



11 October 2022

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 October 2022 at 5.00pm 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 19.09.22
- (9) Matters arising from Minutes
- (10) Reports of Staff
  - (a) Executive Services
  - (b) Corporate Services
  - (c) Infrastructure Services
  - (d) Planning and Environmental Services
- (11) Closed Meeting

Yours faithfully

Mark Dicker  
**General Manager**

## Meeting Calendar 2022

### October

<u>Time</u>	<u>Date</u>	<u>Meeting</u>	<u>Location</u>
10.30am	12 October 2022	Central Tablelands Water Meeting	Grenfell
12.30pm	12 October 2022	Central NSW JO Board Meeting	Sydney
9.00am	13 October 2022	Central NSW JO Round Table Meeting with State Ministers	Sydney
5.00pm	17 October 2022	Council Meeting	Community Centre
12.00pm	20 October 2022	Central NSW Business HG Board Meeting	Orange
9.00am	23-25 October 2022	Local Government NSW Annual Conference	Hunter Valley
8.30am	26 October 2022	Orange360 Board Meeting	Orange

### November

<u>Time</u>	<u>Date</u>	<u>Meeting</u>	<u>Location</u>
9.00am	18 November 2022	Country Mayors	Sydney
5.00pm	21 November 2022	Council Meeting	Community Centre
8.30am	23 November 2022	Orange360 Board Meeting	Orange
9.00am	23 November 2022	Audit, Risk and Improvement Committee Meeting	Community Centre
10.00am	24 November 2022	Central NSW JO Board Meeting	Forbes
4.00pm	24 November 2022	Central NSW Business HQ AGM and Board Meeting	Orange
9.00am	25 November 2022	Mining and Energy Related Councils Meeting	Dubbo

### December

<u>Time</u>	<u>Date</u>	<u>Meeting</u>	<u>Location</u>
10.00am	1 December 2022	Central NSW JO Board Meeting	Online
10.00am	9 December 2022	Traffic Committee Meeting	Community Centre
10.30am	14 December 2022	Central Tablelands Water Meeting	Canowindra
5.00pm	19 December 2022	Council Meeting	Community Centre

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**HELD ON MONDAY 17 OCTOBER 2022**

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## **LIVE STREAMING OF COUNCIL MEETINGS**

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

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

Whilst Council will make every effort to ensure that live streaming is available, it takes no responsibility for, and cannot be held liable for technical issues beyond its control. Technical issues may include, but are not limited to the availability or quality of the internet connection, device failure or malfunction, unavailability of YouTube or power outages.

Live streams and archived recordings are a free public service and are not an official record of Council meetings. Recordings will be made of all Council meetings (excluding confidential items) and published to YouTube the day after the meeting. For a copy of the official public record, please refer to Council's Business Papers and Minutes page on Council's website.

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

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

**01) MINUTES OF THE PREVIOUS COUNCIL MEETING HELD 19 SEPTEMBER 2022****Department:** Executive Services**Author:** General Manager**CSP Link:** 2. Build the Capacity and Capability of Local Governance and Finance**File No:** GO.ME.3**Recommendation:**

That the Minutes of the Ordinary Council Meeting held on 19 September 2022, being minute numbers 2209/001 to 2209/018 be confirmed.

**MINUTES OF THE BLAYNEY SHIRE COUNCIL ORDINARY MEETING HELD IN THE CHAMBERS, BLAYNEY SHIRE COUNCIL COMMUNITY CENTRE, ON 19 SEPTEMBER 2022, COMMENCING AT 6.00PM**

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

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

**ACKNOWLEDGEMENT OF COUNTRY****RECORDING OF MEETING STATEMENT****DISCLOSURES OF INTEREST**

Nil

**MAYORAL MINUTE - MINUTE'S SILENCE TO ACKNOWLEDGE THE PASSING OF QUEEN ELIZABETH II**

Councillors held a Minute's Silence to acknowledge the passing of Queen Elizabeth II.

**MAYORAL MINUTE - LYNDHURST RSL SUB BRANCH****2209/001 RESOLVED:**

That Council provide financial assistance of \$500 to the Lyndhurst RSL Sub Branch as a contribution to their Centenary celebrations.

(Ferguson/Reynolds)  
**CARRIED**

**CONFIRMATION OF MINUTES****MINUTES OF THE PREVIOUS COUNCIL MEETING HELD 15 AUGUST 2022****2209/002****RESOLVED:**

That the Minutes of the Ordinary Council Meeting held on 15 August 2022, being minute numbers 2208/001 to 2208/017 be confirmed.

(Gosewisch/Newstead)

**CARRIED**

**MATTERS ARISING FROM THE MINUTES**

Nil

**MINUTES OF THE PREVIOUS EXTRAORDINARY COUNCIL MEETING HELD 29 AUGUST 2022****2209/003****RESOLVED:**

That the Minutes of the Extraordinary Council Meeting held on 29 August 2022, being minute numbers 2208/E001 to 2208/E008 be confirmed.

(Somerville/Ewin)

**CARRIED**

**MATTERS ARISING FROM THE MINUTES**

Nil

**EXECUTIVE SERVICES REPORTS****COUNCIL MEETING DATES****2209/004****RESOLVED:**

That Council;

1. Adopt the following dates for Ordinary Meetings of Council for the next 12 months, to be held at 5.00pm in the Blayney Shire Community Centre:
  - 17 October 2022
  - 21 November 2022
  - 19 December 2022
  - 20 February 2023
  - 20 March 2023
  - 17 April 2023
  - 15 May 2023
  - 26 June 2023
  - 17 July 2023
  - 21 August 2023
  - 18 September 2023
2. Amend section 3.1 of Policy 1C – Code of Meeting Practice to reflect the change in meeting day and time.

(Pryse Jones/Somerville)

**CARRIED**

**2209/005**      **APPLICATION FOR LEAVE OF ABSENCE**  
**RESOLVED:**  
That Council approve the Leave of Absence application submitted by Councillor Ewin for the October 2022 Council meeting.  
  
(Somerville/Gosewisch)  
**CARRIED**

**2209/006**      **APPLICATION FOR LEAVE OF ABSENCE**  
**RESOLVED:**  
That Council approve the Leave of Absence application submitted by Councillor Ferguson for the October 2022 Council meeting.  
  
(Newstead/Ewin)  
**CARRIED**

**2209/007**      **ORANGE REGION DESTINATION MANAGEMENT PLAN**  
**RESOLVED:**  
That Council endorse the Orange Region Destination Management Plan.  
  
(Pryse Jones/Ewin)  
**CARRIED**

**2209/008**      **GRANT FUNDING: SCCF5 AND R4R9**  
**RESOLVED:**  
That Council endorse the shortlisted projects, including the Blayney Showground masterplan, pending final project scope and budget preparation for submission to the NSW Government under the Stronger Country Communities Fund Round 5 and Resources for Regions Fund Round 9 grant funding programs.  
  
(Newstead/Ewin)  
**CARRIED**

## **CORPORATE SERVICES REPORTS**

**2209/009**      **REPORT OF COUNCIL INVESTMENTS AS AT 31 AUGUST 2022**  
**RESOLVED:**  
1. That the report indicating Council's investment position as at 31 August 2022 be received.  
2. That the certification of the Responsible Accounting Officer be received and the report be adopted.  
  
(Reynolds/Somerville)  
**CARRIED**

**ADOPTION OF COUNCIL POLICIES**

2209/010

**RESOLVED:**

That Council adopt the following policies and they be included in Council Policy register.

- Complaints Management Policy
- Public Interest Disclosures: Internal Reporting Policy
- Gifts & Benefits Policy
- Fraud and Corruption Control Policy and Plan
- Access to Information
- Statement of Business Ethics
- Legislative Compliance Policy
- Community Infrastructure Policy
- Related Parties Disclosures Policy
- Plaques and Memorial Policy

(Pryse Jones/Newstead)

**CARRIED****REVIEW OF COUNCIL POLICIES**

2209/011

**RESOLVED:**

That the following policies be endorsed by Council and be placed on public exhibition for a period of not less than 28 days:

- Disposal of Assets Policy
- Pensioner and Hardship Policy
- Privacy Management Plan
- Unreasonable or Unreasonably Persistent Customer Policy
- Work Health and Safety Policy

(Ewin/Pryse Jones)

**CARRIED****LGA BOUNDARY ALTERATION - CALOOLA ROAD,  
CALOOLA**

2209/012

**RESOLVED:**

That Council;

1. Inform Bathurst Regional Council that it has no objection to the transfer of Lot 1 DP1247053 from the Blayney Shire Council LGA to the Bathurst Regional Council LGA.
2. Note the adjustment for rates and annual charges take effect from the next year following proclamation.

(Gosewisch/Ewin)

**CARRIED****MINUTES OF THE AUDIT, RISK AND IMPROVEMENT  
COMMITTEE MEETING HELD 23 AUGUST 2022**

2209/013

**RESOLVED:**

That Council;

1. Receive and note the minutes of the Audit Risk and Improvement Committee meeting held 23 August 2022.
2. Receive and note the Audit, Risk and Improvement Committee 2021/22 Annual Report



3. Note an audit of Project Management in relation to a major project will be conducted in 1 – 2 years.

(Somerville/Reynolds)

**CARRIED**

**MINUTES OF THE FINANCIAL ASSISTANCE COMMITTEE  
MEETING HELD 30 AUGUST 2022**

2209/014

**RESOLVED:**

That Council;

1. Receive and note the minutes of the Financial Assistance Committee meeting held 30 August 2022.
2. Note and endorse the recommendations for 2022/23 - Round 1 of the Community Financial Assistance Program by the Financial Assistance Committee including expenditure of \$19,942.
3. Note and endorse the recommendation for 2022/23 – Flagship Funding of the Community Financial Assistance Program by the Financial Assistance Committee including expenditure of \$14,565.

(Reynolds/Ewin)

**CARRIED**

**INFRASTRUCTURE SERVICES REPORTS**

**DIRECTOR INFRASTRUCTURE SERVICES MONTHLY  
REPORT**

2209/015

**RESOLVED:**

That the Director Infrastructure Services Monthly Report for September 2022 be received and noted.

(Newstead/Ewin)

**CARRIED**

**CLOSED MEETING**

2209/016

**RESOLVED:**

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

**LAND ACQUISITION - LOT 1, DP6158, 22 NEWBRIDGE  
ROAD, BLAYNEY**

*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. (Personal information)*

(Reynolds/Newstead)

**CARRIED**

**CONFIDENTIAL MEETING REPORTS****LAND ACQUISITION - LOT 1, DP6158, 22 NEWBRIDGE ROAD,  
BLAYNEY****2209/017****RESOLVED:**

That Council;

1. Approve the acquisition of land, being Lot 1, DP6158 as required for the Belubula River Walk stage 3 construction works.
2. Delegate Authority to the General Manager to negotiate the terms of the acquisition with the landowner of Lot 1, DP6158.
3. Delegate to the Mayor and General Manager authority to execute signature and fixing of the Council Seal to any sale document as required.
4. Intend to classify Lot 1, DP6158 as community land.
5. Give public notice for a period of 28 days of Council's intention to classify the land as community land.

(Reynolds/Somerville)

**CARRIED****2209/018****RESOLVED:**

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

(Gosewisch/Pryse Jones)

**CARRIED****AT THE RE-OPENING OF THE MEETING TO THE PUBLIC, THE MAYOR  
ANNOUNCED THE OUTCOME OF RESOLUTION NUMBER 2209/017.**

There being no further business, the meeting concluded at 6.52pm.

The Minute Numbers 2209/001 to 209/018 were confirmed on 19 October 2022 and are a full and accurate record of proceedings of the Ordinary Meeting held on 19 September 2022.

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Cr S Ferguson  
**MAYOR**

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Mr M Dicker  
**GENERAL MANAGER**

**02) COUNCIL RESOLUTION REPORT**

**Department:** Executive Services

**Author:** General Manager

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

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

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**Recommendation:**

That Council note the Resolution Report to September 2022.

**Reason for Report:**

The General Manager is responsible for ensuring that Council's policies, decisions and priorities are implemented in a timely and efficient manner, consistent with the goals and objectives of Council. The General Manager provides the management oversight in relation to all information progressing from appropriate staff to Council for consideration via the Business Paper.

After a Council meeting, each resolution is allocated to the General Manager or responsible officer to action in accordance with the intent of the Council decision. Directors then provide feedback to the General Manager as to the progress of these resolutions on a monthly basis.

Council have requested an Outstanding Resolution Report on a quarterly basis.

**Report:**

This Council Outstanding Resolution Report includes Council Resolutions up to and including the previous Council Meeting.

Council currently has 17 resolutions 'in progress'.

A note in the status section has been completed by the relevant responsible officer with a reason if available.

It should be noted that due to the long time frames associated with roads related Land Matters, these are captured on the Outstanding Land Transfers Legal Register, and Traffic Committee matters are captured on the Traffic Register.

Date of Meeting	Res. No	Resolution	Owner	Comments
21-Dec - 20	2012/027	<p><b>EOI3/2016 - Sale of Industrial Land by Council</b> RESOLVED</p> <p>1. That Council accept the offer for sale of part Lot 4 DP 871015 and part Lot 1 DP134341 for the amount of \$49,500 including GST plus survey and subdivision costs; and</p> <p>2. That Council endorse execution of relevant contracts and associated documentation by the Mayor and General Manager under Council seal if required.</p>	DCS	Council's solicitor requested to contact solicitor for Purchaser to ascertain status and likely resolution timeframe.
19-Apr-21	2104/013	<p><b>Change of Tenure - Crown Land Cemeteries</b> RESOLVED</p> <p>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'.</p>	DCS	Notification sent to DPIE – Crown Lands with cemetery mapping. Assessment being undertaken. Council awaiting response.
19-Apr-21	2104/020	<p><b>Minutes of the Blayney Shire Cemetery Forum Meeting held 24 March 2021</b> RESOLVED</p> <p>2. Council investigate options and consider establishment of a memorial garden for early pregnancy loss within the Blayney Shire.</p>	DPES	To be included in Cemeteries Operation Plan

Date of Meeting	Res. No	Resolution	Owner	Comments
19-Apr-21	2104/025	<p><b>Sale of Land for Unpaid Rates - Land Title Anomaly 6370 Mid Western Highway, Lyndhurst</b> RESOLVED</p> <p>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.</p> <p>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).</p> <p>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).</p>	DCS	Council working with solicitor to help facilitate outcome.
20-Sep-21	2109/013	<p><b>Proposed Bridge Naming – Carcoar Road</b> RESOLVED</p> <p>That Council defer this matter.</p>	MA	Input from Blayney Family History Group being sought. Further report to be presented to Council.

Date of Meeting	Res. No	Resolution	Owner	Comments
20-Sep-21	2109/017	<p><b>Sale of Part Dungeon Road, Kings Plains</b> RESOLVED</p> <p>1. Conditional upon the McPhillamys Gold project being approved by the NSW Independent Planning Commission and the Regis Board; that Council accept the offer of \$722,000 plus GST for the sale of 6.49 km of Dungeon Road to Regis Resources from 560m from the Mid Western Highway to the shire boundary.</p> <p>2. That Council commence the process of road closure pursuant to the Roads Act subject to project approval and sale conditions being satisfied.</p> <p>3. That Council endorse execution of relevant contracts and associated documentation by the Mayor and General Manager, and if required under Council seal.</p> <p>4. That Council establishes an internal reserve and allocates the sale of Dungeon Road funds to those shire roads around the Walkom Road, Village Road, Guyong Road and Vittoria Road areas.</p>	DCS	Pending DPE Major Projects Assessment Process
18-Oct-21	2110/014	<p><b>Draft Planning Proposal to amend the Blayney Local Environmental Plan 2012 - Six Unsewered Villages &amp; Surrounds</b> RESOLVED</p> <p>That Council;</p> <p>1. Endorse the Draft Planning Proposal “PP3: Six Unsewered Villages and Surrounds” to the Blayney Local Environmental Plan 2012 prepared by IPLAN PROJECTS attached to this report.</p>	DPES	The Planning Proposal is scheduled to be placed on public exhibition from 20 October 2022 for a 28 day period.

Date of Meeting	Res. No	Resolution	Owner	Comments
15-Nov-21	2111/007	<p><b>Blayney Medium Scale Solar Array Project</b> RESOLVED That Council;</p> <p>1. Endorse the Blayney Medium Scale Solar Array project Business Case and refer to the new Council for consideration following receipt of a Peer Review of the Business Case, finalisation of the Capital Expenditure Review and assessment of financial implications.</p> <p>2. Approve the General Manager progressing discussion with another Council(s) for a potential joint arrangement for the project.</p> <p>3. Approve a supplementary vote of \$40k from the Property Account, to engage a consultant to prepare documentation required for the Development Application and fees associated with lodgement of the Development Application.</p>	DCS	Awaiting further report on pricing forecast and battery modelling prior to further analysis being undertaken.
21-Mar-22	2203/017	<p><b>Pesticide Notification Plan</b> RESOLVED That the Pesticide Notification Plan be placed on public exhibition for a period of not less than 28 days.</p>	DIS	No public submissions received. Council to liaise with UMCC to ensure alignment.

Date of Meeting	Res. No	Resolution	Owner	Comments
19-Apr-22	2204/004	<p><b>Committees of Council</b> RESOLVED</p> <p>4. That Council staff conduct an annual onsite inspection of the Shire's Cemeteries with Councillors inviting stakeholders, Blayney Family History Group, Village/Progress Association representatives and community members.</p> <p>5. That the Tourism, Towns and Villages Committee not continue in its current format, and Council utilise alternative localised attendance of the Mayor, Councillors and staff, engagement with Orange360 and ongoing communication and involvement supporting Village/Progress Associations and Hall Committees to progress the individual Town and Village Community Plans. A report comes back to Council on the best options to connect with each of the villages and Blayney Township.</p>	GM	To be coordinated.
16-May-22	2205/014	<p><b>Floodplain Management</b> RESOLVED</p> <p>1. That Council endorse the Addendum to the Blayney Flood Study (Storm, 2022), and Addendum to the Blayney Floodplain Risk Management Study (Storm, 2022) and place them on Public Exhibition for a period of not less than 28 days.</p> <p>2. Should no submissions be received during the Public Exhibition period, the Addendums be adopted by Council at the earliest possible meeting.</p> <p>3. That Council endorse the Blayney Retarding Basins Study – Concept Design Report (Storm, 2022), and place it on Public Exhibition for a period of not less than 42 days.</p>	DIS	<p>Submissions being reviewed by consultant.</p> <p>Independent review underway with a scope variation being drafted to review the flood study.</p>



Date of Meeting	Res. No	Resolution	Owner	Comments
16-May-22	2205/019	<p><b>Proposed Land Transfers - Clarke Street</b>  <b>RESOLVED</b>            That Council;</p> <p>1. Endorse the closure of the following parts of Clarke Street, Blayney, in accordance with s.38 Roads Act 1993, subject to the applicant funding all associated survey and legal costs:</p> <ul style="list-style-type: none"> <li>- ~189m<sup>2</sup> adjacent to 4 Clarke Street</li> <li>- ~205m<sup>2</sup> adjacent to 23 Mitchell Street</li> </ul> <p>2. That a further report be presented to Council to consider any submissions lodged during the notification period and decide on approval for the proposal.</p> <p>3. Approve commencement of negotiations with 8 Mitchell Street with the intention of Council acquiring ~50m<sup>2</sup> of land for the purposes of the Roads Act 1993.</p>	DIS	Moved to land register.
27-Jun-22	2206/014	<p><b>Child Protection Policy</b>  <b>RESOLVED</b>            That the Child Protection Policy be placed on public exhibition for a period of 28 days.</p>	DCS	Awaiting feedback from Office of Children Guardian before tabling to Council for approval.

Date of Meeting	Res. No	Resolution	Owner	Comments
18-Jul-22	2207/011	<b>Proposed Road Closure - Mid Western Highway</b> RESOLVED 1. That Council endorse the closure of the “old” road alignment, alongside the frontage of 3399 Mid-Western Highway, Kings Plains, in accordance with s.38 Roads Act 1993, subject to the applicant funding Council’s road closure application fee, and all associated survey, and legal costs. 2. That a further report be presented to Council to consider any submissions lodged during the notification period and make a decision on approval for the proposal.	DIS	Moved to land register.

Date of Meeting	Res. No	Resolution	Owner	Comments
15-Aug-22	2208/017	<p><b>Minutes of the Traffic Committee Meeting held 5 August 2022</b> RESOLVED</p> <p>2. That Council note the change of date for the undertaking of the Pollie Pedal 2022 Charity Cycle Ride, to be staged on Hobbys Yards Road, Mid Western Highway, Orange Road, Neville Road, Mandurama Road, and Belubula Way, on 3 and 4 October 2022, and that the event approval be subject to the conditions as detailed in the Director Infrastructure Services' Report of June 2021.</p> <p>3. That Council endorse the Traffic Guidance Scheme for the Orange Running Festival, to be held on 5 March 2023 on roads in the vicinity of Forest Reefs and Spring Terrace, in the Orange City LGA, as a Class 2 event, and subject to the conditions detailed in the Director Infrastructure Services' Report.</p> <p>4. That:</p> <p>a) Signs indicating a bus stop should not be erected at Eves Lane, Millthorpe;</p> <p>b) Appropriate use of signage be investigated following any future alterations to the bus stop.</p> <p>5. That:</p> <p>a) The application for a rural bus route and rural bus stop at the corner of Wimbledon Road and Gresham Lane, Newbridge be approved.</p> <p>b) That vegetation trimming be undertaken and available sight distance be subsequently reassessed prior to Council approval.</p> <p>c) Design and creation of an approved bus bay would be outside Council's current budgetary capabilities</p>	DIS	

Date of Meeting	Res. No	Resolution	Owner	Comments
19-Sep-22	2209/011	<b>Review of Council Policies</b> <b>RESOLVED</b> That the following policies be endorsed by Council and be placed on public exhibition for a period of not less than 28 days: <input type="checkbox"/> Disposal of Assets Policy <input type="checkbox"/> Pensioner and Hardship Policy <input type="checkbox"/> Privacy Management Plan <input type="checkbox"/> Unreasonable or Unreasonably Persistent Customer Policy <input type="checkbox"/> Work Health and Safety Policy	DCS	Exhibition period underway. Report proposed for November 2022 Council meeting.
19-Sep-22	2209/017	<b>Land Acquisition - Lot 1, DP6158, 22 Newbridge Road, Blayney</b> <b>RESOLVED</b> That Council; 1. Approve the acquisition of land, being Lot 1, DP6158 as required for the Belubula River Walk stage 3 construction works. 2. Delegate Authority to the General Manager to negotiate the terms of the acquisition with the landowner of Lot 1, DP6158. 3. Delegate to the Mayor and General Manager authority to execute signature and fixing of the Council Seal to any sale document as required. 4. Intend to classify Lot 1, DP6158 as community land. 5. Give public notice for a period of 28 days of Council's intention to classify the land as community land.	MUSP	

**Risk/Policy/Legislation Considerations:**

Nil

**Budget Implications:**

Nil

**Enclosures (following report)**

Nil

**Attachments (separate document)**

Nil

**03) RISK, WORK HEALTH AND SAFETY QUARTERLY REPORT**

**Department:** Executive Services

**Author:** WHS and Risk Coordinator

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

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

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**Recommendation:**

That Council receive and note the Risk, Work Health and Safety Report for the quarter 1 July to 30 September 2022

**Reason for Report:**

To update Council on Risk, Work Health and Safety activities and performance for the period of 1 July to 30 September 2022

**Report:**

**StateWide Mutual**

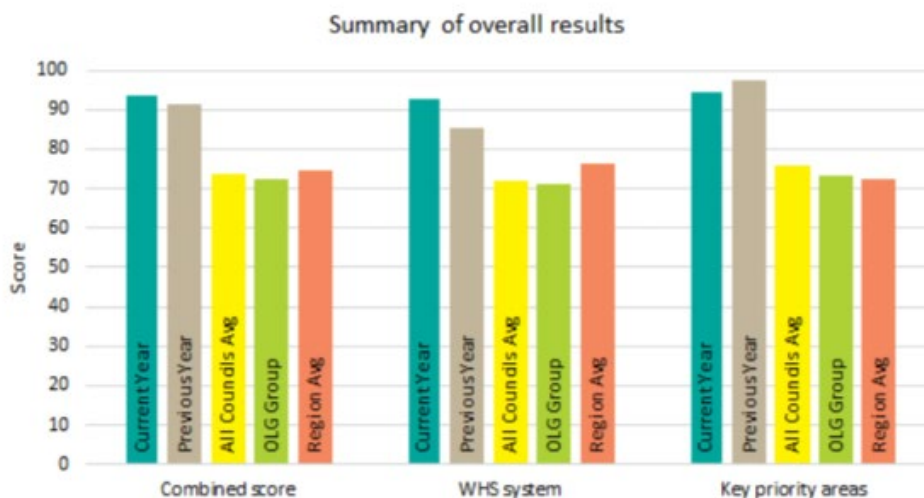
Continuous Improvement [CIP] Workbooks are currently being finalised to be submitted to Statewide by 31 October 2022.

A Board Initiative Workshop was conducted which focused on Councils Waste Facility. The action plan that was generated has been approved and is currently being reviewed for implementing recommendations.

**StateCover**

Council have received their 2022 WHS Self -Audit report. Only documents that are fully implemented can be counted in the audit.

The results showed Council has performed better than the previous year and is above average when compared to other Councils from our region and OLG group that participate in the Self -Audit. Refer to graph below.



The results of this year’s audit are summarised below.

<b>Blayney Shire Council's Overall WHS Performance 2022</b>	94.0%	This score is above average when compared to the average score for all councils
<b>Section 1: WHS Management System</b> This section analyses how systematically WHS is managed within the organisation. An effective WHS Management system should be planned, integrated, and continually improved throughout the organisation.	93.3%	It is recommended that improvements are made to general WHS management system elements and their implementation, in particular: <ul style="list-style-type: none"> <li>• Planning</li> <li>• WHS audits</li> </ul>
<b>Section 2: Key Priority Areas</b> This section identifies if priority WHS risks and hazards are effectively managed and controlled in accordance with regulatory requirements.	94.7%	It is recommended that work be done to identify, assess and control many hazards, in particular: <ul style="list-style-type: none"> <li>• Musculoskeletal risks</li> <li>• Work near overhead powerlines</li> </ul>

To qualify for 100% of the 2022 and 2023 WHS Incentive Rebate, Council must respond with actions for all recommendations, identify, three priority actions to be completed by July 2023 and submit this to Statecover before 28 October 2022.

Health & Safety meetings are held quarterly, next meeting to be held 18 October 2022, actions arising from meetings continue to be addressed and completed.

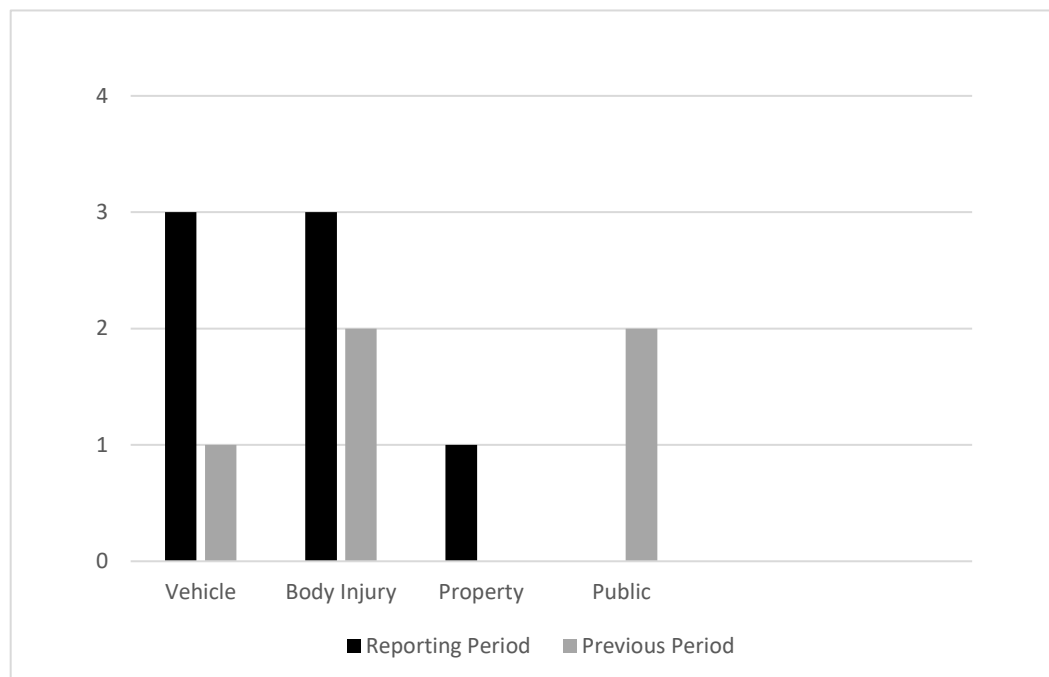
6 July 2022 Safework issued Council with a Prohibition to cease work after an event occurred where a worker became woozy from chemical vapours. Worker was taken to hospital as a precaution and released.

A Section 155, notice to give information to Safework, and three Improvement Notices was also given to Council.

14 July documents were presented to Safework and the Section 155 was finalised.

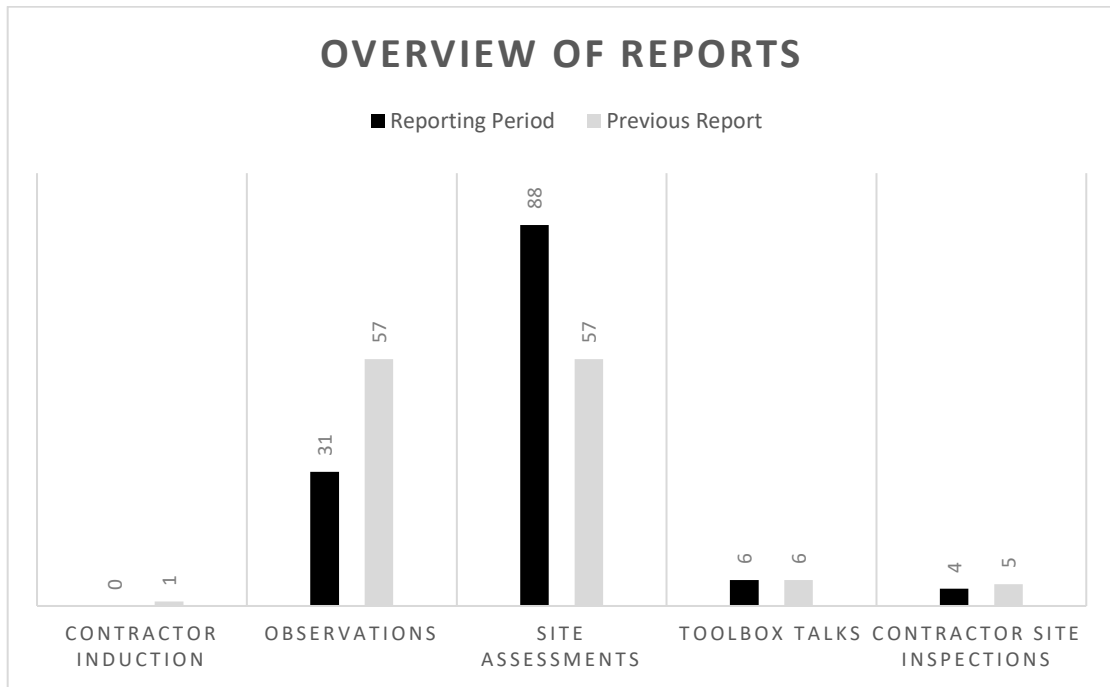
29 July after an inspection, Council was deemed to have complied with the Improvement Notices and Safework withdraw them. Council has engaged a Contractor to complete works to meet the Prohibition Notice requirements. Safework will review once works are completed.

**1. Incident notifications submitted 1 July 2022 to 30 September 2022**



The three vehicle events reported were members of the public reversing into Council vehicles. The Property event was wheels were removed from VMS board.

**2. Internal WHS documents submitted 1 July 2022 to 30 September 2022**



**Risk/Policy/Legislation Considerations:**

Nil

**Budget Implications:**

Nil

**Enclosures (following report)**

Nil

**Attachments (separate document)**

Nil



**04) TOURISM DEVELOPMENT PROGRAM****Department:** Executive Services**Author:** Manager Tourism and Communications**CSP Link:** 3. Diversify and Grow the Blayney Shire Local and Visitor Economy**File No:** GS.PG.1**Recommendation:**

That Council approve \$1,000 for the Blayney Agricultural and Pastoral Association Inc. for the 2023 Blayney Show

**Reason for Report:**

For Council to consider and approve the applications seeking Council financial support under the Tourism Development Fund 2022/23.

**Report:**

Blayney Agricultural and Pastoral Association Inc.

Funding requested: \$1,000

The Blayney Agricultural and Pastoral Association Inc (Blayney A & P Association) hosts the Blayney Show annually in Autumn and attracts people from the Blayney Shire and wider NSW.

The Blayney A & P Association has requested funding to assist with promotion of the event to encourage more people to attend and to visit and stay in the Blayney Shire. As part of the marketing plan, the funding will go towards radio advertisements, print media, new banners and printing fliers to be distributed around the region. In 2023, they hope to produce a token booklet to encourage families to visit each area of the show and not just the amusement section.

**Risk/Policy/Legislation Considerations:**

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

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

The Blayney A & P Association application fits within the guidelines as the increased promotion of the event will increase event attendees and more people to the Blayney Shire. As the Show is run by a community group, they do not need to be financial members of Orange360 however, the event is listed on the Orange360 website.

**Budget Implications:**

The approval of these applications will cost \$1,000. Council had allocated a total budget of \$10,000 for this financial year, approval of this application will leave \$6,000 available in this program.

Any funding not allocated in this program by 30 June 2023 will not roll over to the next financial year.

**Enclosures (following report)**

Nil

**Attachments (separate document)**

Nil

**05) REPORT OF COUNCIL INVESTMENTS AS AT 30 SEPTEMBER 2022**

**Department:** Corporate Services

**Author:** Chief Financial Officer

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

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

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**Recommendation:**

1. That the report indicating Council's investment position as at 30 September 2022 be received.
2. That the certification of the Responsible Accounting Officer be received and the report be adopted.

**Reason for Report:**

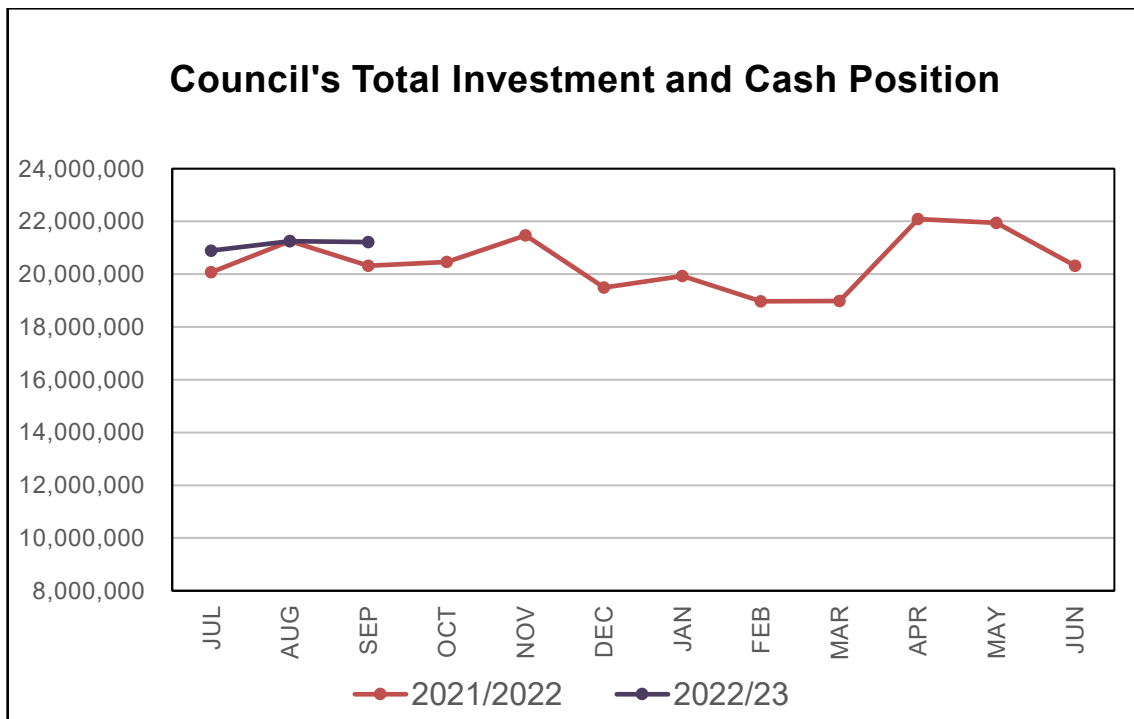
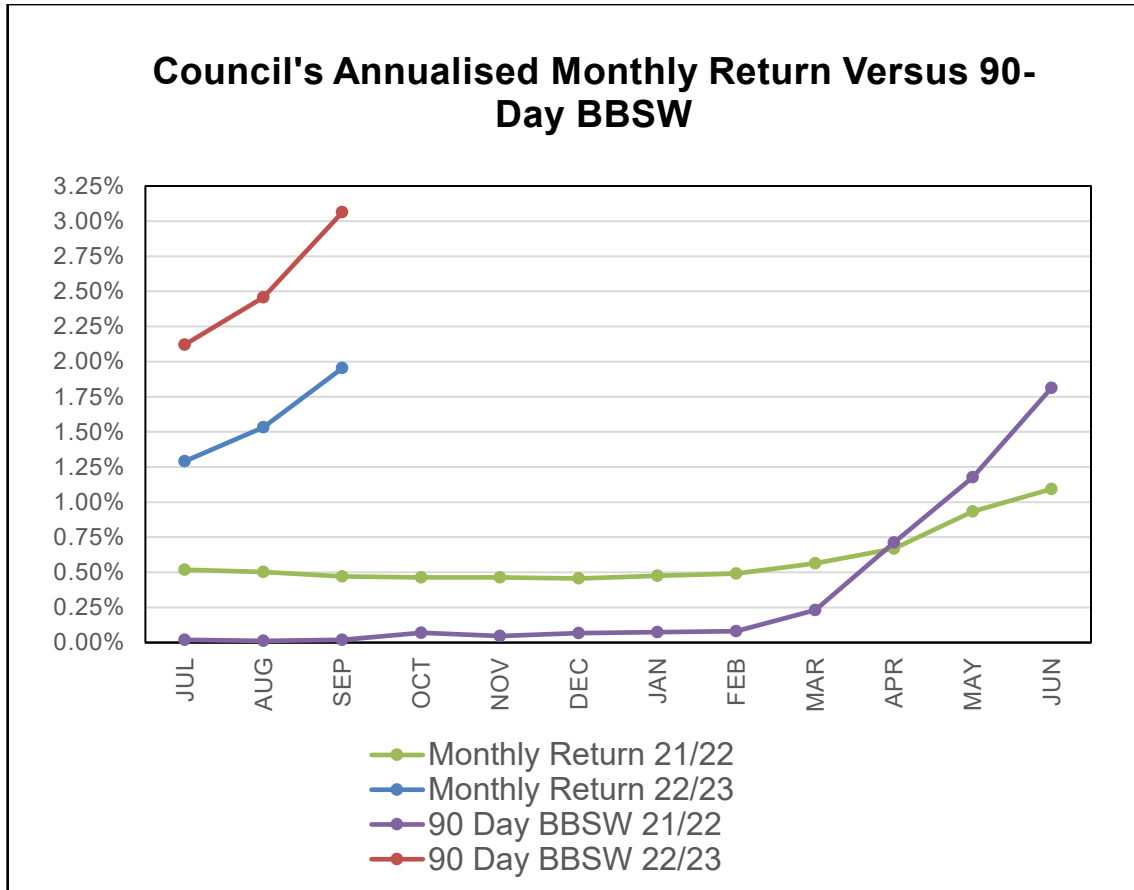
For Council to endorse the Report of Council Investments as at 30 September 2022.

**Report:**

This report provides details of Council's Investment Portfolio as at 30 September 2022.

Council's total investment and cash position as at 30 September 2022 is \$21,215,239. Investments earned interest of \$34,628.43 for the month of September 2022.

Council's monthly net return on Term Deposits annualised for September was 1.95% which did not outperform the 90 day Bank Bill Swap Rate of 3.06%. During the month of September, the Bank Bill Swap Rate has increased by 0.60%. As a result, the most recent term deposit renewal for 365 days attracted an interest rate of 4.64% up from 4.05%. As existing term deposits which were locked in at significantly lower rates reach maturity the annualised monthly rate of interest will increase in line with the Bank Bill Swap Rate.



<b>REGISTER OF INVESTMENTS AND CASH AS AT 30 September 2022</b>					
<b>Institution</b>	<b>Method</b>	<b>Rating</b>	<b>Maturity</b>	<b>Amount \$</b>	<b>Interest Rate</b>
Macquarie Bank	Curve	A1/A+	11/10/2022	500,000	0.500%
CBA	Direct	A1+/AA-	18/10/2022	500,000	0.460%
CBA	Direct	A1+/AA-	01/11/2022	500,000	0.700%
NAB	Direct	A1+/AA-	15/11/2022	500,000	0.530%
Reliance Bank	Direct	Unrated	22/11/2022	500,000	0.400%
Westpac	Direct	A1+/AA-	22/11/2022	500,000	2.150%
Macquarie Bank	IAM	A1/A+	29/11/2022	500,000	0.500%
Westpac	Direct	A1+/AA-	29/11/2022	500,000	0.550%
Bank of Queensland	Curve	A2/BBB+	06/12/2022	500,000	0.650%
NAB	Direct	A1+/AA-	06/12/2022	500,000	0.650%
MyState Bank Ltd	Curve	A2/BBB	13/12/2022	500,000	1.000%
NAB	Direct	A1+/AA-	10/01/2023	500,000	0.750%
CBA	Direct	A1+/AA-	24/01/2023	500,000	0.760%
NAB	Direct	A1+/AA-	07/02/2023	500,000	0.770%
Westpac	Direct	A1+/AA-	21/02/2023	500,000	2.310%
NAB	Direct	A1+/AA-	22/02/2023	500,000	0.850%
Reliance Bank	Direct	Unrated	07/03/2023	500,000	3.430%
ME Bank	IAM	A2/BBB+	14/03/2023	500,000	1.120%
CBA	Direct	A1+/AA-	28/03/2023	500,000	1.300%
Macquarie Bank	IAM	A1/A+	28/03/2023	500,000	1.600%
CBA	Direct	A1+/AA-	11/04/2023	500,000	1.850%
NAB	Direct	A1+/AA-	18/04/2023	500,000	2.100%
NAB	Direct	A1+/AA-	09/05/2023	500,000	2.750%
NAB	Direct	A1+/AA-	23/05/2023	500,000	2.800%
Westpac	Direct	A1+/AA-	23/05/2023	500,000	2.780%
Westpac	Direct	A1+/AA-	06/06/2023	500,000	3.220%
Westpac	Direct	A1+/AA-	20/06/2023	500,000	3.990%
NAB	Direct	A1+/AA-	20/06/2023	500,000	0.600%
Westpac	Direct	A1+/AA-	04/07/2023	500,000	3.760%
CBA	Direct	A1+/AA-	18/07/2023	500,000	4.130%
ME Bank	IAM	A2/BBB+	01/08/2023	500,000	3.770%
Westpac	Direct	A1+/AA-	15/08/2023	500,000	0.530%
CBA	Direct	A1+/AA-	15/08/2023	500,000	3.980%
NAB	Direct	A1+/AA-	29/08/2023	500,000	4.050%
CBA	Direct	A1+/AA-	12/09/2023	500,000	4.060%
CBA	Direct	A1+/AA-	26/09/2023	500,000	4.640%
Westpac	Direct	A1+/AA-	10/10/2023	500,000	0.720%
<b>Total Investments</b>				<b>18,500,000</b>	<b>1.911%</b>
Commonwealth Bank - At Call Account <sup>(1)</sup>				263,018	2.400%
Commonwealth Bank Balance - General <sup>(1)</sup>				1,984,512	2.200%
Reliance Bank <sup>(1)</sup>				467,710	0.000%
<b>TOTAL INVESTMENTS &amp; CASH</b>				<b>21,215,239</b>	
Benchmarks:		BBSW 90 Day Index <sup>(1)</sup>			3.063%
		RBA Cash Rate <sup>(1)</sup>			2.350%

1. % Interest rates as at end of reporting period

Financial Institution	Invst/(Recall) Amount \$	Commentary
Reliance Bank	(500,758)	Term deposit matured 01/09/2022
Reliance Bank	500,000	Term deposit reinvested 01/09/2022
CBA	(501,945)	Term deposit matured 13/09/2022
CBA	500,000	Term deposit reinvested 13/09/2022
CBA	(501,887)	Term deposit matured 27/09/2022
CBA	500,000	Term deposit reinvested 27/09/2022

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%	76%	14,000,000
A- Category	40%	8%	1,500,000
BBB+ Category	25%	8%	1,500,000
BBB Category	5%	3%	500,000
BBB- Category and below: Local <sup>(2)</sup> ADI's	10%	5%	1,000,000
BBB+ / BBB / BBB- & below categories combined	25%	16%	
2. ADI's located within the Local Government Area			18,500,000

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

RESTRICTED CASH, CASH EQUIVALENTS & INVESTMENTS			
	Actual 30/06/2021 \$ 000's	Actual* 30/06/2022 \$ 000's	Forecast 30/06/2023 \$ 000's
External Cash Restrictions	12,648	13,097	9,856
Internal Cash Restrictions	7,476	7,120	4,815
<b>TOTAL RESTRICTED ASSETS</b>	<b>20,124</b>	<b>20,217</b>	<b>14,671</b>

\*The actual 30/06/2022 Restricted Cash and Investments figures are subject to change pending finalisation of the 2021/22 Financial Statement audit.

Council is still holding a high level of cash which has been inflated by advance payment of both operational and capital grants towards the end of 2021/22. This is also compounded by receipt of the 31 August (1<sup>st</sup> quarter) instalment for rates and annual charges.

**CERTIFICATION – RESPONSIBLE ACCOUNTING OFFICER**

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

**Risk/Policy/Legislation Considerations:**

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

**Budget Implications:**

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

**Enclosures (following report)**

Nil

**Attachments (separate document)**

Nil

**06) INFORMATION TECHNOLOGY QUARTERLY REPORT**

**Department:** Corporate Services

**Author:** Manager Information Technology

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

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

---

**Recommendation:**

That Council receive and note the Information Technology report for the July to September 2022 quarter.

**Reason for Report:**

To update Council on Information Technology activities and performance for the July to September 2022 quarter.

**Report:**

The roll-out of Council's capital expenditure program for the 2022/23 has commenced. The following is an overview of activities:

- Migration of data storage to the cloud
- Migration of servers to the latest operating system
- Scope to implement mapping standard to GDA2020 has commenced

Council has completed migrating email systems to the Cloud and has implemented a cloud-to-cloud backup solution.

The Anti-Virus Software on Council's internal network reported zero threats for the quarter.

Email Filtering Statistics

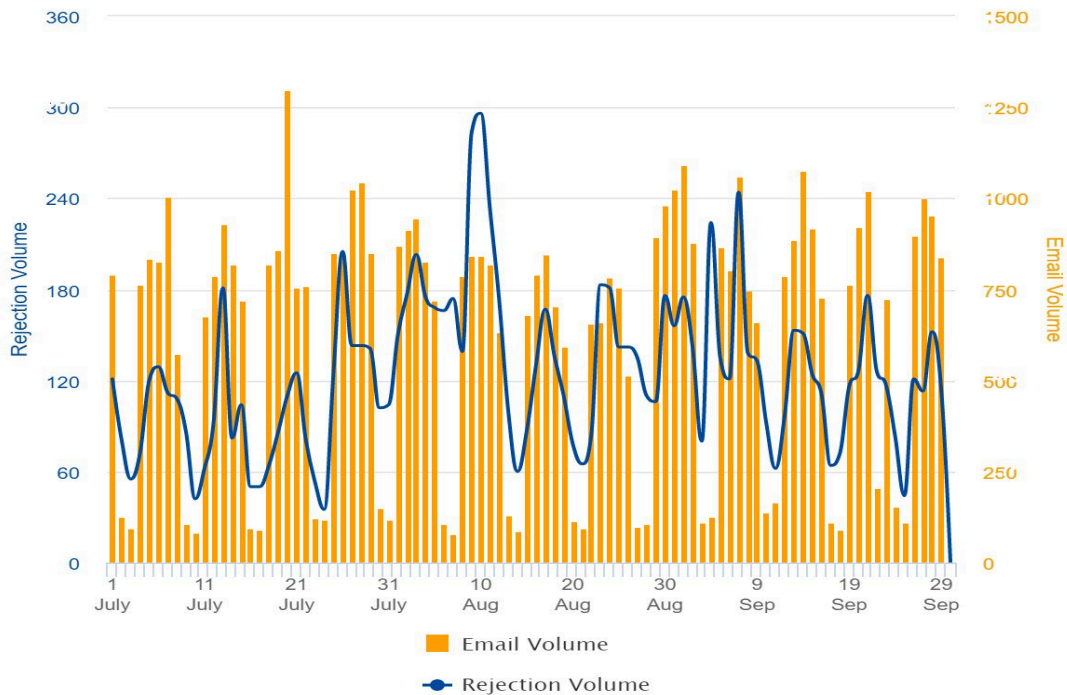
Council has not had any malicious emails enter the network during the quarter with all being stopped by the email filtering service. The following table provides an overview of email volume to emails rejected for the quarter.



### Email Volume Vs Rejected Mail

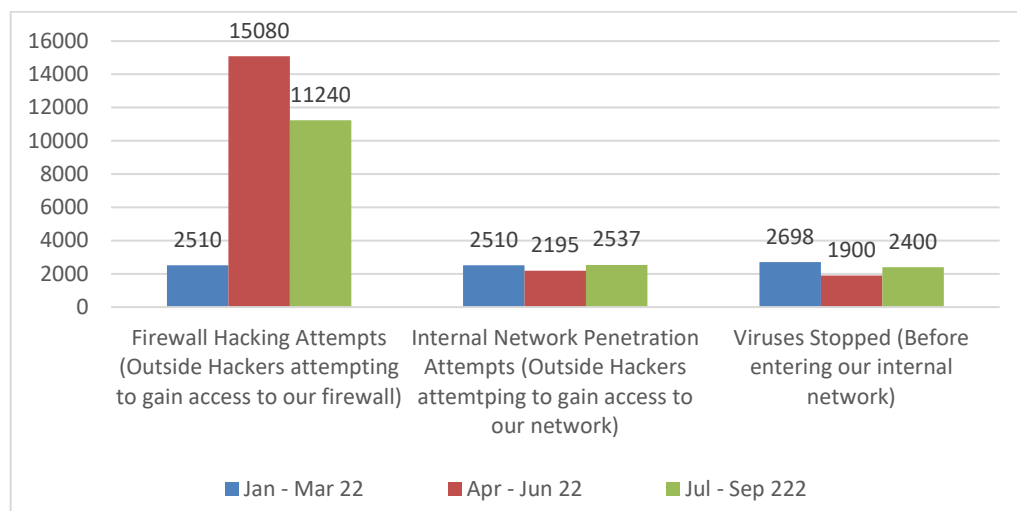
From 1 Jul 2022 To 30 Sep 2022

Total Email Count : 56716 Total Rejection Count : 11354



### Firewall Statistics

The number of threats to Council’s Firewall has remained steady over the last quarter. The below graph provides a comparison of activity for the quarter to previous quarters of the calendar year and reflects hackers looking for open ports on the Internet to try to penetrate. This graph does not indicate hackers deliberately targeting Council’s network. As Council has no open ports, there were no successful attempts made.



**Risk/Policy/Legislation Considerations:**

Cyber threats are noted within Council's Corporate Risk Register with mitigating controls in place.

**Budget Implications:**

Council has provision within its Operational Plan for costs associated with Information Technology support and licencing arrangements.

**Enclosures (following report)**

Nil

**Attachments (separate document)**

Nil

**07) QUARTERLY REPORT ON SOLAR ANALYTICS**

**Department:** Corporate Services

**Author:** Manager Information Technology

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

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

**Recommendation:**

That Council receive and note the Solar System Analytics report for the July to September 2022 quarter.

**Reason for Report:**

To update Council on Solar System performance for the July to September 2022 quarter and savings for the 2022/23 Financial Year

**Report:**

Council’s solar power generation sites include the Sewage Treatment Plant, Works Depot, Council Administration Office and CentrePoint.

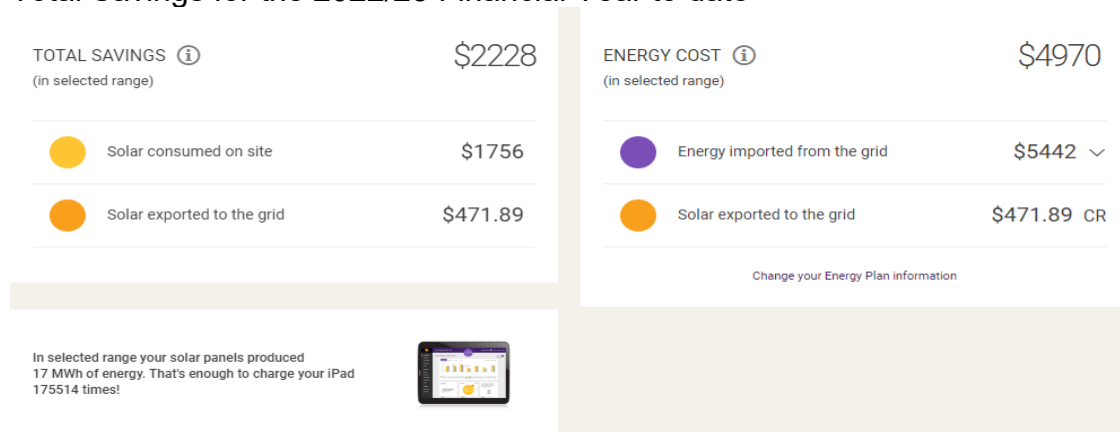
Many factors can affect solar performance such as cloud or periods of bad weather however the system has continued to perform well throughout the quarter.

Please see below a summary by site for the July to September quarter and total savings for the 2022/23 Financial Year to date.

**Sewage Treatment Plant**

Month	Production	Consumption	Savings
Jul-22	3.0 MWh	16.5 MWh	\$644.52
Aug-22	3.3 MWh	16.5 MWh	\$718.44
Sep-22	4.0 MWh	16.0 MWh	\$865.33

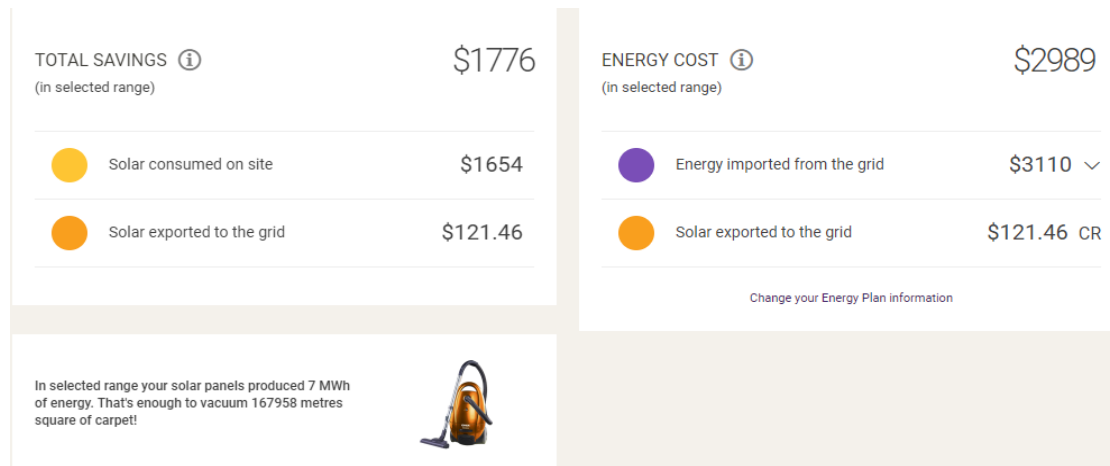
**Total Savings for the 2022/23 Financial Year to date**



**Works Depot**

Month	Production	Consumption	Savings
Jul-22	1.4 MWh	5.4 MWh	\$526.37
Aug-22	1.6 MWh	5.7 MWh	\$601.85
Sep-22	1.7 MWh	4.3 MWh	\$647.48

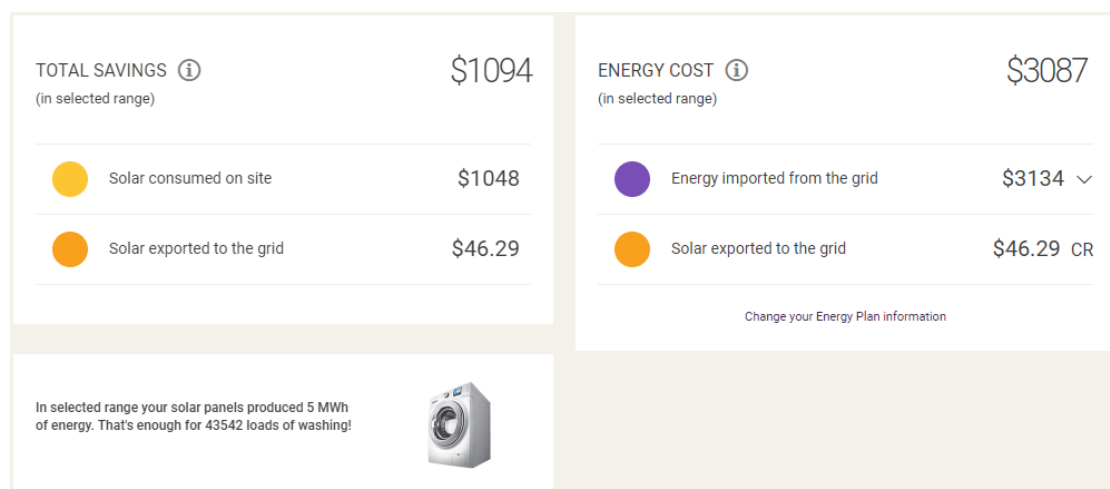
Total Savings for the 2022/23 Financial Year to date



**Council Administration Office**

Month	Production	Consumption	Savings
Jul-22	1.1 MWh	6.5 MWh	\$296.62
Aug-22	1.3 MWh	6.5 MWh	\$364.44
Sep-22	1.5 MWh	4.6 MWh	\$432.79

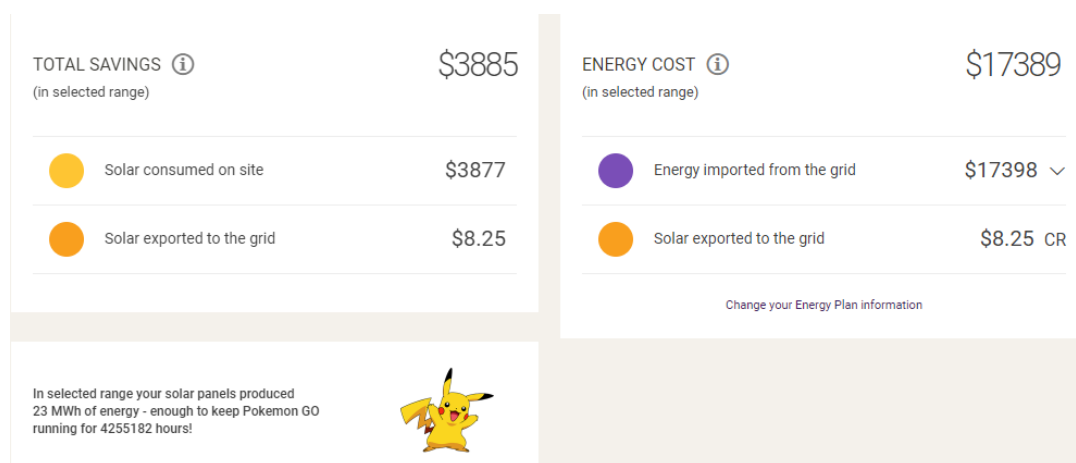
Total Savings for the 2022/23 Financial Year to date



**CentrePoint**

Month	Production	Consumption	Savings
Jul-22	6.5 MWh	55.0 MWh	\$1,033.99
Aug-22	7.4 MWh	52.7 MWh	\$1,211.85
Sep-22	9.7 MWh	48.6 MWh	\$1,639.60

Total Savings for the 2022/23 Financial Year to date



**Risk/Policy/Legislation Considerations:**

Periods of bad weather can hamper solar power production which will draw more power from the grid.

**Budget Implications:**

The installation of solar panels at Council’s large generation sites creates operational savings by reducing Council’s overall electricity costs. Anticipated savings have been forecast throughout Council’s operational plan.

**Enclosures (following report)**

Nil

**Attachments (separate document)**

Nil

**08) DISCLOSURES BY COUNCILLORS AND DESIGNATED PERSONS**

**Department:** Corporate Services

**Author:** Director Corporate Services

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

**File No:** PE.DI.1

---

**Recommendation:**

That the “Disclosures by Councillors and Designated Persons” Returns for the period ending 30 June 2022, as tabled be received.

**Reason for Report:**

For Council to fulfil its “*Disclosure of Interests in Written Returns*” obligations to maintain a register and tabling of returns under Part 4 of the Model Code of Conduct for Local Councils in NSW and Council's adopted Code of Conduct for Councillors and for staff.

**Report:**

In accordance with clause 4.13, all returns disclosing interests of Councillors and designated persons, for the period 1 July 2021 to 30 June 2022, must be tabled at the first meeting of Council following the last day for lodgement of the returns. This date was 30 September 2022.

Accordingly, a copy of the returns will be tabled at this meeting for each Councillor, who held office at 30 June 2022, and the following designated persons as determined by the General Manager:

- General Manager
- Director Corporate Services
- Director Planning & Environmental Services
- Director Infrastructure Services
- Chief Financial Officer
- Manager Operations
- Manager Planning
- Manager Urban Services & Projects

**Risk/Policy/Legislation Considerations:**

The Model Code of Conduct for Local Councils in NSW requires:

- Disclosure of Interests in Written Returns to be submitted on an annual basis by Councillors and Designated Persons;
- The general manager to keep a register of returns required to be made and lodged with the general manager; and
- That they be lodged at the next meeting after the prescribed due date for lodgement.

**Budget Implications:**

Nil

**Enclosures (following report)**

Nil

**Attachments (separate document)**

- 1 Disclosures by Councillors and Designated Persons Returns 31 Pages

*This matter is considered to be confidential under Section 10A(2) (f) of the Local Government Act, as it deals with matters affecting the security of the Council, Councillors, Council staff or Council property.*

**09) QUARTERLY BUDGET REVIEW STATEMENT - JUNE 2022****Department:** Corporate Services**Author:** Chief Financial Officer**CSP Link:** 2. Build the Capacity and Capability of Local Governance and Finance**File No:** FM.BU.1

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**Recommendation:**

That the Quarterly Budget Review Statement for the quarter ending 30 June 2022 be received.

**Reason for Report:**

For Council to note the Quarterly Budget Review Statement (QBRS) for the quarter ending 30 June 2022.

**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.

A set of minimum requirements have been set 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:
  - o by income and expense type including capital grants and contributions **(QBRS: Part 2)**
  - o 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 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 2021/22 Budget Review covering the June 2022 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:**

The June Quarterly Budget Review statement is a measure of the actual income and expenditure compared to the adopted revised budget as a result of variations approved in the September, December and March quarters. A schedule of carryovers for non-recurrent expenditure or in progress capital works was adopted with the 2021/22 Financial Statements at the 29 August extraordinary meeting. As such there are no recommended variations for approval.

As at 30 June 2022 the Income from Continuing Operations was \$29.51m compared to \$30.25m revised budget. Operational Grants and Contributions were up \$748k due to advance payment of 75% of the 2022/23 financial assistance grant compared to the 50% anticipated. Capital Grants and Contributions were down by \$1.66m on revised budget due to delays in construction of road projects including Hobbys Yards Road, Stage 3 of the Belubula River Walk and bridge replacements on Lucan, Leabeater and Boondaroo Roads. Construction of the Rural Fire Services Shed in Blayney was also delayed. As a result, delivery of these projects will be deferred to the 2022/23 Financial Year. Offsetting this was \$863k in contributed infrastructure

assets (roads, stormwater and sewerage) as a result of a major subdivision in Blayney.

Expenses from continuing operations were \$19.66m compared to \$20.04m revised budget. Whilst this is less than budgeted, employee costs were up by \$406k, largely due to the increased cost of road maintenance following a significant wet season which has impacted much of Council's Road network. Increased leave was experienced due to the impact of COVID and isolation rules impacting many staff. Additionally, there was an increase in casual staff particularly for projects and planning and development control functions as a result of increased development assessment revenue and capital grant funding.

Council had budgeted write offs for disposal of infrastructure related assets including roads and bridges however due to delays in construction of replacement assets these disposals were deferred.

Capital expenditure for the year ending 30 June 2022 totalled \$13.92m compared with \$18.21m revised budget. Significant variations are consistent with those projects identified through the reduction of Capital Grants and Contributions including Council's bridge replacement program on Lucan, Leabeater and Boondaroo Roads and construction of the new Rural Fire Services shed in Blayney.

All in progress capital works were adopted as carryovers from the 2021/22 to 2022/23 year along with the adoption of the 2021/22 financial statements at the 29 August Council meeting.

Council's cash position as at 30 June 2022 was \$20.23m compared to \$14.99m forecast largely due to an increase in both operating and capital grants and contributions following early payment of initial milestones for projects scheduled for completion in 2022/23. Due to Council's expansive capital works program there was also a number of funding milestones owing to Council for expenditure incurred prior to 30 June which impacted the levels of unrestricted cash available. As a result some funds were borrowed from internal allocations including the Financial Assistance Grant, King George Oval and CentrePoint until this funding is received in 2022/23.

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

Nil

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

1 Quarterly Budget Review Statement - June 2022 23 Pages

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

That the following policies be endorsed by Council and be placed on public exhibition for a period of not less than 28 days:

- Corporate Credit Card Policy
- Email and Internet Policy
- Information Security Policy
- Mobile Device Usage Policy
- Pathway Hierarchy Standard and Maintenance Policy
- Road Hierarchy Renewal and Maintenance Policy
- Voluntary Planning Agreement Policy
- Waste Collection Services Policy

**Reason for Report:**

For the Council to review Council's strategic policies.

**Report:**

Council has in place a process of policy review following the election of a new Council. It is proposed that this be conducted over in the 12 months following election and are presented to Council for endorsement.

The following policies are proposed for review:

<b>Policy</b>	<b>Objective</b>
Corporate Credit Card Policy	To provide guidance on the provision and use of Council's Corporate Credit Cards and to identify who is entitled to a corporate card, outline the responsibilities of Corporate Card users and identify the permitted users of the cards
Email and Internet Policy	To provide parameters for the acceptable use of Blayney Shire Council's corporate systems for email/calendars and internet browsing.
Information Security Policy	To clearly articulate the information security behaviors and practices that BSC requires councillors and staff to comply with.

<b>Policy</b>	<b>Objective</b>
Mobile Device Usage Policy	To provide parameters for the use of corporate Mobile Devices used for access to Blayney Shire Council's corporate systems such as email/calendars, internet browsing and mobile applications used for Council related business.
Pathway Hierarchy Standard and Maintenance Policy	To outline Council's level of service for pathway maintenance activities and details procedures for the management of the pathway network and related infrastructure.
Road Hierarchy Renewal and Maintenance Policy	To outline Council's level of service for road renewal and maintenance activities and details procedures for the management of the road network, road related infrastructure and activities.
Voluntary Planning Agreement Policy	To provide a clear framework and sound governance for the negotiation and management of planning agreements in the Blayney local government area.
Waste Collection Services Policy	To provide guidelines for Council's provision of domestic and non-domestic waste collection services within the Blayney Shire Council.

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

**Risk/Policy/Legislation Considerations:**

Nil

**Budget Implications:**

Nil

**Enclosures (following report)**

Nil

**Attachments (separate document)**

<b>1</b>	Corporate Credit Card Policy	4 Pages
<b>2</b>	Email and Internet Policy	5 Pages
<b>3</b>	Information Security Policy	7 Pages
<b>4</b>	Mobile Device Usage Policy	5 Pages
<b>5</b>	Pathway Hierarchy Standard and Maintenance Policy	7 Pages
<b>6</b>	Road Hierarchy Renewal and Maintenance Policy	10 Pages
<b>7</b>	Voluntary Planning Agreement Policy	15 Pages
<b>8</b>	Waste Collection Services Policy	4 Pages

**11) 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 October 2022 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****Cadia Road Temporary Closure**

Following the approved application for repair of Cadia Road, culvert replacement and deep pavement repair has commenced. Council Engineers have inspected the subgrade and has formed an agreed scope with the contractor.

Survey and preliminary design have been undertaken to ensure the road is reconstructed to an equivalent profile. Pavement design is still in progress.

The condition of the detour continues to be monitored with some maintenance activities and further speed reduction undertaken.

Cadia Valley Operation has been working well with Council with dedicated staff allocated to the repair and reopening of Cadia Road with a cost neutral impact to Council.

**Blayney Concept Basins Study**

A thorough review is still underway. It has been identified that a Local flooding model (in comparison to the River and Creek Flooding Model) should be prepared in confirming the flooding impacts to the Blayney Township.

A detailed scope variation request is currently being prepared with assistance from an independent specialist. It is likely this will be ready for release to market in early November.

**Major Contracts**Leabeater Street Bridge

Construction drawings have been approved. Establishment will occur following completion of Boondaroo in mid-October.

Lucan Road Bridge

Detailed design is currently underway. The current project plan shows precast concrete components having commenced manufacture, with establishment occurring in November.

Boondaroo Road Bridge

The deck has been poured and remaining works are the road approaches and the guardrail. There has been a week's delay due to wet weather, with completion projected for mid-October.

**Major Works**Panuara Road Reconstruction

The contracted works are complete. There is one defect in Stage 1 which the contractor has scheduled to repair in late October, pending weather. The seal failure in Stage 3 was resealed by Council with surplus funds.

Hobbys Yards Road Repair

Works are currently being scoped and planned for the remainder of the funds under Resources for Regions Round 8. Geotechnical investigation is planned for the end of October.

Gap Road Culvert Repair

Structural base slab has been poured and the precast cells installed. Wing wall construction and backfilling has commenced. Completion is currently forecast for early November.

**Road Maintenance Works**

Road maintenance works including pothole patching, vegetation management, gravel road maintenance and signage works have been undertaken in the Forest Reefs, Errowanbang, and Panuara areas, and are underway in the Moorilda, Newbridge areas.

Gravel Re-sheeting

Works are currently halfway completed on Caloola Road, after which staff will move to McKellars Lane and back to Mallowgrove Road for final completion. These roads have been completed under the Fixing Local Roads Round 3 Program.

Culvert Renewal Program

Works on the Doust Street culvert are completed, with backfilling and final sealing completed on the 5<sup>th</sup> of October 2022. Barrier removal and final site demobilisation are yet to be completed, however they are the only outstanding items for final completion of this project.

Works are still halted on the Glenlea Road culvert due to significant weather impacts; a local contractor has been engaged to divert water and drain the site in preparation for slab works to start. In this month, minor culvert renewal works were completed on Peppermint Lane, just north of Beneree Road.

### **Footpaths**

The footpath on Coombing Street has been completed, with minor closeout works to be completed before project signoff. Path edge re-sealing on Coombing Street is expected to be completed by Friday 14<sup>th</sup> October, pending weather, and handrail works are expected for mid-October. This project is being completed under Resources for Regions, Round 8.

### **Assets**

Staff continue to prepare the Fixing Country Roads funding submissions for Newbridge Road, with submissions completed for Resources for Regions Round 9, Stronger Country Communities Fund, and Fixing Local Roads.

Staff are also working on the quarterly depreciation for the September quarter QBRS and have begun the 6 monthly footpath inspections in Blayney and Villages CBD areas.

### **Parks and Recreation**

The Parks and Recreation team are continuing routine maintenance such as, tree trimming, brush cutting, and whipper snipping within the open space and sporting oval network. Mowing has slightly increased due to the spring, but intermittent rain fall is delaying some mowing.

### Smart Hub Lighting & Access Control

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

Once completed and commissioned, this will enable Council to provide, monitor and control, access and lighting at these sites remotely.

The KGO change rooms still require the installation of the locks by Laser Electricals.

### Belubula River Walk – Stage 3

Contractors have installed the foot bridge to the “Island”, and the boardwalk will commence once the weather improves, and the ground dries out.

### Millthorpe Cricket nets

The cricket nets frame and netting has been completed. All that remains is the conveyor belt around the bottom of the netting and the synthetic pitch laid.

**Wastewater****Recycled Water Treatment Plant**

Atom Consulting will return in early November to complete the last of the validation. All going well the plant will be commissioned and validated to commence production. While Council is ready for validation now, this is the earliest that Atom Consultants can be onsite to complete the work.

**Fleet, Plant & Depot**

Procurement for fleet replacement continues with a detailed review to follow. Regular maintenance of plant continues.

The security gate upgrade of Council's depot is still underway, with the new gates and pedestrian access gate completed. Fencing and access control system installation are outstanding, expected to be operational in the coming weeks.

**Risk/Policy/Legislation Considerations:**

Information report only

**Budget Implications:**

Information report only

**Enclosures (following report)**

Nil

**Attachments (separate document)**

Nil



**12) ROAD ALLOCATIONS 2022/23****Department:** Infrastructure Services**Author:** Director Infrastructure Services**CSP Link:** 1. Maintain and Improve Public Infrastructure and Services**File No:** RD.RC.1**Recommendation:**

That Council receive and note the proposed work locations for the reseal, heavy patching and culvert renewal programs for 2022/23.

**Reason for Report:**

To provide Councillors with information on the allocation of funding across Council's infrastructure.

**Report:**

The location of reseals, heavy patching and culvert renewal works has been determined for the 2022/23 financial year within funding allocations.

**Resealing**

The resealing budget for 2022/23 is \$425,000. The due to the recent wet weather and rapid deterioration of the road network, the sealed road condition assessment by ARRB was deemed outdated. As such Council engineers have performed detailed onsite scoping.

It should be recognised that resealing is preventative maintenance measure, and a large amount of Blayney Shire's deteriorated seal network also has deteriorated base layers which makes them unviable to reseal.

<u>Road</u>	<u>From</u>	<u>To</u>	<u>Length</u>	<u>Cost</u>
Walkom Rd	Midwestern Hwy (West)		1.8 km	\$99,000
Moorilda Rd	Newbridge Road intersection	End of section patch to the south	2.6 km	\$94,000
Johnston Cres	Start	End	0.5 km	\$31,000
Hunt Pl	Johnston Cres	End	0.1km	\$5,000
Vidler Pl	Johnston Cres	End	0.1 km	\$5,000
Peters Pl	Johnston Cres	End	0.1 km	\$5,000
Neville Rd	Hobbys Yards Rd +2200m	Hobbys Yards Rd +2960m	0.8 km	\$37,000
<b>Total Allocated</b>			<b>6.0 km</b>	<b>\$276,000</b>

There are some reseals (approximately 4km) in addition to the table above on Hobbys Yards Road and Carbine Road. These will be placed on top of the primary seal laid during construction as a final two-coat seal was unable to be placed due to the time of year the works were completed. These costs will be attributed against the capital works budget funded by Resources for Regions (Round 7 & 8)

The seal designs are completed, and works are scheduled for late January-early February 2023. Depending on the prevailing oil price at the time of works, prices can vary between -20%/+10% from what is estimated.

The current budget has not been fully allocated due to the limited number of roads that would accept a reseal without significant patching works. As such, remaining funds will be held as contingency to Council's heavy patching budget.

#### Heavy Patching

The heavy patching budget for 2022/23 is \$530,000. Recent condition assessments determined the following areas for heavy patching.

<u>Road</u>	<u>From</u>	<u>To</u>	<u>Length</u>	<u>Cost</u>
Long Swamp Road	Tallwood Road +300m	Carbine Road	1 km	\$450,000
Neville Road*	TBC			\$100,000
<b>Total Allocated</b>				<b>\$550,000</b>

\*N.B., the exact heavy patch location on Neville Road is yet to be confirmed. It is the intention that this project would be predominately funded under a Fixing Local Roads application with a Council co-contribution. The outcome of this is expected in the coming months.

#### Culvert Renewal

The culvert renewal budget for 2022/23 is \$512,500. Following condition assessments, the following sites have been scoped for renewal works.

<u>Location</u>	<u>Scope</u>	<u>Cost</u>
Glenlea Road; North of Myers Lane	Full reconstruction	\$240,000
Doust Street; between Carcoar & Burton Streets	Full reconstruction	\$130,000
Minor Culvert repairs	Extensions, replacement, and minor repairs throughout the Shire	\$130,000
<b>Total Allocated</b>		<b>\$500,000</b>

It was the intention last financial year that Glenlea Road culvert would be incorporated in the contract for spalling repair works. However, additional investigation determined that the culvert was deteriorated beyond economic repair and required closure for immediate reconstruction.

Doust Street culvert is a project from last financial year which has experienced significant delays due to weather impacts. This project has been substantially completed as of this report, with final demobilisation yet to occur.

**Risk/Policy/Legislation Considerations:**

All works are identified as of 3 October 2022 and could change into the future dependant on the prevailing weather conditions. Council officers will re-prioritise works within the budget as needed.

**Budget Implications:**

All works scheduled are within Council's budget allocation for 2022/23.

**Enclosures (following report)**

Nil

**Attachments (separate document)**

Nil

**13) MINUTES OF THE TRAFFIC COMMITTEE MEETING HELD 30 SEPTEMBER 2022**

**Department:** Infrastructure Services

**Author:** Director Infrastructure Services

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

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

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**Recommendation:**

1. That the minutes of the Blayney Traffic Committee Meeting, held on Friday 30 September 2022, be received and noted.
2. That Council endorse the Traffic Management Plan for the Sydney Zoo2Zoo Bicycle Ride event to be staged 13 to 16 October 2022. The event is to be classified as a Class 2 event, and approved subject to the conditions detailed in the Acting Director Infrastructure Services' Report.
3. That Council endorse the Traffic Management Plan for the Millthorpe Market event, to be staged on 4 December 2022 on Redmond Oval as a Class 2 event, subject to the conditions detailed in the Director Infrastructure Services' Report.
4. That Council endorse the Traffic Guidance Scheme for the Carcoar Cup Running Festival, to be held on 12-13 November 2022 on roads in the Villages of Carcoar and Neville, and roads in-between as a Class 2 event, subject to the conditions detailed in the Director Infrastructure Services' Report with the amendment that the Event Organiser provide a more detailed Traffic Guidance Scheme (TGS) compliant to TCAWS Manual and Director Infrastructure Services satisfaction.

**MINUTES OF THE BLAYNEY SHIRE COUNCIL TRAFFIC COMMITTEE MEETING HELD IN THE CHAMBERS, BLAYNEY SHIRE COUNCIL COMMUNITY CENTRE, ON 30 SEPTEMBER 2022, COMMENCING AT 10:02AM****PRESENT**

**Members:** Cr John Newstead (Blayney Shire Council - Chair), Reg Rendall (Paul Toole Representative), Jackie Barry (TfNSW), Annette Tindall (NSW Police).

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

**APOLOGIES**

Nil.

**CONFIRMATION OF MINUTES****MINUTES OF THE PREVIOUS MEETING BLAYNEY SHIRE  
COUNCIL TRAFFIC COMMITTEE MEETING HELD 5 AUGUST  
2022****Recommendation:**

That the Minutes of the Blayney Shire Council Traffic Committee Meeting held on 5 August 2022, be confirmed to be a true and accurate record of that meeting.

(Reg Rendall / Cr John Newstead)

**MATTERS ARISING FROM THE MINUTES**

Nil.

**DECLARATION OF INTEREST**

Nil.

**CORRESPONDENCE**

Nil.

**REPORTS****20220930:01 STREET EVENT - SYDNEY ZOO2ZOO BICYCLE RIDE - 13 -  
16TH OCTOBER 2022****Recommendation:**

That Council endorse the Traffic Management Plan for the Sydney Zoo2Zoo Bicycle Ride event to be staged 13 to 16 October 2022. The event is to be classified as a Class 2 event, and approved subject to the conditions detailed in the Acting Director Infrastructure Services' Report.

(Reg Rendall / Cr John Newstead)

**20220930:02 STREET EVENT - MILLTHORPE MARKET - 4 DECEMBER  
2022VF****Recommendation:**

That Council endorse the Traffic Management Plan for the Millthorpe Market event, to be staged on 4 December 2022 on Redmond Oval as a Class 2 event, subject to the conditions detailed in the Director Infrastructure Services' Report.

(Jackie Barry / Reg Rendall)

**20220930:03 STREET EVENT - CARCOAR CUP RUNNING FESTIVAL -  
13 NOVEMBER 2022****Recommendation:**

That Council endorse the Traffic Guidance Scheme for the Carcoar Cup Running Festival, to be held on 12-13 November 2022 on roads in the Villages of Carcoar and Neville, and roads in-between as a Class 2 event, subject to the conditions detailed in the Director Infrastructure Services' Report with the amendment that the Event Organiser provide a more detailed

Traffic Guidance Scheme (TGS) compliant to TCAWS Manual and Director Infrastructure Services satisfaction.

**TRAFFIC REGISTER**

20220930:04 **TRAFFIC REGISTER**  
Noted.

**GENERAL BUSINESS**

**Gap Road Culvert Closure Update** – Jacob Hogan

The base slab has now been poured and precast components will be installed in coming weeks. Construction of wingwalls, backfilling and road construction will then follow. The current project plan forecasts that the intersection will be reopened in the first week of November weather permitting.

**Culvert Inspection – Jackie Barry**

TfNSW will be doing a culvert inspection on the Mid Western Highway at Lyndhurst today.

**FUTURE MEETING DATES - 2022**

9 December 2022

There being no further business, the meeting concluded at 10.20am.

**COUNCIL ISSUES**

Development of Policy and Guidelines for Advisory Signs.

**Enclosures (following report)**

Nil

**Attachments (separate document)**

Nil

**14) DEVELOPMENT ASSESSMENT QUARTERLY REPORT**

**Department:** Planning and Environmental Services

**Author:** Director Planning and Environmental Services

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

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

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**Recommendation:**

That the development assessment quarterly report be received and noted.

**Reason for Report:**

To update Councillors on development assessment (development applications and complying development certificates) for the period.

**Report:**

The following enclosures are provided for Councils information;

1. Applications approved under delegated authority during the period
2. Applications refused under delegated authority during the period
3. Applications currently under assessment

**Risk/Policy/Legislation Considerations:**

Nil

**Budget Implications:**

Nil

**Enclosures (following report)**

- |   |  |         |
|---|--|---------|
| 1 | DA Approvals and Under Assessment 1 July 2022 to 30 September 2022 | 6 Pages |
|---|--|---------|

**Attachments (separate document)**

Nil

1. Applications approved under delegated authority during the period

DA NUMBER	APPLICATION DATE	APPLICANTS NAME	APPLICATION DESCRIPTION OF WORK	PROPERTY ADDRESS	DATE APPROVED	VALUE
2021/0079	16/06/2021	GEORGE KOSTOGLU	BOUNDARY ADJUSTMENT SUBDIVISION AND ALTERATIONS AND ADDITIONS TO THE EXISTING DWELLING	10 PARK ST MILLTHORPE	15/07/2022	\$150,000
2021/0108	10/09/2021	KATHRYN MARY STAMMERS	SUBDIVISION & ERECTION OF A DWELLING	24 ADELAIDE LANE BLAYNEY	01/07/2022	\$160,000
2022/0009	02/02/2022	ADRIAN COOK	ERECTION OF A DWELLING	22 SELWYN ST BARRY	30/09/2022	\$230,000
2022/0024	21/02/2022	BURGE FAMILY TRUST & ORTIGER FAMILY TRUST	TEN (10) LOT STRATA SUBDIVISION	33 PARK ST MILLTHORPE	18/07/2022	-
2022/0028	24/02/2022	DAVID PARSONS	BOUNDARY ADJUSTMENT	4 CLARKE ST BLAYNEY	22/07/2022	-
2022/0041	23/03/2022	AARON & SARAH RANDALL	CONSTRUCTION OF A NURSERY SHED FOR DISPLAY, SALES AND ANCILLARY ACTIVITIES	15 MOORILDA ST NEVILLE	05/08/2022	\$35,000
2022/0047	04/04/2022	GERARD GOLDSMITH	INSTALLATION MANUFACTURED HOME	283 WATTERSONS LANE FOREST REEFS	25/07/2022	\$120,751
2022/0052	11/04/2022	GAVIN BRETT	ERECTION OF A SHED	34 OGILVY ST BLAYNEY	09/09/2022	\$22,000
2022/0053	19/04/2022	CAMERON MENDHAM	ERECTION OF A DWELLING	13 SELWYN ST BARRY	27/07/2022	\$385,000
2022/0057	22/04/2022	TDS BUILDING NSW PTY LTD	ERECTION OF 2 SHEDS	3 OGILVY ST BLAYNEY	19/08/2022	\$30,258
2022/0062	04/05/2022	MELINDA SMITH	FIFTEEN (15) LOT SUBDIVISION	35 PRICES LANE BLAYNEY	26/08/2022	\$1,700,000
2022/0067	11/05/2022	STACEY LOCHRIN	SECTION 68 - 5 PYM STREET MILLTHORPE	5 PYM ST MILLTHORPE	01/07/2022	-
2022/0069	13/05/2022	DAVE COWAN CONSTRUCTIONS	ALTERATIONS & ADDITIONS TO AN EXISTING DWELLING	32 PILCHER ST MILLTHORPE	15/07/2022	\$19,000
2022/0070	13/05/2022	COLIN JOSS & CO. PTY. LIMITED	ERECTION OF A COLA	2 LINDSAY ST BLAYNEY	14/07/2022	\$143,035
2017/0022/1	25/05/2022	PAUL JOHANNES ELS	ERECTION OF A COTTAGE	16 COLLINS ST CARCOAR	19/08/2022	-
2022/0073	06/06/2022	PETER STONE	THREE (3) LOT SUBDIVISION	9 FRAPE ST BLAYNEY	25/07/2022	-



2022/0074	08/06/2022	GREGORY COLEMAN	ERECTOR OF A DWELLING	14 CASTLE VISTA BLAYNEY	14/07/2022	\$470,787
2022/0077	08/06/2022	ICR ENGINEERING PTY LTD	INDUSTRIAL DEVELOPMENT	53 GERTY ST BLAYNEY	01/07/2022	\$1,560,080
2022/0078	08/06/2022	S & K TOSHACK BUILDING PTY LTD	ALTERATIONS & ADDITIONS TO EXISTING DWELLING	44 ORANGE RD BLAYNEY	15/07/2022	\$80,000
2022/0079	14/06/2022	RICHARD SOUTHWELL	ALTERATIONS & ADDITIONS TO EXISTING DWELLING	592 FOREST REEFS RD FOREST REEFS	01/07/2022	\$862,000
2022/0084	20/06/2022	RICHARD SOUTHWELL	ALTERATIONS & ADDITIONS TO EXISTING DWELLING	95 FOREST REEFS RD MILLTHORPE	01/07/2022	\$47,000
2022/0087	22/06/2022	NICOLE DICKER	TWO (2) LOT SUBDIVISION	82 SPRINGVALE LANE MILLTHORPE	04/08/2022	-
2022/0088	29/06/2022	BLAYNEY GOLF CLUB	ALTERATIONS & ADDITIONS TO EXISTING GOLF CLUB	4261 MID WESTERN HWY BLAYNEY	13/07/2022	\$158,000
2022/0089	29/06/2022	ROSEMARY LOUISE MCLEAN	ERECTOR OF A DWELLING	4 PALMER ST BLAYNEY	16/08/2022	\$944,290
2022/0090	29/06/2022	LEANNE GAY BENNETT	ERECTOR OF A SHED	35 ADELAIDE LANE BLAYNEY	05/08/2022	\$31,000
2022/0091	29/06/2022	PETER BASHA PLANNING & DEVELOPMENT	SECTION 68	49 CROWSON ST MILLTHORPE	22/07/2022	-
2022/0092	30/06/2022	DAVID JOHN COWAN	ALTERATIONS & ADDITIONS TO EXISTING DWELLING	57 CROUCH ST NEVILLE	23/09/2022	\$48,500
2022/0093	13/07/2022	LISA GITTANY	CHANGE OF USE DA132/2017/1	1 STATION PL MILLTHORPE	05/09/2022	-
2022/0095	13/07/2022	DIANA O'DEA	SECTION 68 - ALTERATIONS AND ADDITIONS TO AN EXISTING DWELLING	15 BURTON ST BLAYNEY	05/08/2022	-
2022/0096	14/07/2022	DAVID DUNBAR HOMES	ERECTOR OF A DWELLING	22 CASTLE VISTA BLAYNEY	05/08/2022	\$439,867
2022/0097	20/07/2022	CHRISTINE NORMA ALEXANDER	ERECTOR OF A SHED	19 RUSSART ST LYNDHURST	13/09/2022	\$9,000
2022/0100	21/07/2022	J AND PJ NEWMAN PTY LTD J NEWMAN P F NEWMAN P F NEWMAN AND A J NEWMAN	INSTALLATION OF 2 SELF-BUNDED FUEL TANKS	1-3 MARIA ST BLAYNEY	05/08/2022	\$185,000

2022/0102	22/07/2022	TRADING AS NEWMANS FUELS KIRSTY O'BRIEN	ALTERATIONS & ADDITIONS TO EXISTING DWELLING	12 QUEEN ST BLAYNEY	05/08/2022	\$90,000
2022/0104	04/08/2022	RICHARD SOUTHWELL	ERECTION OF A DWELLING	71 GLENORIE RD MILLTHORPE	16/09/2022	\$650,000
2022/0106	12/08/2022	TRENT FARDON	ERECTION OF A DWELLING	12 ST VINCENT WELSH WAY BLAYNEY	26/08/2022	\$590,000
2022/0107	12/08/2022	RICHARD SOUTHWELL	ERECTION OF A DWELLING	66 VICTORIA ST MILLTHORPE	16/09/2022	\$603,000
2021/0073/1	15/08/2022	KURT TOOLE	ERECTION OF A DWELLING	2 TRUNKEY ST NEWBRIDGE	16/09/2022	-
2022/0108	22/08/2022	JASON KABLE	ERECTION OF A SHED	12 MARSDEN ST BARRY	09/09/2022	\$14,000
2017/0134/1	23/08/2022	ALICIA GERSBACH	ERECTION OF A DWELLING	6278 MID WESTERN HWY LYNDHURST	16/09/2022	-
2022/0109	23/08/2022	GREGORY J. COLEMAN PTY. LIMITED	ERECTION OF A DWELLING	5 HUNT PL BLAYNEY	25/08/2022	\$419,191
2022/0110	23/08/2022	ALISON RATCLIFFE	ERECTION OF A SHED	80 PITTMAN DR BROWNS CREEK	09/09/2022	\$24,900
2022/0112	24/08/2022	MILES DANIEL HARRISON	ALTERATIONS & ADDITIONS TO EXISTING DWELLING	364 NYES GATES RD MILLTHORPE	01/09/2022	\$400,000
2022/0113	24/08/2022	STEVE JOHNSTON	ALTERATIONS & ADDITIONS TO EXISTING DWELLING	44 CHARLES BOOTH WAY MILLTHORPE	09/09/2022	\$52,000
2017/0132/1	05/09/2022	LISA GITTANY	CHOCOLATE SHOP CAFE AND OUTSIDE TRADING	1A STATION PL MILLTHORPE	05/09/2022	-
2022/0117	05/09/2022	JAYCEE'S ADVANCE CONCRETORS PTY LTD	INSTALLATION OF A POOL	3609 MID WESTERN HWY BLAYNEY	23/09/2022	\$99,350
2022/0118	14/09/2022	ALAN MAY	ALTERATIONS & ADDITIONS TO EXISTING DWELLING	33 GRAHAM RD BLAYNEY	15/09/2022	\$110,000
2022/0119	14/09/2022	S & K TOSHACK PTY LTD	ERECTION OF A DWELLING	10 CASTLE VISTA BLAYNEY	30/09/2022	\$695,000
					<b>Total Value</b>	<b>\$11,578,009</b>

**2. Applications refused under delegated authority during the period**

DA NUMBER	APPLICATION DATE	APPLICANTS NAME	APPLICATION DESCRIPTION OF WORK	PROPERTY ADDRESS	DETERMINED
NIL					

**3. Applications currently under assessment**

DA NUMBER	APPLICATION DATE	APPLICANTS NAME	APPLICATION DESCRIPTION OF WORK	PROPERTY ADDRESS	VALUE
2020/0068	27/07/2020	BLAYNEY SHIRE COUNCIL	CHANGE OF USE - BLAYNEY SHOW GROUND	22 MARSHALLS LANE BLAYNEY	-
2021/0094	26/07/2021	JAMEEL QUERSHI	ERECTION OF AN OFFICE BUILDING	99 ADELAIDE STREET BLAYNEY	\$ 300,000.00
2021/0146	1/12/2021	CHARMS DEVELOPMENTS PTY LTD & FENLOR GROUP PTY LTD	FIFTY-THREE (53) LOT TORRENS TITLE SUBDIVISION, COMPRISING FORTY-NINE (49) URBAN RESIDENTIAL LOTS; ONE (1) LOW DENSITY RESIDENTIAL LOT CONTAINING THE EXISTING BLUE STONE COTTAGE; TWO (2) ON-SITE DETENTION BASINS AND ONE (1) REMNANT LOT	1279 MILLTHORPE RD MILLTHORPE	-
2022/0013	04/02/2022	NICHOLAS REEKS	DEMOLITION OF EXISTING DWELLING & ERECTION OF MULTI DWELLING HOUSING	39 ADELAIDE ST BLAYNEY	\$ 933,100.00
2022/0016	11/02/2022	RAYMOND HUSBAND	ERECTION OF A DWELLING	15 TRUNKEY ST NEWBRIDGE	\$ 405,000.00
2022/0017	11/02/2022	SHARNI LATHAM	ERECTION OF A DWELLING	20 CAMPBELL ST NEWBRIDGE	\$ 388,000.00
2022/0018	11/02/2022	SHARNI LATHAM	ERECTION OF A DWELLING	18 CAMPBELL ST NEWBRIDGE	\$ 401,000.00
2022/0029	24/02/2022	JACK FRY	ERECTION OF A DWELLING	1 CURTAIN ST NEWBRIDGE	\$ 330,000.00
2022/0044	04/04/2022	JULIE HEMIUS	ERECTION OF A DWELLING	5 BATHURST ST LYNDHURST	\$ 150,000.00

2022/0046	04/04/2022	GUY RANDALL	ERECTION OF A SHED	30 SPRINGVALE LANE MILLTHORPE	\$ 93,000.00
2022/0048	04/04/2022	BENEDICT JOHNSON	DEMOLITION OF EXISTING BUILDINGS, CONSTRUCTION OF A COMMERCIAL PREMISES, DUAL OCCUPANCY & ASSOCIATED SITE WORKS AND CAR PARKING	10 PYM ST MILLTHORPE	\$1,700,000.00
2022/0055	22/04/2022	MARGARET MARY WELLHAM	ALTERATIONS & ADDITIONS TO EXISTING DWELLING, DEMOLITION OF A WORKSHOP & ERECTION OF A GARAGE	17 TURNER ST BARRY	\$ 98,500.00
2022/0082	20/06/2022	JULIE HEMUS	ERECTION OF A DWELLING	7 BATHURST ST LYNDHURST	\$ 150,000.00
2022/0083	20/06/2022	JULIE HEMUS	ERECTION OF A DWELLING	3 BATHURST ST LYNDHURST	\$ 150,000.00
2022/0085	21/06/2022	IAN WEBBER	ALTERATIONS & ADDITIONS TO EXISTING DWELLING	798 NEVILLE RD CARCOAR	\$ 204,105.00
2022/0086	22/06/2022	JAMES KEENE	ERECTION OF A SHED	37 ADELAIDE ST BLAYNEY	\$19,400
2022/0094	13/07/2022	RICHARD MARK SOUTHWELL	ALTERATIONS & ADDITIONS TO EXISTING DWELLING	7-9 VICTORIA ST MILLTHORPE	\$417,000
2022/0098	21/07/2022	RICHARD SOUTHWELL	ERECTION OF A DWELLING	9 PYM ST MILLTHORPE	\$765,000
2022/0099	21/07/2022	THE TRUSTEE FOR MARCH PINES SUPER FUND	PROPOSED CHANGE OF USE OF THE FORMER BOWLING CLUB BUILDING TO FORM AN ANCILLARY RESTAURANT ASSOCIATED WITH THE APPROVED ON SITE MOTEL	62 OSMAN ST BLAYNEY	\$1,950,000
2022/0101	22/07/2022	BLAKE HOADLEY	CHANGE OF USE	22 ADELAIDE ST BLAYNEY	-
2022/0103	01/08/2022	BEN COCHRANE	ALTERATIONS & ADDITIONS TO EXISTING PUB	20 ELLIOTT ST MILLTHORPE	\$440,000
2022/0105	12/08/2022	CENTRAL WEST HOME ADDITIONS	ALTERATIONS & ADDITIONS TO AN EXISTING DWELLING	2 PALMER ST BLAYNEY	\$76,494

2022/0111	23/08/2022	MICHAEL SWAN	DEMOLITION OF EXISTING SHED AND ERECTION OF A SHED	16 PLUMB ST BLAYNEY	\$78,570
2022/0114	05/09/2022	DAVID ORTIGER	THREE (3) LOT TO TWO (2) LOT SUBDIVISION, ERECTION OF TWO (2) DWELLINGS & TWO (2) GARAGES	7-11 HENRY ST LYNDHURST	\$997,141
2022/0115	08/09/2022	NATHAN PAUL JONES	ALTERATIONS & ADDITIONS TO EXISTING DWELLING	35 ADELAIDE ST BLAYNEY	\$275,000
2022/0121	09/09/2022	HADERSLEV PTY LTD	ESTABLISHMENT OF A PRIMITIVE CAMPING GROUND	245 CARCOAR DAM RD CARCOAR	-
2022/0116	13/09/2022	SHIRLEY BURRIDGE	PLANNING PROPOSAL - CHANGE THE ZONING AND MLS PROVISIONS OF THE SUBJECT LAND	34 CHARLES ST BLAYNEY	-
2022/0120	15/09/2022	MICHAEL MOLLOY	BOUNDARY ADJUSTMENT	352 GALLYMONT RD MANDURAMA	-
2022/0122	28/09/2022	DAVID JAMES WOODS	ERECTION OF A DWELLING AND SHED	6436 MID WESTERN HWY LYNDHURST	\$350,000
2022/0031/1	30/09/2022	BARTLOMIEJ CZYZEWSKI	ERECTION OF A GARAGE, INSTALLATION OF A POOL & RELOCATION OF DRIVEWAY ACCESS	171 CHARLES BOOTH WAY MILLTHORPE	-
2022/0123	05/10/2022	HUSSCLIFFE PTY LTD	ERECTION OF A DWELLING	9 CASTLE VISTA BLAYNEY	\$554,556
			<b>Total Value</b>		<b>\$11,225,866</b>

**15) REVIEW AND UPDATE BLAYNEY LOCAL INFRASTRUCTURE CONTRIBUTIONS PLAN 2013**

**Department:** Planning and Environmental Services

**Author:** Director Planning and Environmental Services

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

**File No:** CM.PL.4

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**Recommendation:**

That Council:

1. Endorse the draft Blayney Local Infrastructure Contributions Plan 2022.
2. Place the draft Blayney Local Infrastructure Contributions Plan 2022 on exhibition for a period of 28 days.

**Reason for Report:**

To advise Council of the review of the Blayney Local Infrastructure Contributions Plan 2013 and seek Council endorsement to place on public exhibition Draft Blayney Local Infrastructure Contributions Plan 2022.

**Report:**

Council staff have been working with consultants, GLN Planning, on the review of the 2013 Blayney Local Infrastructure Contributions Plan. The draft 2022 Blayney Local Infrastructure Contributions Plan is now able to be presented to Council for its consideration and if Council agrees, placed on public exhibition.

The draft Plan will be reported back to Council following the exhibition period for final adoption having regard to any submissions received.

**What are Local Infrastructure Contributions**

Local infrastructure contributions, also known as developer contributions, can be charged by councils when new development occurs to assist in funding infrastructure such as parks, community facilities, local roads, footpaths, stormwater drainage and traffic management. Council's need to have in place a contributions plan to enable them to impose a condition for contributions on Development Applications and Complying Development Certificates.

There are two types of contribution authorised either under section 7.11 or section 7.12 of the Act. Section 7.11 contribution rates are tied to the value of a works schedule in the contributions plan. Section 7.12 contributions are charged a percentage of the estimated cost of the development. The maximum percentage that can be charged in most areas is 1%.

**Features of the draft Plan**

The draft Plan is structured in a similar manner to the 2013 plan and applies to the following development types:

- a) Residential accommodation development that will or is likely to require the provision of or increase the demand for local infrastructure within the Blayney LGA.
- b) Heavy haulage development that will or is likely to accelerate the deterioration of the pavements on council roads.
- c) Development that is not included in (a) or (b) above that has a proposed cost of development of more than \$100,000.

Contribution rates for development types are set out in the plan as follows:

- Residential accommodation development resulting in additional dwellings or lots - \$9,296 per dwelling or lot
- Heavy haulage development –
  - \$0.52 per (Equivalent Standard Axle) ESA per km of regional sealed road
  - \$0.66 per ESA per km of local sealed road
  - \$0.52 per ESA per km of local gravel road
- S7.12 levies (Non-Residential Development) - Where the proposed cost of carrying out the development:
  - is more than \$100,000 and up to and including \$200,000 - 0.5% of than cost
  - is more than \$200,000 - 1.0% of that cost

The current 2013 Plan has rates of:

- Residential accommodation development resulting in additional dwellings or lots - \$6,880.00 per dwelling or lot
- Heavy haulage development –
  - \$0.22 per ESA per km of regional sealed road
  - \$0.50 per ESA per km of local sealed road
  - \$0.25 per ESA per km of local gravel road
- The 7.12 levy remains unchanged.

### Works Schedule

The attached works schedule lists the projects proposed to be funded from the Plan.

Shire wide contribution plans are not intended to fully fund projects.

Approximately 10% of Councils estimated costs of works is a reasonable contribution. A wide range of works is proposed to be part funded from contributions including allocations for bridges, roads, footpaths, parks and recreation, stormwater, and libraries.

In addition to the works schedule, a nominal amount of 0.5% of the cost of works in the plan can be included to cover the cost of any future reviews.

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

The preparation, adoption and operation of Infrastructure Contributions Plans are governed by Sections 7.11 to 7.21 of the Environmental Planning and Assessment Act 1979 and Part 9 of the Environmental Planning and Assessment Regulation 2021.

**Budget Implications:**

Infrastructure contributions from development provides a partial funding source for nominated Council works that effectively provides a saving of expenditure from Council's General Fund.

**Enclosures (following report)**

Nil

**Attachments (separate document)**

1 Draft Blayney Local Contributions Plan 2022

66 Pages



**16) DA46/2022 - ERECTION OF A SHED AND CARPORT -30  
SPRINGVALE LANE MILLTHORPE**

**Department:** Planning and Environmental Services

**Author:** Director Planning and Environmental Services

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

**File No:** Db.AB.1795

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**Recommendation:**

That Council consent to Development Application DA46/2022 for a Shed with Carport on Lot 103 DP1273716, 30 Springvale Lane, Millthorpe subject to the recommended conditions of consent.

**Reason for Report:**

For Council to consider and determine Development Application 46/2022 for the erection a Shed with Carport on Lot 103 DP 1273716, 30 Springvale Lane, Millthorpe.

The key issues for consideration are:

- A variation from the *Blayney Shire Development Control Plan 2018, Part C: Residential Development, C3.4 Garage, Carports, Outbuildings & Sheds in Large Lot Residential Areas*. The proposed development does not comply with C3.4 as it exceeds the 300m<sup>2</sup> cumulative floor area. The proposed Shed with Carport will have a floor of 310.5m<sup>2</sup>.
- A submission objecting to the proposal.

**Report:****EXECUTIVE SUMMARY**

Council's consent is sought for the erection of a Shed with Carport at 30 Springvale Lane, Millthorpe (the 'subject property').

The subject property is located within the R5 Large Lot Residential zone and is currently vacant. Development consent is sought for the erection of Shed with Carport. The structure will comprise a 6 bay shed with a carport across the frontage of the structure. The floor area of the structure will be 310.5m<sup>2</sup> with a height of 3.9 metres to eaves and a 4.972 metre ridge height.

The key issues for consideration are:

- A variation from the *Blayney Shire Development Control Plan 2018, Part C: Residential Development, C3.4 Garage, Carports, Outbuildings & Sheds in Large Lot Residential Areas*. The proposed development does not comply with C3.4 as it exceeds the 300m<sup>2</sup> cumulative floor area. The proposed Shed with Carport will have a floor of 310.5m<sup>2</sup>.
- A submission objecting to the proposal.

In summary, it is assessed that the proposed development is consistent with the aims, objectives and performance criteria of the *Blayney Local Environmental Plan 2012* subject to the recommended conditions of consent.

### **PROPOSED DEVELOPMENT**

Council's consent is sought for the erection of a Shed with Carport at 30 Springvale Lane, Millthorpe (the 'subject property').

The subject property is located within the R5 Large Lot Residential zone and is currently vacant. Development consent is sought for the erection of Shed with Carport. The structure will comprise a 6 bay shed with a carport across the frontage of the structure. The floor area of the structure will be 310.5m<sup>2</sup> with a height of 3.9 metres to eaves and 4.972 metres to the ridge.

### **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 on any threatened species, population or ecological communities or their habitats.

### **SECTION 4.15 EVALUATION**

#### **Matters for Consideration – General**

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

#### **Section 4.15(1)(a)(i) The provisions of any Environmental Planning Instrument**

#### **Blayney Local Environmental Plan 2012**

##### **Part 1 – Preliminary**

#### **Clause 1.2 Aims of Plan**

The proposed development is considered to be consistent with the broad aims of the *Blayney Local Environmental Plan 2012*. Relevant issues are addressed in the body of this report.

#### **Clause 1.7 Maps**

<b>Land zoning:</b>	R5 Large Lot Residential
<b>Lot size:</b>	4000m <sup>2</sup>
<b>Heritage:</b>	N/A
<b>Terrestrial biodiversity:</b>	NA

<b>Groundwater vulnerability:</b>	N/A
<b>Drinking water catchment:</b>	N/A
<b>Watercourse:</b>	N/A
<b>Flood:</b>	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 affected by a covenant with restrictions on use. Notably, there is a restriction whereby council is the authority empowered to release, vary or modify. This restriction provides the following:

That no building, for residential purposes or not, shall be erected or permitted on the land so burdened unless:

1. Said building is wholly contained within the building envelope so designated on the plan of survey and identified with the Lettering (B1).

The proposed structure is situated within the designated building envelope and thus complies with the terms of the covenant.

### **Part 2 – Permitted or prohibited development**

#### **Clause 2.3 – Zone objectives and Land Use Table**

The subject property is zoned R5 Large Lot Residential. An *outbuilding* is permissible in the R5 Large Lot Residential zone.

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

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

The development is assessed to be consistent with the forgoing objectives. With regard to the objective *To minimise conflict between land uses within this zone and land uses within adjoining zones* the proposed shed/carport structure does not alter the rural/residential land use which will become further established following shed and subsequent dwelling construction. The land use will be the same as surrounding land uses. Consequently, there is no land use conflict.

## **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.

A condition of consent will apply regarding discharge of roof waters.

### **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 electricity, the disposal and management of sewage, onsite water collection, stormwater drainage / conservation and suitable vehicle access. It is understood that all essential services are available to the subject property.

### **State Environmental Planning Policy (Resilience & Hazards) 2021**

*State Environmental Planning Policy (Resilience & Hazards) 2021* 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.

The subject property has historically been identified for residential land use and a site inspection of the subject property did not identify any evidence of a contaminating land use which would warrant any further investigation.

**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**

The subject land is affected by a Planning Proposal to amend the Blayney LEP Lot Size Map LSZ\_004A to increase the Minimum Lot Size (MLS) of (W3) 4,000m<sup>2</sup> to (Z) 2ha. It does not change the zoning or any other BLEP2012 Maps or Clause wording and has no impact on this application.

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

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

**C3.4 Garages, Carports, Outbuildings & Sheds in Large Lot Residential Areas**

C3.4 outlines the provisions in a *Zone R5 Large Lot Residential areas where the existing lot size is ≥ 1ha in addition to the visual impact/amenity controls above any garages, carports, outbuildings or sheds must not exceed:*

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

The application does not comply with the *DCP, Part C: Residential Development, C3.4*, as it exceeds the cumulative floor area of 300m<sup>2</sup>. The proposed shed/carport floor area is 310.5m<sup>2</sup>. As such, the applicant has sought Council's approval for a variation to the acceptable solution.

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

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

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

- *The objectives of the relevant controls are to ensure that outbuildings and garages/carports:*

- a) will not dominate views from the street or key public places;*
- b) will be in keeping with the scale and setting of the relevant land use zone, streets and locality character;*
- c) will integrate with the dwelling design and surrounding landscaping and buildings;*
- d) will not significantly impact on the amenity of neighbouring properties (e.g. shadow, noise).*

The proposed development sufficiently addresses the objective through the design and layout of the proposed buildings to ensure that the scale and setting integrates into the existing rural residential landscape; and

- The proposed outbuildings (sheds) is proposed to be located behind any future dwelling house:

The proposed outbuilding is set behind the front building line of the proposed future dwelling house (which will be subject to a separate DA or CDC). The location of the outbuilding is appropriate for the overall layout of the property (both scale and location), structure will be clad in non-reflective materials and is in keeping with other outbuildings in this wider precinct.

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

**Section 4.15(1)(a)(iiia) 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**

There are no planning agreements relating to the subject property.

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

**In the case of a development application for the demolition of a building, the provisions of AS 2601 (Clause 92)**

Not applicable to this application.

**In the case of a development application for the carrying out of development on land that is subject to a subdivision order made under Schedule 7 to the Act, the provisions of that order and of any development plan prepared for the land by a relevant authority under that Schedule (Clause 92)**

Not applicable to this application.

**Fire safety and other considerations (Clause 93)**

Not applicable to this application.

**Buildings to be Upgraded (Clause 94)**

Not applicable to this application.

**BASIX Commitments (Clause 97A)**

Not applicable to this application.

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

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

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

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

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

The proposed development was notified to adjoining landowners. One submission was received objecting to the proposal. The issues raised in the submission are:

- The Shed is beyond the reasonable size
- The shed would be more suited to being in the south-western side of the building envelope and requests relocation
- The proposal is not complimentary with the LEP aims and zone objectives. Primarily:

LEP 2012

1.2

(1) The objectives of this clause are as follows;

(a) to encourage development that complements and enhances the unique character and amenity of Blayney including its settlements, localities, and its rural areas,

(b) to provide for a range of development opportunities that will contribute to the social, economic and environmental resources of Blayney in a way that allows present and future generations to meet their needs by implementing the principles of ecologically sustainable development,

Part 2 Permitted or prohibited development

2.1 Land use zones

2.3 Zone objectives and Land Use Table

1 Objectives of zone

- To minimise conflict between land uses within this zone and land uses within adjoining zones.

**Comments**

The size of the structure and variation from the DCP are discussed previously. The siting of the shed was in consultation with Council staff to ensure its location within the building envelope and siting behind the front building line of the dwelling. The submission asserts that the proposed development does not compliment the unique character of Millthorpe (noting the site is on the outskirts of Millthorpe). The development is situated outside the village and thus does not impact on the village character. The proposal has no adverse

impact on the environment. As previously indicated there will be no change in land use created by a structure. The land use will continue in line with surrounding rural residential land uses. There are a number of large sheds in the locality and the proposal is not inconsistent with the established character.

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

The proposed development is consistent with the *Blayney Local Environmental Plan 2012*. No adverse impacts are assessed to the public as outlined throughout this report.

#### **Conclusions:**

The proposed development complies with the relevant aims, objectives and provisions of *Blayney Local Environmental Plan 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:**

The application does vary the *DCP, Part C: Residential Development, C3.4*, by approximately 3%. Whilst each development application must be assessed on its merits, it is noted through merits based development assessment, Council has varied Part C3.4 several times.

Whilst no merit based appeal rights exist to objectors with this type of application, any development decision could be challenged in the NSW Land and Environment Court.

#### **Budget Implications:**

Nil

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

1	Site Plans	2 Pages
2	Plans	3 Pages
3	Proposed Conditions	4 Pages

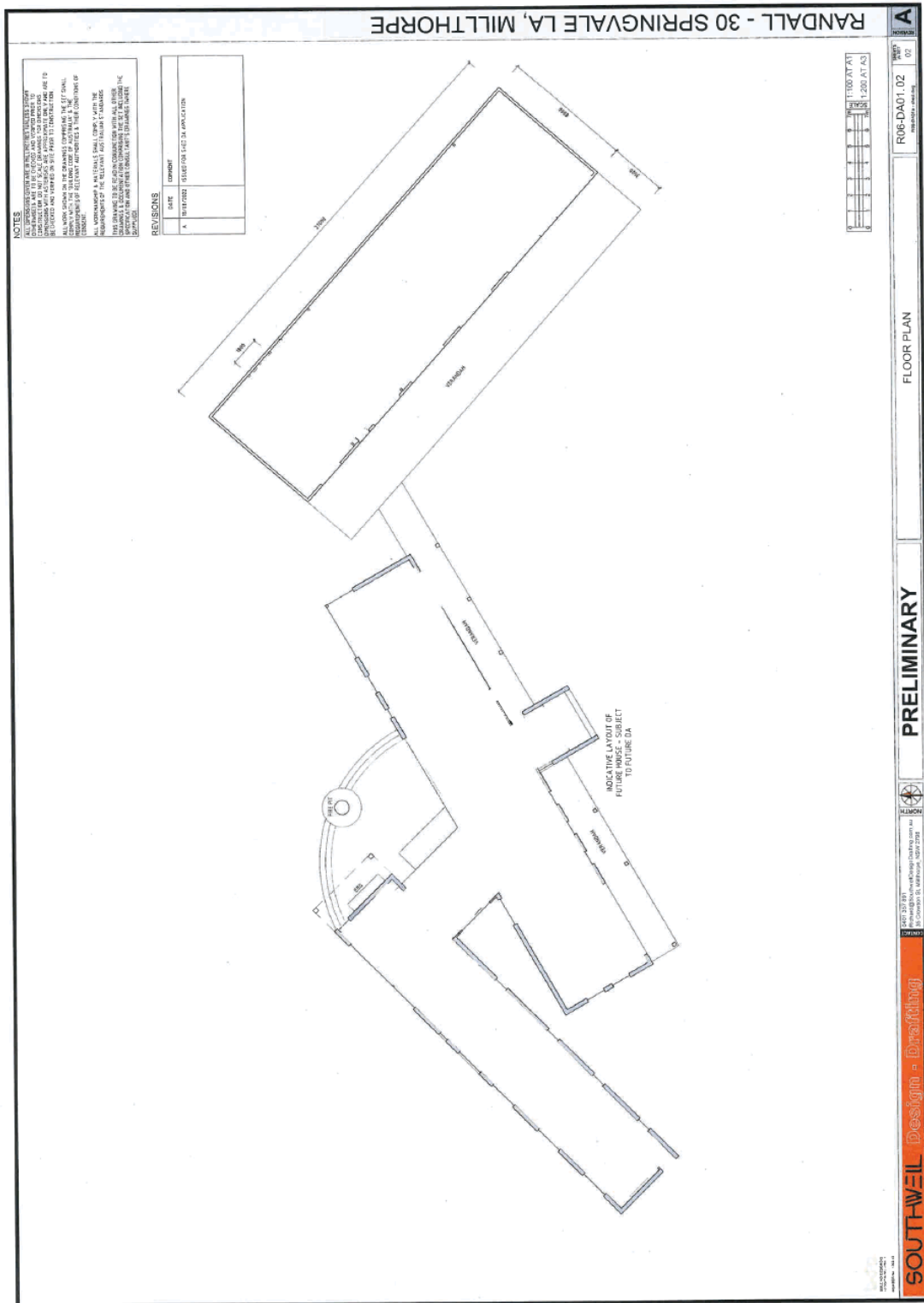
#### **Attachments (separate document)**

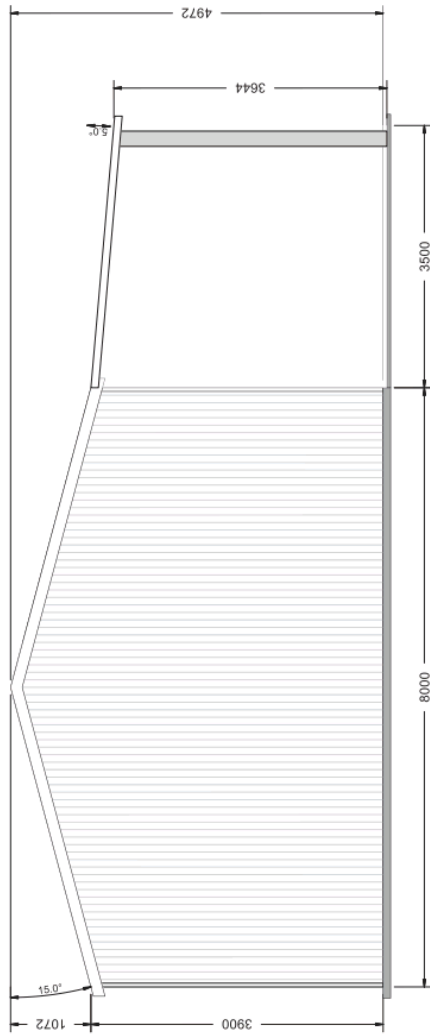
4	Submission	3 Pages
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*This matter is considered to be confidential under Section 10A(2) (e) of the Local Government Act, as it deals with information that would, if disclosed, prejudice the maintenance of law.*

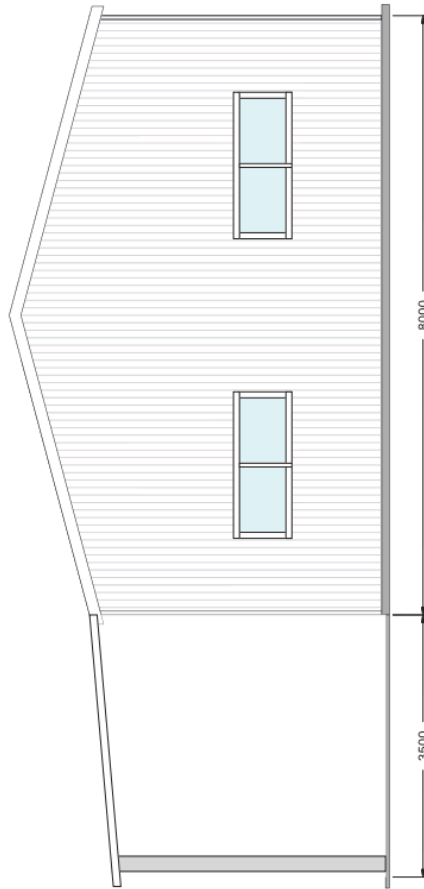








FRONT ELEVATION

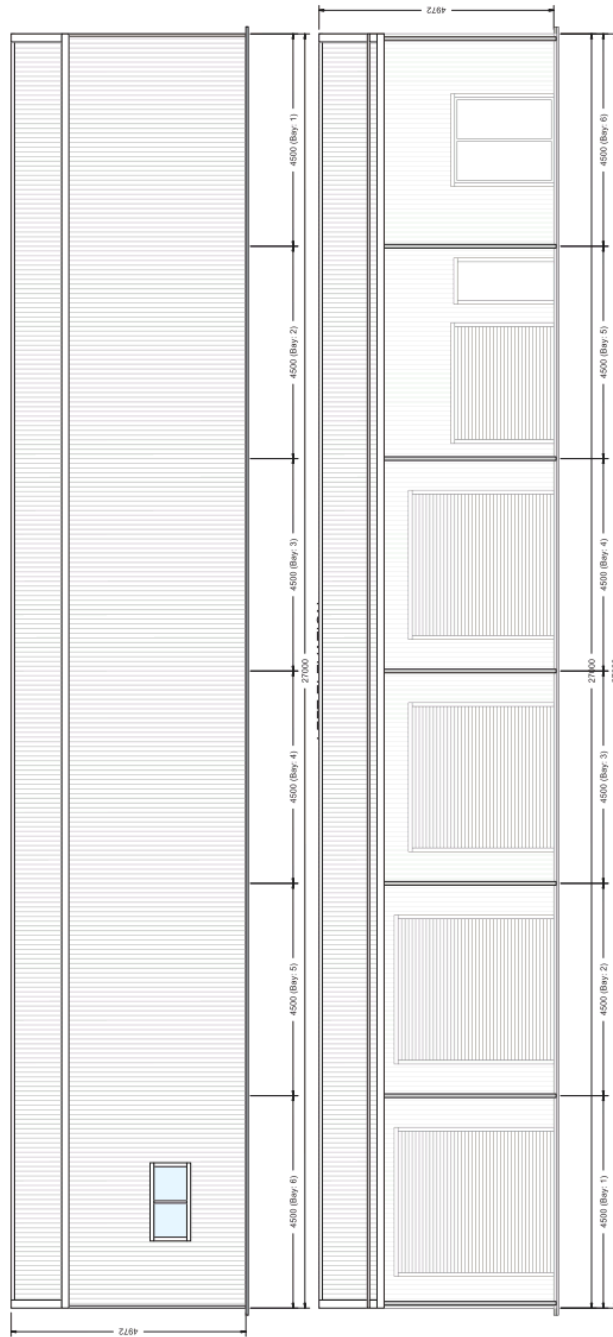


REAR ELEVATION



DRAWING TITLE: Erod Elevations  
SCALE: 1:51.936  
DATE: 23-11-2021  
Job Number: 3111081438

CLIENT: GUY & PETA RANDALL  
SITE ADDRESS: 30 SPRINGVALE LANE, MILLTHORPE, NSW, 2798  
PHONE:  
EMAIL:



RIGHT ELEVATION



CLIENT: GUY & PETA RANDALL  
SITE ADDRESS: 30 SPRINGVALE LANE, MILLTHORPE, NSW, 2798  
PHONE:  
EMAIL:

DRAWING TITLE: Side Elevations  
SCALE: 1:82.430  
DATE: 23-11-2021  
Job Number: 3111081438



<b>Reasons for Decision</b>
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To comply with legislative statutory requirements.

<b>Approved Plans</b>
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1. Development is to take place in accordance with:

Plan/Doc No.	Plan/Doc Title	Prepared by	Issue	Date
-	Statement of Environmental Effects	Guy and Peta Randall	N/A	Undated
-	Site Plan	Southwell Design Drafting	R06-DA01.01	Undated
-	Floor Plan	Southwell Design Drafting	R06-DA01.02	Undated
	Structural Design Review	Calare Civil	N/A	27 November 2021
	Certified Drawings	Tilmac	N/A	23 November 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.*

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

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

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

a) in the case of work for which a principal contractor is required to be appointed:

1. The name of the licence number of the principal contractor, and

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

1. The name of the owner-builder, and

2. The name of the owner-builder is required to hold an owner-builder permit under that Act, the number of the owner-builder permit.

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

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

a) Unauthorised entry to the worksite is prohibited;

b) Street number or lot number;

c) Principal contractor's name and licence number; or owner builders permit number;

d) Principal contractor's contact telephone number/after-hours number;

e) Identification of Principal Certifying Authority, together with name, address & telephone number.

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

#### **Prior to Issue of a Construction Certificate**

NIL

#### **Prior to Works Commencing**

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

#### **COMMENCEMENT OF WORK & APPOINTMENT OF PCA**

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

#### **During Construction**

8. 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.

9. 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.*

10. 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.*

11. 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.

12. 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.

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

Note 1: Sheet metal shall be of factory prefinished (e.g., colorbond or galvanised iron) type material. 2: Zinalume will be not accepted.

14. Roof water from the buildings shall be disposed of to water tanks via a drainage system in accordance with the Plumbing Code of Australia, with all work carried out by a licensed plumber or drainer.

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



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

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

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

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

#### **Ongoing Matters**

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

#### **Advisory Notes**

##### **Inspection Schedule**

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

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

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

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

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

**17) CONTRACT 5/2022: DESIGN AND CONSTRUCTION OF BELUBULA WAY BRIDGE OVER ICELY CREEK**

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

**18) ROAD CLOSURE - GLENORIE ROAD**

*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.*