land (taking into account the recommended buffers set out under G2.6 above).

Further, G2.8 includes a note, which identifies that Blayney Shire Council recognises the importance of agriculture and primary production to the economy of the Shire and its rural community. For this reason, Council supports the 'right to farm' (in accordance with NSW Government Policy at www.dpi.nsw.gov.au) on rural land including existing agricultural practices or potential future increases in intensity of agricultural practices. This means that agricultural activities may have priority over sensitive land uses as set out in that policy.

It is acknowledged that the property located to the immediate west of the subject property is used for *Horticulture* and that it would be in the interest of both the applicant and adjoining neighbour that a suitable vegetated buffer be provided between the property that is used for *Horticulture* and the proposed *Dwelling*.

However, as the subject property has a maximum width of 68 metres (approx.), there is limited opportunity to achieve the recommended buffer distances without creating other adverse outcomes.

In order to establish a rationale for a reduced buffer distance, Council staff have reviewed the NSW Right to Farm Policy prepared by the NSW Department of Primary Industries and the *Living and Working in Rural Areas: A handbook for managing land use conflict issues on the NSW North Coast*. Notably, the buffer distances recommended under G2.6 were adapted from the foregoing publication.

NSW Right to Farm Policy

While council supports the NSW Right to Farm Policy it is noted that the policy does not provide any practical measures that could be used to determine a reduced buffer distance in this circumstance. Notwithstanding, the Introduction to the policy provides some useful guidance:

“ ...

In rural areas, land use conflicts can occur when agriculture impacts on residential uses, but conflicts can also arise when other land users impact on farmers, and also between different agricultural industries. In some circumstances, this can simply be about mutual respect and a right to coexist.

People who want to live in rural and agriculture areas are attracted by the open green space, fresher air and pleasant scenery. The desire to enjoy these landscapes should be accompanied by an understanding that rural land is used for productive purposes, such as agriculture.

The reality is that normal farming practices can have impacts on neighbours ranging from residual noise, light, dust and other impacts.

In some local government areas, complaints occur frequently (on a weekly basis). The level of conflict can be a considerable issue for local government, can place increased costs on farming enterprises, and exert pressure on existing farmers to either relocate or leave the industry altogether. Those that do stay may have ongoing uncertainty and as a consequence may underinvest in the farm to reduce their future risks.

The Government supports primary producers in their right to farm. However, the right to farm only extends to what is lawful. This means compliance with the legislation and regulations that govern, for example, land uses, uses of chemicals, intensity and timing of lights and noise and management of odours. The suite of rules applies equally to all land users, including rural lifestyle land owners who, like farmers, have obligations in relation to management of weeds, pests and other biosecurity risks.

...”

The applicant has made it clear during verbal conversations with Council staff that they understand the implications of living next door to a property used for an agricultural purpose. Notwithstanding, in the event that Council resolves to approve the proposed development, it is recommended that a copy of the NSW Right to Farm policy be provided directly to the applicant

Living and Working in Rural Areas: A handbook for managing land use conflict issues on the NSW North Coast

The NSW Department of Primary Industries website identifies the publication *Living and Working in Rural Areas: A handbook for managing land use conflict issues on the NSW North Coast* (the ‘handbook’) as “... a practical reference containing tools, resources and checklists aimed at reducing and avoiding rural land use conflict and pressures on key natural resource asset...”

While one of the primary purposes of the handbook is to establish suitable buffer distances to avoid potential land use conflict, it is pertinent to note that the handbook includes the following commentary:

“Where a new dwelling is proposed on an existing vacant lot that has a dwelling entitlement, the setbacks and buffers normally required may not necessarily be appropriate or practical. In these cases, council will need to use its discretion to determine the most appropriate location, design and arrangement for the new dwelling. The principle of conflict avoidance should be maintained and the maximum achievable buffer and conflict avoidance measures implemented”.

The proposed development is consistent with this scenario.

Establishing an Appropriate Buffer

It is acknowledged that the objector has suggested that the proposed *Dwelling* should be installed on the lot to the immediate east of the subject property, which is also owned by the applicant.

Given that each lot has the benefit of a dwelling entitlement and was rezoned to the R5 Large Lot Residential zone for the purpose of facilitating residential development, it is considered that it would be inappropriate to pursue this option.

Based on the foregoing, it is considered that the proposed development should be amended to require that a 30m buffer be provided between the proposed *Dwelling* and the property used for *Horticulture* to the west, and incorporate a 20m wide landscaped buffer along the western boundary of the subject property.

In addition it is recommended that a restriction be placed on the Deposited Plan and Section 88B Instrument of the subject property to reserve the 20m wide landscape buffer in perpetuity.

It is noted that the proposed *Dwelling* cannot be moved any further to the east as this may prevent the proper function of the effluent management system. It is recommended that conditions of consent be applied to this affect.

Section 4.15(1)(a)(iia) Any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4

Not applicable.

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.
- **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.
- **Fire safety and other considerations (Clause 93)**
Not applicable.
- **Buildings to be Upgraded (Clause 94)**
Not applicable.
- **BASIX Commitments (Clause 97A)**
Not applicable.

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 addressed 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, subject to meeting the recommended conditions of consent.

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, subject to meeting the recommended conditions of consent.

In particular, it is noted that specific conditions of consent have been applied to mitigate against the potential for land use conflict between the subject property and the property to the immediate west which is used for *Horticulture*.

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

In accordance with the Blayney Community Participation Plan the proposed development was notified to the adjoining land owners.

One submission was received, in summary that submission outlined the following:

- The landowner objects to the proposed development;

- The Development Application has not adequately addressed Part G of the Blayney DCP 2018, which deal with recommended buffer distances;
- The proposed development is inconsistent with G2.6 of the Blayney DCP 2018;
- The proposed development will result in land use conflict between the R5 Large lot zone and the RU1 Primary production zone;
- The landowners are entitled to use their property to its full agricultural potential, and their operations should not be restricted allowing a dwelling to be constructed on the subject property;
- Council supports the NSW Right to Farm policy;
- The most suitable location for the proposed dwelling would be the adjoining property to the east; and
- There are a number of issues with the documentation submitted to Council (e.g. missing dimensions, no colours specified, no shed plans provided).

The relevant matters have been addressed under the heading *G2.6 Buffers to Sensitive Land Uses, G2.7 Buffers & Landscaping and G2.8 Agriculture & Right to Farm*

Section 4.15(1)(e) The public interest

The proposed alterations and additions are 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.

Summary / Conclusion

The proposal is permissible with consent of Council. The proposed development complies with the relevant aims, objectives and provisions of BLEP 2012. 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.

Risk/Policy/Legislation Considerations:

Nil

Budget Implications:

Nil

Enclosures (following report)

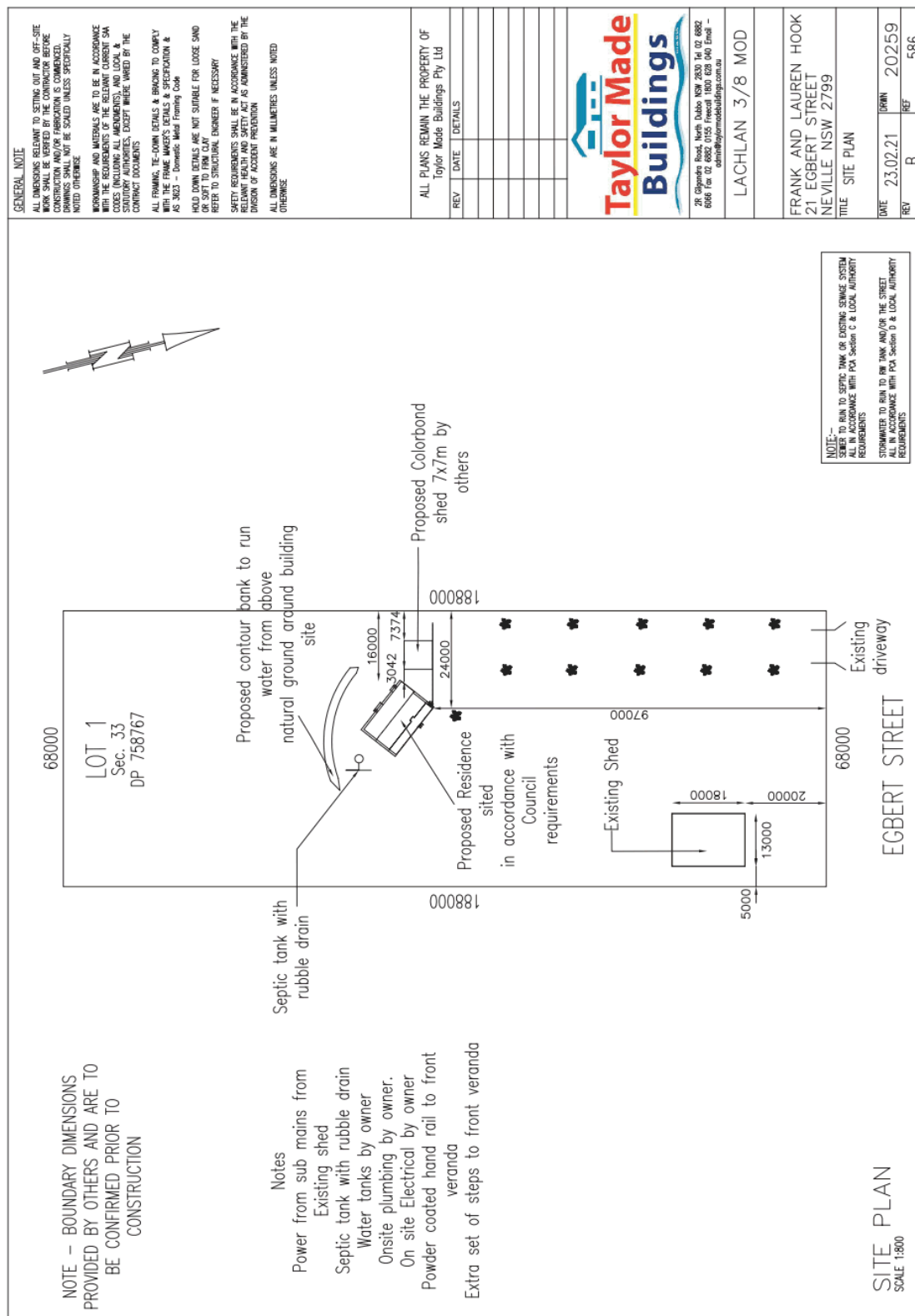
1	Site Plan & Elevations	2 Pages
2	Draft Conditions	8 Pages

Attachments (separate document)

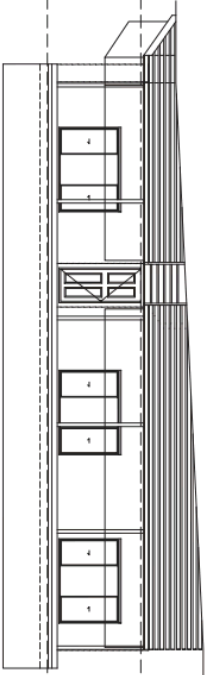
3 Submission

2 Pages

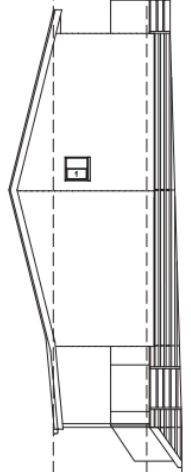
This matter is considered to be confidential under Section 10A(2) (e) of the Local Government Act, as it deals with information that would, if disclosed, prejudice the maintenance of law.



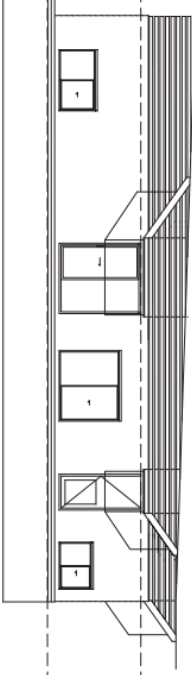
<p>GENERAL NOTE</p> <p>ALL DIMENSIONS RELEVANT TO SETTING OUT AND OFF-SITE WORK SHALL BE VERIFIED BY THE CONTRACTOR BEFORE CONSTRUCTION AND/OR FABRICATION IS COMMENCED. DIMENSIONS MUST BE SIGNED UNLESS SPECIFICALLY NOTED OTHERWISE.</p> <p>MEMBERSHIP AND MATERIALS ARE TO BE IN ACCORDANCE WITH THE REQUIREMENTS OF THE RELEVANT CURRENT SANITARY CODES (INCLUDING ALL AMENDMENTS), AND LOCAL & STATUTORY AUTHORITIES, EXCEPT WHERE VARYED BY THE CONTRACT DOCUMENTS.</p> <p>ALL FRAMING, TIE-DOWN DETAILS & BRACING TO COMPLY WITH THE FRAME MAKER'S DETAILS & SPECIFICATION & AS 3623 – Domestic Metal Framing Code.</p> <p>HOLD DOWN DETAILS ARE NOT SUITABLE FOR LOOSE SAND OR SOFT TO FIRM CLAY.</p> <p>REFER TO STRUCTURAL ENGINEER IF NECESSARY.</p> <p>SAFETY REQUIREMENTS SHALL BE IN ACCORDANCE WITH THE RELEVANT HEALTH AND SAFETY ACT AS ADMINISTERED BY THE DIVISION OF ACCIDENT PREVENTION.</p> <p>ALL DIMENSIONS ARE IN MILLIMETRES UNLESS NOTED OTHERWISE.</p>	<p>ALL PLANS REMAIN THE PROPERTY OF Taylor Made Buildings Pty Ltd</p>	
	<p>REV</p> <p>DATE</p> <p>DETAILS</p>	<p>REV</p> <p>DATE</p> <p>DETAILS</p>
<p>Taylor Made Buildings</p> <p>28 Clegern Road, North Dubbo NSW 2830 Tel 02 6882 6066 Fax 02 6882 0155 Freecall 1800 628 040 Email – admin@taylormadebuildings.com.au</p>		
<p>LACHLAN 3/8 MOD</p>		
<p>FRANK AND LAUREN HOOK 21 EGBERT STREET NEVILLE NSW 2799</p>		
<p>TITLE ELEVATIONS</p>		
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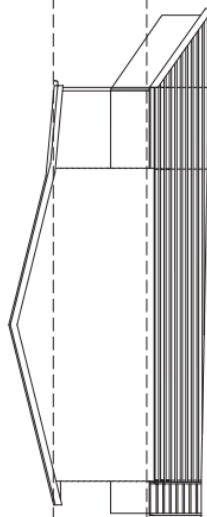
ELEVATION 1



ELEVATION 2



ELEVATION 3



ELEVATION 4

COLORBOND CUSTOM 450 ROOF SHEET
14° PITCH

COLORBOND CUTTER

ALUMINIUM WINDOW WITH FLY SCREENS

JEPPAGE SHAPED CLADDING

1000S BASE BOARDS PAINTED

ELEVATIONS

SCALE 1:100

Reasons for Conditions

- Statutory and legislative requirements.
- To minimise the potential for land use conflict.
- To maintain the amenity of a rural village and landscape.

Approved Plans

1. Development In Accordance With Approved Plans & Documentation

Development is to take place in accordance with:

Plan/DocNo.	Plan/Doc Title	Prepared by	Issue	Date
-	Statement of Environmental Effects	Applicant	-	25.10.2020
-	Site Plan	Taylor Made Buildings	B	23.02.2021
-	Elevations	Taylor Made Buildings	B	23.02.2021
-	Floor Plan	Taylor Made Buildings	B	23.02.2021
-	Typical Section	Taylor Made Buildings	B	23.02.2021

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. Building Code of Australia

The building work must be carried out in accordance with the requirements of the Building Code of Australia.

3. Identification of Site

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

- Unauthorised entry to the worksite is prohibited;
- Street number or lot number;
- Principal contractor's name and licence number; or owner builders permit number;
- Principal contractor's contact telephone number/after-hours number;

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

Prior to Issue of a Section 68 Approval for the Installation of a Manufactured Home
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4. Amended Plans

Prior to the issue a Section 68 Approval for the installation of Manufactured Home, the following amended plans must be submitted to the satisfaction of the Blayney Shire Council, Department of Planning and Environmental Services:

- A full set of amended elevation plans which clearly demonstrate all proposed materials and colours.

The colour scheme must include natural, earthy colours which integrate with the surrounding rural landscape and which will not detract from the existing rural / large lot residential amenity of the area.

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

- An amended site plan which achieves a minimum 30m setback (buffer) between the proposed dwelling and the property to the immediate west (Lot 38 DP1094671). (The minimum setbacks from the northern and southern boundaries of the subject property must not vary by more than 10m from the plans submitted to Council).
- The amended site plan must provide for a 20m wide landscape buffer adjacent to the common western boundary with Lot 38 DP1094671.
- A planting schedule which identifies proposed tree species and spacing for the 20m wide landscape buffer.

Prior to Works Commencing

5. Traffic and Pedestrian Management Plan

The applicant is to prepare and implement a Traffic Management Plan that provides necessary direction to traffic or pedestrian movement through or past the work site. The Traffic Management Plan is to be prepared by a suitably qualified person in accordance with the provisions of the relevant Australian Standards and is to be submitted to Council for approval PRIOR to its implementation.

6. Soil & Water Management Plan

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.

7. Public Liability Insurance

Prior to the commencement of any works on Council or Roads and Maritime Services (RMS) controlled land including a public road, the applicant is to affect Public Liability Insurance to the minimum amount of \$20 million. This insurance is to note Council's interest and is to remain current for at least the period from the issue of the Construction Certificate until the issue of a Compliance Certificate or final inspection report for the works. Documentary evidence of the currency of the cover is to be provided to Council prior to the commencement of works within the road reserve.

During Construction

8. Engineering Inspections

The applicant is to arrange an inspection of the development/subdivision works by Council's Engineering Department, at the following stages of the development. This condition applies notwithstanding any private certification of the engineering works.

F	New Gate – Rural Crossing	* Prior to commencement of excavation works. * After compaction of base and prior to sealing * Road pavement surfacing
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9. New Gate – Rural

An all-weather 2WD vehicular access is to be constructed to each proposed allotment. Such access shall include:

- (a) a gate or stock grid set back a minimum distance of fifteen (15) metres from the edge of the public road.
- (b) a minimum 4.0 metre wide sealed footway crossing, extending from the edge of the bitumen seal on the public road to the entrance gate or stock grid.
- (c) a 150 mm thick 3.0 metre wide concrete dish drain or 450 mm minimum diameter reinforced concrete pipe culvert with headwalls, aligned with the table drain in the public road.

All such works are to comply with WBC Guidelines for Engineering Works.

10. All-Weather Internal Road

A 4 metre wide all-weather 2WD vehicular access is to be constructed from the proposed dwelling to the property boundary. This access roadway is to be appropriately formed and contain suitable measures for the prevention of soil erosion, including mitre drains and piped culverts where necessary. All such works are to comply with WBC Guidelines for Engineering Works.

11. Relocate Utility Services

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

Hours for Construction or Demolition

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. Rubbish and Debris

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.

13. Toilet Facilities

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*.

14. Excavations and Backfilling

All excavation and backfilling associated with the erection/demolition of the building must:

- a) be executed safely and in accordance with appropriate professional standards, and
- b) be properly guarded and protected to prevent them from being dangerous to life or property.

15. Cladding

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.

16. Erosion and Sediment Control

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)*.

Note: All erosion and sediment control measures must be in place prior to earthworks commencing. Copies of the above Policy are available from Council's Environmental Planning and Building Services Department.

17. Water Supply

The water tank/s for the dwelling shall be a minimum of 60,000 litres in accordance with Council's Development Control Plan.

18. Rainwater Tank Overflow

The overflow for the rainwater tank is to be connected to a drainage line and conveyed to the street gutter, common drainage line or otherwise disposed of on

site in accordance with Australian Standard 3500 in a manner that is not adversely affecting adjacent land.

19. Utilities located underground

The connection of any new utility must be located underground.

Section 68 Requirements (Only applicable after Section 68 Approval issued)

20. Regulation

The dwelling must comply with the Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Movable Dwellings) Regulation 2005 made under the Local Government Act 1993.

21. Licensed Plumber (During Construction)

All plumbing and drainage work shall be carried out by a licensed plumber and drainer and to the requirements of AS/NZS 3500 and the Plumbing Code of Australia.

22. Notice of Plumbing Works (Prior to the Commencement of Works)

Prior to the commencement of plumbing and drainage works the responsible plumbing contractor is to submit to Council a "Notice of Works" under the Plumbing and Drainage Act 2011.

23. Septic Tank General

All on-site waste management system is to be installed, operated and maintained on the land and the premises connected thereto, in accordance with the provisions of the Local Government (Approvals) Regulation made under the Local Government Act 1993.

24. Geotechnical Report

The on-site sewage management system chosen shall be installed and maintained in accordance with the recommendations of the Geotechnical Report by Barnson Pty Ltd, Ref: 35340-ER01_A, dated: 10 December 2020; with the following additional requirements:-

- internal drainage shall be suspended under the dwelling and taken out at the highest ground level at the perimeter of the dwelling to enable the septic tank to be installed at the highest point, a minimum of 1.5 metres from the dwelling; so that the absorption trenches can be installed as far as possible away from the eastern boundary; and
- a drainage swale shall be provided below the absorption trenches so that the overland flow of surface water from the disposal area to the eastern boundary is a minimum of 12 metres (the minimum required buffer distance).

25. Disposal Area

Vehicular traffic and livestock are to be excluded from the disposal area.

26. Surface Water

All surface water from higher levels is to be diverted away from the disposal area.

27. Prior to Occupation

Prior to the occupation of the dwelling, the following is required:-

- a) the licensed plumber shall submit to Council a Sewer Service Diagram and a Certificate of Compliance in accordance with the requirements of NSW Fair Trading;
- b) a compliance plate is to be affixed to the building in accordance with Clause 159 of the Regulation;
- c) the stairs, handrails and balustrades must comply with Parts 3.9.1 and 3.9.2 of the Building Code of Australia (Volume 2) including slip resistance; and
- d) a satisfactory final inspection of the building is to be carried out by Council Officers.

28. Prior to Occupation – Waste Management

Prior to the Occupation of the dwelling, the property must be serviced by Council's red and yellow bin service, unless the property cannot be accessed.

29. Prior to Occupation – Letter Box

Prior to occupation of the dwelling a letter box must be provided. The letter box must be easily visible from the road and accessible for Australia Post employees and be clearly marked with the correct house number.

30. Prior to Occupation – Street Number

Prior to the occupation of the dwelling a street number must be displayed in a clearly visible location.

31. Prior to Occupation – Landscaping

Prior to occupation landscaping must be planted in accordance with the approved landscape plan and planting schedule.

32. Compliance Certificate – Engineering Works

The applicant is to obtain a Compliance Certificate pursuant to the Environmental Planning and Assessment Act 1979, as amended, **or inspection report** from either Council or an accredited certifying authority, certifying that the engineering work required by condition 9 has been constructed in accordance with the approved plans and *WBC Guidelines for Engineering Works*.

Note: Where Council is the Certifying Authority in relation to engineering works fees will be payable in accordance with Council's Revenue Policy.

Ongoing Matters

33. Approved Use

The approved building must not be used for any other purpose other than the approved use i.e. a dwelling. Any proposed change of use shall only be permitted with the consent of Council.

34. Landscaping

The efficacy of the landscaping required under Condition 31 must be maintained in perpetuity (i.e. any trees that die must be replanted within 3 months).

35. Deposited Plan and Section 88B Instrument

Within 6 months of occupation, evidence must be provided to Council to demonstrate that a restriction has been placed on the Deposited Plan and Section 88B Instrument of the subject property (Lot 1 Section 33 DP758767).

The restriction must specify that the 20m wide buffer area required by Condition 4 is required for the purpose of mitigating land use conflict associated with any agricultural practice on the land at Lot 38 DP1094671.

The restriction must preclude the use of the 20m wide buffer area for any sensitive use, including a dwelling.

The restriction must be to the benefit of the Blayney Shire Council.

Advisory Notes

1. Compliance with the Building Code of Australia (Volume 2)

AN1. The following is required to ensure that the dwelling complies with the Building Code of Australia (Volume 2):-

- a. Interconnected smoke alarms complying with AS3786 must be provided outside the doors to the bedroom 1 & 2 and 3;
- b. The steps must be constructed to comply with the risers and goings dimensions in Clause 3.9.1.2, must have slip-resistant nosings in accordance with Clause 3.9.1.4 and have handrails in accordance with Clause 3.9.2.4; and
- c. Balustrades will be required to the verandah and landings if the floor levels are greater than 1 metre above finished ground levels in accordance with Clause 3.9.2.3.

2. Inspection Schedule

AN2. Council 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.

Council must be contacted to undertake inspections of the various stages of construction as follows:

- a. Internal and external sanitary drainage, septic tank and absorption trenches prior to backfilling.
- b. Footing inspection.
- c. Final/stormwater inspection at time of completion of all works.

11) **PLANNING PROPOSAL TO AMEND THE BLAYNEY LOCAL ENVIRONMENTAL PLAN 2012 - PP1: BLAYNEY & SURROUNDS**

Department: Planning and Environmental Services

Author: Town Planner

CSP Link: 5. The Natural Environment

File No: PL.TE.1

Recommendation:

That Council forward a Planning Proposal to the Minister for Planning and Public Spaces seeking a Gateway Determination for an amendment to the Blayney Local Environmental Plan 2012 relating to the Town of Blayney and the Zone R5 Large Lot Residential area near Browns Creek Road.

Reason for Report:

The purpose of this report is to seek Council resolution to submit a Planning Proposal to the Department of Planning Industry & Environment (DPIE) to amend the Blayney Local Environmental Plan 2012 (BLEP2012).

The amendment to the Blayney Local Environmental Plan 2012 (BLEP) relates to the Town of Blayney and the Zone R5 Large Lot Residential area near Browns Creek Road in PP1: Blayney & Surrounds (Attachment 1).

Report:

At the Ordinary Meeting of 15 February 2021, Council endorsed the Blayney Shire Settlement Strategy 2020, **Resolution Number 2102/025**.

Recommendation 5 was that Council '*Proceed to immediately commence 3 Planning Proposals to update the Blayney Local Environmental Plan 2012 for Actions A2-1, A3-1 and A4-1 in the Blayney Shire Settlement Strategy 2020.*'

The subject Planning Proposal, PP1: Blayney & Surrounds relates to the areas of the Town of Blayney and the Zone R5 Large Lot Residential area near Browns Creek Road as follows:

PP1A: Dual Occupancy Subdivision in Zone R1 General Residential (Town of Blayney only)

To allow for Torrens Title subdivision of dual occupancies (both attached and detached) below the Minimum Lot Size of 450m² in Zone R1 General Residential for the Town of Blayney. The proposal will introduce a new Clause to the BLEP that will provide an exception to the Minimum Lot Size set out in Clause 4.1 and associated Lot Size Map (LSZ_004B) for dual occupancies.

This would be limited to Zone R1 General Residential in the Town of Blayney and allow subdivision down to 300m² (whether detached or attached). This does not require any change to the exiting Lot Size Map for Blayney with subdivision of all other land uses in Zone R1 General Residential areas retaining a Minimum Lot Size of 450m².

PP1B: Minimum Lot Size for Zone R5 Large Lot Residential (Browns Creek Road area only)

To amend the Lot Size map LSZ_004/004B so that the subject area is decreased from the current Minimum Lot Size of 20ha to a new size of 5ha with the potential to decrease this to 2ha based on a 5 ha average for the subdivision. It is noted, some areas as identified in the Blayney Settlement Strategy 2020 will retain a 20ha Minimum Lot Size.

A favourable Gateway Determination is requested from the DPIE to allow this Planning Proposal to be placed on Public Exhibition with a further Council resolution required prior to the finalisation of the BLEP amendment.

Risk/Policy/Legislation Considerations:

The Planning Proposal, PP1: Blayney & Surrounds is consistent with the Blayney Settlement Strategy 2020, adopted at the Ordinary Meeting of 15 February 2021.

Budget Implications:

Allocation within the 2020/21 operational plan has already been made for IPLAN PROJECTS to prepare the PP. Council staff will be required to facilitate the PP if a favourable Gateway determination from DPIE is received.

Enclosures (following report)

Nil

Attachments (separate document)

1	Blayney & Browns Creek Planning Proposal PP1	30 Pages
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12) **PLANNING PROPOSAL TO AMEND THE BLAYNEY LOCAL ENVIRONMENTAL PLAN 2012 – PP2: MILLTHORPE AND SURROUNDS**

Department: Planning and Environmental Services

Author: Town Planner

CSP Link: 5. The Natural Environment

File No: LP.TE.1

Recommendation:

That Council forward a Planning Proposal to the Minister for Planning and Public Spaces seeking a Gateway Determination for an amendment to the Blayney Local Environmental Plan 2012 relating to the village of Millthorpe and surrounds.

Reason for Report:

The purpose of this report is to seek Council resolution to submit a Planning Proposal to the Department of Planning Industry & Environment (DPIE) to amend the Blayney Local Environmental Plan 2012 (BLEP2012).

The amendment to Blayney Local Environmental Plan 2012 (BLEP) relates to the areas of the village of Millthorpe and as outlined in PP2: Millthorpe & Surrounds (Attachment 1).

Report:

At the Ordinary Meeting of 15 February 2021, Council endorsed the Blayney Shire Settlement Strategy 2020, **Resolution Number 2102/025**.

Recommendation 5 was that Council '*Proceed to immediately commence 3 Planning Proposals to update the Blayney Local Environmental Plan 2012 for Actions A2-1, A3-1 and A4-1 in the Blayney Shire Settlement Strategy 2020.*'

The subject Planning Proposal, PP2: Millthorpe & Surrounds proposes the following changes:

PP2A: Urban Zoning – Village Zone & Residential Zone

To reduce and concentrate the existing Zone RU5 Village area to a core area around the commercial 'core' of Millthorpe.

The remaining outlying areas currently zoned RU5 Village would be rezoned to R1 General Residential zone.

PP2B: Dwelling Permissibility – within 500m of the Village zone

This amendment applies to lots within Zone RU1 Primary Production, within 500m of the proposed Zone RU5 Village zone of Millthorpe. The proposal is to allow a dwelling house on a lot or holding that complies with the following criteria:

- a) In zone RU1 Primary Production;
- b) Minimum 1.5ha and currently does not have an existing dwelling house;
- c) Where all or part of a lot is within 500m of the proposed RU5 Village area;
- d) That is not significantly affected by any environmental or other constraints; and
- e) That has a legal access to a public road.

The lot or holdings have been mapped as having 'dwelling opportunity' on the new Dwelling Opportunity Map, three lots / holdings have been identified around Millthorpe. The 'dwelling opportunity' only remains valid for 5 years from the Date of Commencement of this amendment to the BLEP2012.

PP2C: North Millthorpe Large Lot Residential Area – Increased Lot Size

To amend the Lot Size Map LSZ_004A so that the Minimum Lot Size for the R5 Large Lot Residential identified area increases from 4000m² to 2 hectares.

PP2D: 78 Clover Ridge Road, Large Lot Residential Zoning & Lot Size

To amend the Land Zoning Map (LZN_004) from zone RU1 Primary Production to zone R5 Large Lot Residential which also changes the Minimum Lot Size from 100 hectares to 2 hectares.

The Planning Proposal, PP2: Millthorpe & Surrounds is consistent with the Blayney Settlement Strategy 2020, adopted at the Ordinary Meeting of 15 February 2021, **Resolution Number 2102/025**. A favourable Gateway Determination is requested from the DPIE to allow this Planning Proposal to be placed on Public Exhibition and finalisation of the BLEP amendment.

Risk/Policy/Legislation Considerations:

The Planning Proposal, PP2: Millthorpe & Surrounds is consistent with the Blayney Settlement Strategy 2020, adopted at the Ordinary Meeting of 15 February 2021.

Budget Implications:

Allocation within the 2020/21 operational plan has already been made for IPLAN PROJECTS to prepare the PP. Council staff will be required to facilitate the PP if a favourable Gateway determination from DPIE is received.

Enclosures (following report)

Nil

Attachments (separate document)

1 Millthorpe Planning Proposal PP2

41 Pages