



14 March 2024

Dear Councillor,

Your attendance is requested at an Ordinary Council Meeting of the Blayney Shire Council to be held in the Chambers, Blayney Shire Community Centre on Tuesday, 19 March 2024 at 6.00pm for consideration of the following business -

- (1) Livestreaming Video and Audio Check
- (2) Acknowledgement of Country
- (3) Recording of Meeting Statement
- (4) Apologies for non-attendance
- (5) Disclosures of Interest
- (6) Public Forum
- (7) Mayoral Minute
- (8) Confirmation of Minutes - Ordinary Council Meeting held on 20.02.24
- (9) Matters arising from Minutes
- (10) Reports of Staff
 - (a) Executive Services
 - (b) Corporate Services
 - (c) Infrastructure Services
 - (d) Planning and Environmental Services
- (11) Delegates Reports
- (12) Closed Meeting

Mark Dicker
General Manager

Meeting Calendar 2024

March

<u>Time</u>	<u>Date</u>	<u>Meeting</u>	<u>Location</u>
6.00pm	19 March 2024	Council Meeting	Community Centre
8.30am	22 March 2024	Country Mayors Meeting	Sydney

April

<u>Time</u>	<u>Date</u>	<u>Meeting</u>	<u>Location</u>
5.00pm	2 April 2024	Financial Assistance Committee Meeting	Community Centre
10.00am	5 April 2024	Traffic Committee Meeting	Community Centre
6.00pm	16 April 2024	Council Meeting	Community Centre

May

<u>Time</u>	<u>Date</u>	<u>Meeting</u>	<u>Location</u>
9.00am	9 May 2024	Audit, Risk and Improvement Committee Meeting	Darrell Sligar Centre
8.30am	10 May 2024	Country Mayors	Sydney
6.00pm	21 May 2024	Council Meeting	Community Centre
10.00am	23 May 2024	Central NSW Joint Organisation Board Meeting	Lithgow

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HELD ON TUESDAY 19 MARCH 2024

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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 20 FEBRUARY 2024

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 20 February 2024, being minute numbers 2402/001 to 2401/016 be confirmed.

MINUTES OF THE BLAYNEY SHIRE COUNCIL ORDINARY MEETING HELD IN THE CHAMBERS, BLAYNEY SHIRE COUNCIL COMMUNITY CENTRE, ON 20 FEBRUARY 2024, COMMENCING AT 6.00PM

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

General Manager (Mr M Dicker), Director Corporate Services (Mr A Franze), Director Infrastructure Services (Mr J Hogan), Director Planning & Environmental Services (Mr A Muir) and Administration Officer (Mrs N Smith)

ACKNOWLEDGEMENT OF COUNTRY

RECORDING OF MEETING STATEMENT

MAYORAL MINUTE

**2402/001 SKILLSET
RESOLVED:**

That Council;

1. Acknowledge and thank Mr. Ian Tooke for his extended contribution to the Skillset Ltd Board as Council Delegate since 2014.
2. Acknowledge and congratulate Cr Pryse Jones on being appointed to the Skillset Ltd Board.

(Ferguson/Reynolds)
CARRIED

CONFIRMATION OF MINUTES

MINUTES OF THE PREVIOUS COUNCIL MEETING HELD 23 JANUARY 2024

2402/002

RESOLVED:

That the Minutes of the Ordinary Council Meeting held on 23 January 2024, being minute numbers 2401/001 to 2401/012 be confirmed.

(Gosewisch/Ewin)

CARRIED

EXECUTIVE SERVICES REPORTS

QUARTERLY OUTSTANDING RESOLUTION REPORT

2402/003

RESOLVED:

That Council note the Outstanding Resolution Report to January 2024.

(Pryse Jones/Ewin)

CARRIED

RISK, WORK HEALTH AND SAFETY QUARTERLY REPORT

2402/004

RESOLVED:

That Council note the Risk, Work Health, and Safety Report for the quarter to 31 December 2023.

(Somervaille/Newstead)

CARRIED

REGIONAL DEVELOPMENT ACT 2004 REVIEW SUBMISSION

2402/005

RESOLVED:

That Council note the submission to the NSW Government regarding the review of the Regional Development Act 2004.

(Reynolds/Newstead)

CARRIED

TEN4TEN LEADERSHIP DIALOGUE

2402/006

RESOLVED:

That Council:

1. Support the request for sponsorship in the amount of \$1,500 for the Ten4Ten Leadership Dialogue from Regional Development Australia Central West and fund it from the Community Financial Assistance Program.
2. Refer consideration of the Ten4Ten Leadership Dialogue program for annual funding within the Schedule of s.356 contributions in the 2024/25 Operational Plan.

(Ewin/Somervaille)

CARRIED

TOURISM DEVELOPMENT PROGRAM APPLICATIONS

2402/007

RESOLVED:

That Council;

1. Note the updated guidelines for the Tourism Development Program.
2. Approve funding under the Tourism Development Program 2023/24 as follows:

Recipient	Amount
Blayney A&P Association	\$2,000
Orange F.O.O.D. Week	\$2,000
Newbridge Progress Association	\$2,000
Carcoar A&P Association	\$2,000

(Reynolds/Somervaille)

CARRIED**CENTRAL TABLELANDS WEEDS AUTHORITY - FUNDING REQUEST**

2402/008

RESOLVED:

That Council;

1. Support the request from the Central Tablelands Weeds Authority for additional funding up to an amount of \$25,000.
2. Approve the supplementary (budget) vote of \$25,000 in the 2023/24 Operational Plan to be funded from the Flyers Creek Voluntary Planning Agreement held within the External Restriction – Voluntary Planning Agreements.

(Pryse Jones/Gosewisch)

CARRIED**CORPORATE SERVICES REPORTS****REPORT OF COUNCIL INVESTMENTS AS AT 31 JANUARY 2024**

2402/009

RESOLVED:

That Council;

1. Note the report indicating Council's investment position as at 31 January 2024.
2. Note the certification of the Responsible Accounting Officer.

(Newstead/Gosewisch)

CARRIED

QUARTERLY BUDGET REVIEW STATEMENT - DECEMBER 2023

2402/010

RESOLVED:

1. That the Quarterly Budget Review Statement for the quarter ending 31 December 2023 be received.
2. That the supplementary votes of (\$257k) nett proposed in the Quarterly Budget Review Statement be adopted, resulting in an increase to capital expenditure of \$659k, an increase to operating expenditure of \$116k and an increase in income of \$518k (which includes an increase of \$265k in capital income).

(Somervaille/Ewin)
CARRIED

REVIEW OF COUNCIL POLICIES

2402/011

RESOLVED:

That Council;

1. Adopt the Public Interest Disclosures – Internal Reporting Policy and be updated to Council's Policy Register.
2. Endorse the following policies and they be placed on public exhibition for a period of not less than 28 days.
 - Disposal of Assets Policy
 - Borrowing Policy
 If no submissions are received that they be adopted and Council's Policy Register updated.
3. Rescind the Vandalism Policy and that it be removed from Council's Policy Register.

(Newstead/Gosewisch)
CARRIED

COMPLIANCE AND REPORTING ACTIVITIES

2402/012

RESOLVED:

That the report on Compliance and Reporting Activities for the six month period to December 2023 be received.

(Pryse Jones/Reynolds)
CARRIED

MINUTES OF THE AUDIT, RISK AND IMPROVEMENT COMMITTEE MEETING HELD 8 FEBRUARY 2024

Cr Somervaille proposed an alternate motion;

RESOLVED:

2402/013

That Council;

1. Receive the Minutes of the Audit Risk and Improvement Committee meeting held 8 February 2024.
2. Commence preparation of Terms of Reference, Internal Audit Charter and Risk Management Policy and Expression of Interest for Recruitment of an Independent Member.

3. Engage with the Central Tablelands Water and Central Table Weeds Authority on resource sharing opportunities with implementation of the new Framework.
4. Take action to secure and appoint another independent member as soon as possible and adopt standardised documentation.
5. Retain a Councillor as a non voting member of the Audit Risk and Improvement Committee.

(Somerville/ Reynolds)

CARRIED

INFRASTRUCTURE SERVICES REPORTS

INFRASTRUCTURE SERVICES MONTHLY REPORT

2402/014

RESOLVED:

That Council note the Infrastructure Services Monthly Report for February 2024.

(Gosewisch/Newstead)

CARRIED

MINUTES OF THE TRAFFIC COMMITTEE MEETING HELD 9 FEBRUARY 2024

2402/015

RESOLVED:

That Council;

1. Receive and note the minutes of the Blayney Traffic Committee Meeting, held on Tuesday 9 February 2024.
2. Endorse the Millthorpe Market event, to be staged on 7 April 2024 on Redmond Oval as a Class 2 event, subject to the conditions detailed in the Director Infrastructure Services' Report.
3. Endorse the Blayney Anzac Day Service as a Class 3 event, subject to the conditions detailed in the Director Infrastructure Services' Report.
4. Endorse the Villages ANZAC (Millthorpe & Neville) Day Service as a Class 3 event, subject to the conditions detailed in the Director Infrastructure Services' Report.
5. Note changes to the speed zone of Forest Reefs Road, Millthorpe in accordance with TfNSW Speed Zone Review R-4297.

(Newstead/Reynolds)

CARRIED

PLANNING AND ENVIRONMENTAL SERVICES REPORTS

DEVELOPMENT ASSESSMENT QUARTERLY REPORT

2402/016

RESOLVED:

That the development assessment quarterly report be received and noted.

(Cr Pryse Jones/Cr Gosewisch)

CARRIED

There being no further business, the meeting concluded at 7:30pm.

The Minute Numbers 2402/001 to 2402/016 were confirmed on 19 March 2024 and are a full and accurate record of proceedings of the Ordinary Meeting held on 20 February 2024.

Cr S Ferguson
MAYOR

Mr M Dicker
GENERAL MANAGER

02) QUESTIONS TAKEN ON NOTICE AT THE PREVIOUS COUNCIL MEETING HELD 20 FEBRUARY 2024

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 questions taken on notice at the Ordinary Council Meeting held on 20 February 2024 and the subsequent response be received and noted.

Reason for Report:

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

Report:

Mayoral Minute

Note that the author of Mayoral Minute should be updated to reflect the author as Councillor Ferguson.

Response:

Business Paper on Council's website will be updated.

Question 1 – Item 3

Cr Pryse Jones would like to see the cemetery visit be undertaken in the current term.

Response:

Matter will be placed on the agenda for the next workshop.

Question 2 – Item 4

Cr Reynolds asked what was the cost of the Oil contamination clean-up?

Response:

The cost to clean up the oil contamination incident was \$19,517

Question 3 – Item 6

Cr Pryse Jones asked if there will be any mentors from the Blayney Shire for the Ten4Ten program?

Response:

RDA have advised a new process will be trialled in 2024 seeking to better match students and mentors, in which there will be a pool of mentors to draw from (rather than a set 10). There are two Blayney LGA residents in the 2024 mentor pool.

Question 4 – Item 6

Cr Reynolds would like a report to come back advising if there was a participant from the Blayney Shire in the 2024 TEN4TEN program.

Response:

RDA Central West have changed the 2024 application form to capture residential address before cohort selection. RDA Central West have been asked for this data which will be provided to Councillors once received.

Question 5 – Item 14

Cr Ferguson asked for Traffic Committee to review the signage adequacy for the approaches to the Blayney Waste Facility.

Response:

The matter will be referred to the next Local Traffic Committee meeting.

Risk/Policy/Legislation Considerations:

Nil

Budget Implications:

Nil

Enclosures (following report)

Nil

Attachments (separate document)

Nil

03) REPORT OF COUNCIL INVESTMENTS AS AT 29 FEBRUARY 2024

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

Recommendation:

That Council;

1. Note the report indicating Council's investment position as at 29 February 2024.
2. Note the certification of the Responsible Accounting Officer.

Reason for Report:

For Council to endorse the Report of Council Investments as at 29 February 2024.

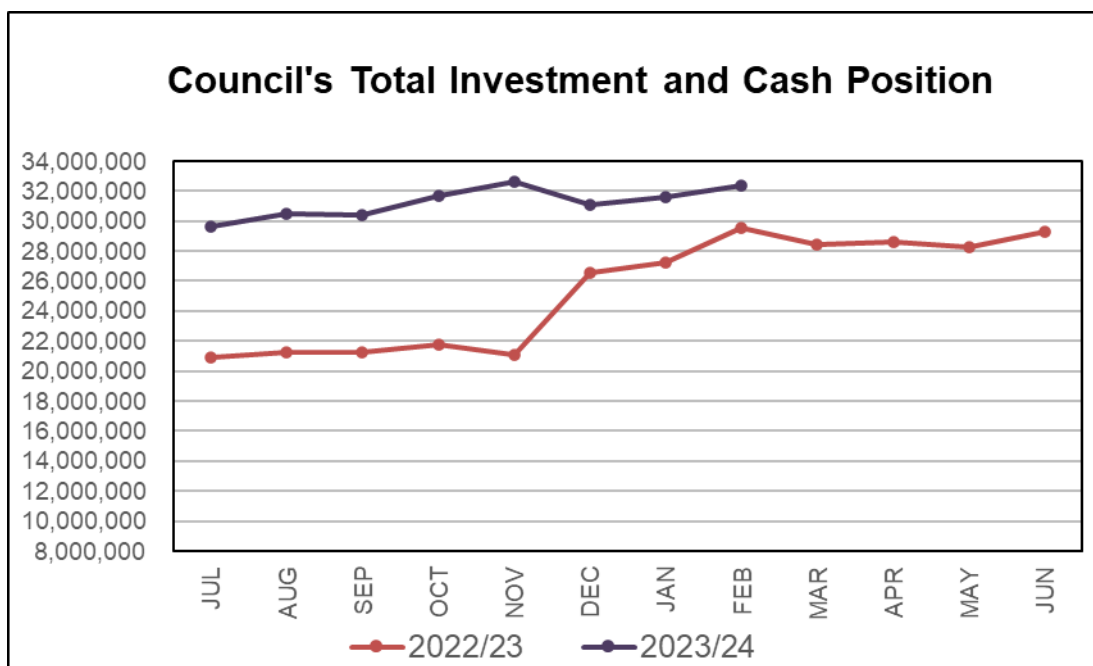
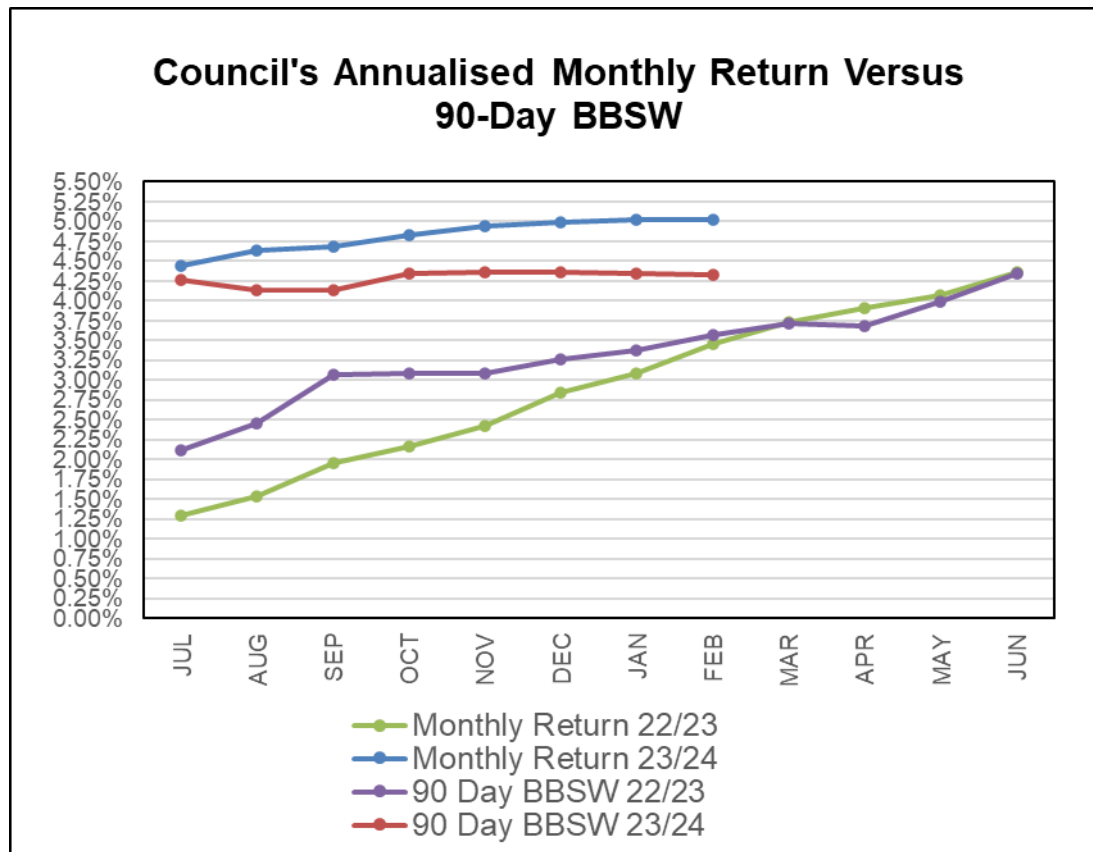
Report:

This report provides details of Council's Investment Portfolio as at 29 February 2024.

Council's total investment and cash position as at 29 February 2024 is \$32,350,991. Investments earned interest of \$122,521 for the month of February 2024.

Council's monthly net return on Term Deposits annualised for February was 5.03% which outperformed the 90-day Bank Bill Swap Rate of 4.34%.

The report date of 29 February 2024 coincides with the due date for the 3rd quarter rates instalment and therefore contributes to the increase in cash holdings at the month end. It is anticipated that there will be some sizeable creditors payments over the coming weeks and that Council will see a decline in cash levels by the end of the financial year.



Register Of Investments and Cash as at 29 February 2024					
Institution	Method	Rating	Maturity	Amount \$	Interest Rate
Reliance Bank	Direct	Unrated	09/03/2024	500,000	4.200%
Macquarie Bank	IAM	A1/A+	12/03/2024	500,000	4.750%
ING Bank	IAM	A1/A	13/03/2024	500,000	4.750%
CBA	Direct	A1+/AA-	19/03/2024	500,000	4.200%
CBA	Direct	A1+/AA-	26/03/2024	500,000	4.300%
Macquarie Bank	IAM	A1/A+	02/04/2024	500,000	4.450%
MyState Bank Ltd	Curve	A2/BBB+	02/04/2024	500,000	4.650%
CBA	Direct	A1+/AA-	09/04/2024	500,000	4.280%
NAB	Direct	A1+/AA-	16/04/2024	500,000	4.510%
Westpac	Direct	A1+/AA-	23/04/2024	500,000	4.490%
Macquarie Bank	IAM	A1/A+	30/04/2024	500,000	4.800%
NAB	Direct	A1+/AA-	07/05/2024	500,000	4.700%
CBA	Direct	A1+/AA-	14/05/2024	500,000	4.920%
NAB	Direct	A1+/AA-	21/05/2024	500,000	4.900%
Westpac	Direct	A1+/AA-	28/05/2024	500,000	4.840%
Westpac	Direct	A1+/AA-	04/06/2024	500,000	5.040%
Auswide Bank Ltd	IAM	A2/BBB+	11/06/2024	500,000	5.370%
NAB	Direct	A1+/AA-	11/06/2024	500,000	5.500%
Westpac	Direct	A1+/AA-	18/06/2024	500,000	5.450%
Macquarie Bank	IAM	A1/A+	25/06/2024	500,000	5.250%
Westpac	Direct	A1+/AA-	02/07/2024	500,000	5.420%
CBA	Direct	A1+/AA-	09/07/2024	500,000	5.300%
IMB Bank Ltd	Direct	A2/BBB+	16/07/2024	500,000	5.000%
Macquarie Bank	IAM	A1/A+	16/07/2024	500,000	5.100%
ING Bank	Curve	A1/A	23/07/2024	500,000	5.200%
Westpac	Direct	A1+/AA-	30/07/2024	500,000	5.050%
ING Bank	Curve	A1/A	30/07/2024	500,000	5.200%
NAB	Direct	A1+/AA-	06/08/2024	500,000	5.150%
Westpac	Direct	A1+/AA-	06/08/2024	500,000	5.150%
CBA	Direct	A1+/AA-	13/08/2024	500,000	5.170%
CBA	Direct	A1+/AA-	20/08/2024	500,000	4.900%
NAB	Direct	A1+/AA-	20/08/2024	500,000	5.200%
CBA	Direct	A1+/AA-	27/08/2024	500,000	5.090%
Westpac	Direct	A1+/AA-	03/09/2024	500,000	5.050%
Bank of Queensland	Curve	A2/BBB+	10/09/2024	500,000	5.350%
ING Bank	Curve	A1/A	10/09/2024	500,000	5.050%
NAB	Direct	A1+/AA-	17/09/2024	500,000	5.310%
IMB Bank Ltd	Direct	A2/BBB+	24/09/2024	500,000	5.150%
Bank of Queensland	Curve	A2/BBB+	01/10/2024	500,000	5.150%
Westpac	Direct	A1+/AA-	08/10/2024	500,000	5.280%
CBA	Direct	A1+/AA-	15/10/2024	500,000	5.150%
ING Bank	Curve	A1/A	22/10/2024	500,000	5.350%
CBA	Direct	A1+/AA-	29/10/2024	500,000	5.250%
MyState Bank Ltd	Curve	A2/BBB+	05/11/2024	500,000	5.400%
B & A Bank	IAM	A2/BBB+	12/11/2024	500,000	4.990%
Westpac	Direct	A1+/AA-	12/11/2024	500,000	5.320%

Register Of Investments and Cash as at 29 February 2024					
Institution	Method	Rating	Maturity	Amount \$	Interest Rate
Reliance Bank	Direct	Unrated	19/11/2024	500,000	5.200%
Macquarie Bank	IAM	A1/A+	26/11/2024	500,000	5.220%
Defence Bank Ltd	Curve	A2/BBB	03/12/2024	500,000	5.300%
NAB	Direct	A1+/AA-	10/12/2024	500,000	5.100%
ING Bank	IAM	A1/A	17/12/2024	500,000	5.230%
NAB	Direct	A1+/AA-	28/01/2025	500,000	5.150%
NAB	Direct	A1+/AA-	25/02/2025	500,000	5.050%
Total Investments				26,500,000	5.025%
Commonwealth Bank - At Call Account ⁽¹⁾				2,863,033	4.350%
Commonwealth Bank Balance - General ⁽¹⁾				2,857,128	4.200%
Reliance Bank ⁽¹⁾				130,830	0.000%
Total Cash and Investments				32,350,991	
Benchmarks:		BBSW 90 Day Index ⁽¹⁾			4.335%
		RBA Cash Rate ⁽¹⁾			4.350%

1. % Interest rates as at end of reporting period.

Summary of Investment Movements - February 2023		
Financial Institution	Amount \$	Commentary
NAB	(522,688)	Term deposit matured 06/02/2024
NAB	500,000	Term deposit reinvested 06/02/2024
B & A Bank	(512,748)	Term deposit matured 13/02/2024
B & A Bank	500,000	Term deposit reinvested 13/02/2024
Westpac	(524,682)	Term deposit matured 20/02/2024
Westpac	500,000	Term deposit reinvested 20/02/2024
NAB	(525,342)	Term deposit matured 27/02/2024
NAB	500,000	Term deposit reinvested 27/02/2024

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%	56%	15,000,000
A- Category	40%	23%	6,000,000
BBB+ Category	25%	15%	4,000,000
BBB Category	5%	2%	500,000
BBB- Category and below: Local ⁽²⁾ ADI's	10%	4%	1,000,000
BBB+ / BBB / BBB- & below categories combined	25%	21%	
2. ADI's located within the Local Government Area			26,500,000

Individual Institution Limit	Rating	Policy Maximum \$	Current Holding \$
Auswide Bank	A2/BBB+	1,000,000	500,000
Bank of Queensland	A2/BBB+	1,000,000	1,000,000
Bendigo & Adelaide Bank	A2/BBB+	1,000,000	500,000
CBA	A1+/AA-	8,000,000	5,000,000
Defence Bank Ltd	A2/BBB	500,000	500,000
IMB Bank Ltd	A2/BBB+	1,000,000	1,000,000
ING Bank	A1/A	3,000,000	3,000,000
Macquarie Bank	A1/A+	3,000,000	3,000,000
MyState Bank Ltd	A2/BBB+	1,000,000	1,000,000
NAB	A1+/AA-	8,000,000	5,000,000
Reliance Bank	Unrated	1,000,000	1,000,000
Westpac	A1+/AA-	8,000,000	5,000,000
Total Investments			26,500,000

Summary of Restricted, Allocated and Unrestricted Cash & Investments			
	Actual 30/06/2023 \$ 000's	Actual 29/02/2024 \$ 000's	Forecast ⁽¹⁾ 30/06/2024 \$ 000's
External Cash Restrictions	20,329	19,891	9,958
Internal Cash Allocations	8,751	6,337	5,330
Total Restricted, Allocated Cash & Investments	29,080	26,228	15,288
Unrestricted Cash	191	6,123 ⁽²⁾	4,959 ⁽²⁾
Total Restricted, Allocated and Unrestricted Cash & Investments	29,271	32,351	20,247

⁽¹⁾ Balances are informed by the Long Term Financial Plan and based on the best available information at time of preparation.

⁽²⁾ Unrestricted cash is forecast to be high as of 30 June 2024 as a result of Council substituting funding dedicated from general revenue for the current year capital works program with approved grant funded programs. It is not anticipated that Council will be afforded this opportunity with future grant funding under these programs.

CERTIFICATION – RESPONSIBLE ACCOUNTING OFFICER

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

Risk/Policy/Legislation Considerations:

The Responsible Accounting Officer must table a written report to Council on money invested pursuant to s.625 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

**04) MINUTES OF THE DISABILITY INCLUSION WORKING GROUP
MEETING HELD 8 FEBRUARY 2024****Department:** Corporate Services**Author:** Director Corporate Services**CSP Link:** 2. Build the Capacity and Capability of Local Governance and Finance**File No:** GO.CM.4

Recommendation:

That Council;

1. Receive the minutes of the Disability Inclusion Working Group meeting held 8 February 2024.
2. Explore and confirm access compliance of the entrance to the Council office off Adelaide Street.
3. Consider other forms of engagement, e.g. social media and GM conversation, to raise awareness of accessibility to businesses.
4. Refer the Blayney Showground Masterplan to the Disability Inclusion Working Group during the period of public exhibition.
5. Examine whether there are opportunities to annually fund within the 2024/25 – 2027/28 Delivery Program the remaining non-compliant parking spaces and accessible laybacks across the Blayney LGA.

Reason for Report:

For Council to approve the minutes of the Disability Inclusion Working Group meeting held 8 February 2024.

Report:

The Disability Inclusion Working Group held its meeting 8 February 2024.

The Disability Inclusion Working Group is responsible for:

- advising and making recommendations to Council on matters relating to access issues, with particular emphasis on issues for people with disabilities as defined by the Disability Discrimination Act.
- monitoring and developing strategies to maintain Council's commitment to improving access for all community members to a range of services implementing the Disability Inclusion Action Plan.
- providing advice and monitoring the implementation of relevant Council programs and policies. Such programs and policies include but are not limited to Disability Inclusion Action Plan.

The minutes of the meeting held are tabled below:

**MINUTES OF THE BLAYNEY SHIRE COUNCIL DISABILITY INCLUSION
WORKING GROUP MEETING
HELD IN THE CHAMBERS, BLAYNEY SHIRE COUNCIL COMMUNITY
CENTRE, ON 8 FEBRUARY 2024, COMMENCING AT 5.00PM**

Present: Michelle Pryse Jones (Council Delegate and Chairperson);
Bruce Reynolds (Alternate Councillor); Anton Franze (Director
Corporate Services - Secretariat); Iris Dorsett (Member); Jenny
McMahon (Member); Lyndall Harrison (Member).

APOLOGIES

Allison Farr (Member); Gregory Hooper (Member); Mark Dicker
(General Manager)

ACKNOWLEDGEMENT OF COUNTRY

DISCLOSURES OF INTEREST

Nil

CONFIRMATION OF MINUTES

**MINUTES OF THE PREVIOUS MEETING HELD 16
NOVEMBER 2023**

2402/013

RESOLVED

That the Minutes of the Disability Inclusion Working Group
meeting held 16 November 2023 be received.

(Harrison/Dorsett)
CARRIED

MATTERS ARISING FROM THE MINUTES

Discussion held on Council meeting outcome regarding Belubula River Walk.

REPORTS

OUTSTANDING RECOMMENDATIONS REPORT

2402/014

RESOLVED

1. That the Disability Inclusion Working Group note the Outstanding Recommendations Report.
2. That Council explore and confirm access compliance of the entrance to the Council office off Adelaide Street.
3. That Council consider other forms of engagement e.g. social media and GM conversation to raise awareness of accessibility to businesses.
4. That the Blayney Showground Masterplan be referred to the DIWG during the period of public exhibition.

(McMahon/Pryse Jones)
CARRIED

2022-2026 DISABILITY INCLUSION ACTION PLAN STATUS REPORT**2402/015****RESOLVED**

1. That the Disability Inclusion Working Group note the Blayney Shire 2022 – 2026 Disability Inclusion Action Plan Status Report for period ending 31 December 2023.
2. That Council examine whether there are opportunities to annually fund within the 2024/25 – 2027/28 Delivery Program remaining non-compliant parking spaces and accessible laybacks across the Blayney LGA.

(Pryse Jones/McMahon)

CARRIED**NEXT MEETING: 9 MAY 2024 5PM****MEETING CLOSED 6:42PM****Risk/Policy/Legislation Considerations:**

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

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

Budget Implications:

Activities of the Disability Inclusion Working Group and implementation of the Disability Inclusion Action Plan are incorporated into project planning and within the budget constraints of operational and capital projects.

Enclosures (following report)

Nil

Attachments (separate document)

Nil

05) 2022-2026 DISABILITY INCLUSION ACTION PLAN STATUS REPORT

Department: Corporate Services

Author: Director Corporate Services

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

File No: CS.PO.1

Recommendation:

That the Blayney Shire 2022 – 2026 Disability Inclusion Action Plan Status Report for period ending 31 December 2023 be noted.

Reason for Report:

For Council to note the Blayney Shire Disability Inclusion Action Plan Status Report for period ending 31 December 2023.

Report:

Council adopted the 2022 – 2026 Disability Inclusion Action Plan (DIAP) in March 2023. The DIAP underpins Council's commitment to providing quality facilities and services that enable people with disability to fully participate in our communities. This plan was developed through a community consultation and research process which included review of Council documents and relevant Government policies.

The 2022 – 2026 Disability Inclusion Action Plan sets out what Council will do over four years to enable people with a disability to have greater access to Council information, services and facilities.

It outlines specific actions Council will take to facilitate access to community services and facilities for people with disability and link more actions to assessment and monitoring.

The implementation of the DIAP continues by working in collaboration with a wide range of Council staff incorporating actions from the plan into Council works, projects and activities. The status report demonstrates how Council has delivered on the Plan this financial year.

This status report is presented in a format which summarise the activities across the organisation sourced from Managers and Directors.

This document was tabled to Council's Disability Inclusion Working Group meeting held 8 February 2024.

Risk/Policy/Legislation Considerations:

The development of a Disability Inclusion Action Plan and ongoing reporting to Council and the community every 6 months is required under the Disability Inclusion Act 2014.

Budget Implications:

Implementation of the plan is incorporated into project planning and budgeted into operational and capital works programs.

Enclosures (following report)

- | | | |
|---|--|---------|
| 1 | Disability Inclusion Action Plan 2022-2026 Status Report | 5 Pages |
|---|--|---------|

Attachments (separate document)

Nil

DISABILITY INCLUSION ACTION PLAN 2022 - 2026: STATUS REPORT AS AT 31/12/2023

Community Attitudes and behaviours						Status
Strategy	Actions	Responsibility	CSP Ref.	Outcome	Timeframe	
Improve community attitudes and awareness of access issues and disability inclusion.	Promote access awareness and deliver community education around disability inclusion.	ES	4.1	A minimum of two promotional items are to be circulated annually.	Annually	International Day of People with Disability educational content shared on Facebook and e-Newsletter in December 2023
	Include features in Council's communications to the community about accessibility in and around the Shire.	ES	4.1	Include accessibility in at least one community newsletter/Council notices page annually.	Annually	Promotion of accessible infrastructure projects (Belubula River Walk and Carrington Park Toilet) and funding opportunities (Access Incentive Scheme)
	Funds are allocated for Council's Access Incentive Scheme to improve access to local businesses and community organisation premises.	PES	3.4	Annual funds made available in Council's annual Operational Plan.	Annually	Funds allocated in 2023/24 Operational Plan.
	Promotion and administration of Council's Access Incentive Scheme to improve access to local businesses and community organisation premises with Main Street hospitality outlets prioritised.	PES	3.4	Minimum of 2 external advertisements / promotion of program. Minimum of 2 businesses and / or community facilities upgraded each year subject to receipt of applications that satisfy guidelines.	Annually Annually	Promotion of program on Council website is ongoing. Promotion through GM Conversation has occurred. No applications received in reporting period.
	Raise the profile of the DIWG across the Blayney Shire to provide community another avenue to report back	ES	4.1	A minimum of 2 articles promoting disability inclusion per annum in GM Conversation and Council Newsletter.	Annually	As stated above, promotion of finalisation of accessible infrastructure projects in December e-newsletter. Further to promotion to take place when new nominations called for after 2024 local government elections.
	Review, update and promote the Missed Business Brochure to local businesses.	CS	4.1	Missed Business Brochure updated and promoted to businesses in the Blayney Shire.	Annually	Working Group to investigate and advise options for promotion.
Ensure consultation, support and assistance to local groups and organisations that support and / or advocate on behalf people with a disability.	Work with the Disability Inclusion Working Group to advocate for improved access and inclusion for people living with a disability or lived experience of disability.	CS	4.1	The Disability Inclusion Working Group meet at least 2 times per annum. Minutes of Working Group reported to Council meeting.	Ongoing Ongoing	Meetings held 21/08/2023 and 16/11/2023. Minutes of Disability Inclusion Working Group meeting tabled at September and December 2023 Council meetings.
	Review of DIAP where legislation around disability inclusion changes	CS	4.1	Document is updated to reflect any legislative change.	Annually	No changes to legislation. No action taken.
	Council supports engagement of service providers and advocates through the Blayney Interagency.	CS	4.1	Council provides access to a meeting facility and a Council officer in attendance.	Annually	Community Centre facility made available however no success with fostering interest from service providers and NSW Health for forum.

Building Liveable Communities						
Strategy	Actions	Responsibility	CSP Ref.	Outcome	Timeframe	Status
Plan for connected and accessible pedestrian networks in each township.	Implementation of Active Movement Strategy that leads to the provision of suitable pathways.	IS	4.1	Active Movement Strategy reviewed and implementation commenced.	Annually	Updated Blayney Shire Active Movement Strategy (AMS) endorsed at the July 2023 council meeting.
Increase number of continuous accessible paths of travel in town and village centres and to key destinations per Active Movement Strategy.	Implement projects, that include footpaths, road crossings and kerb ramps, identified in the Active Movement Strategy and apply for Grant funding for any other priority accessibility projects.	IS	4.1	Delivery of scheduled priorities identified in the Active Movement Strategy.	Annually	Delivery of AMS ongoing. Specific footpath projects commenced during the period include; - Elliott Street Millthorpe - Pym Street Millthorpe (Elliott St to Blake St) - Trunkley St Newbridge - Boer War Memorial
Plan and deliver amenities to enable access for all.	Implement a program to improve our accessible public toilets.	IS	4.1	Public toilets meet Access to Premises Standards.	Ongoing	Upgrades to Carrington Park accessible toilet have been completed. Request for Quotation for Heritage Park toilet upgrades have been completed. Construction to commence in March 2024.
Plan for infrastructure that is accessible for all.	Encourage universal design in planning of new housing, infrastructure and buildings.	PES	3.4	Facilities and infrastructure meet Access to Premises Standards.	Ongoing	This occurs on an ongoing basis. Draft design prepared for KGO accessible seating. Staff reminded of importance to consider access in design and construction of assets.
	Undertake improvement of accessible parking within Blayney Shire.	IS	1.1	2018 Blayney Shire audit of accessible car parking updated and improvement plan developed. Accessible options investigated including costings for car parks created in or near Gold Street Park Mandurama and within Carcoar.	2023 2025	2018 Audit to be reviewed in 2024. Plans for both items currently in draft.
Increase access and inclusion to Council services and facilities.	A range of online and hard copy resources are provided at the Blayney Library to meet the diversity of needs in community.	CS (CWL)	4.4	Inclusive resources including large print books and audio books available for issue.	Ongoing	Resources available through CWL include large print books, audio books and online resources.
	Community Centre is available for accessible activities and events.	ES	4.4	Concessional access provided subject to compliant application with Community Financial Assistance policy.	Ongoing	Community Financial Assistance Program promoted to users seeking concessional access.
	Centrepoin provides access for all.	PES (YMCA)	4.1	Concessional entry NSW Companion Card holders.	Ongoing	Operational Plan adopted with Concessional entry to NSW Companion Card holders in CentrePoint fee structure.

	Consider the particular needs of children living with disability in the design, layout and security of parks and playgrounds.	IS	4.2	Playgrounds are safe and inclusive.	Annually	No works undertaken within parks or playgrounds in the reporting period.
Increase participation of people living with a disabilities in events, festivals and activities.	Promote inclusion for events held in the Blayney Shire.	CS	4.2	Include and review information about making events accessible in responses to Event Management Applications.	Annually	Accessibility of events promoted to event organisers with responses to Event Management Applications.
	Investigate potential solutions for feedback and review of events to assist event organisers to make events more accessible.	CS	4.2	Solution for feedback and review of events identified and subject to cost, implemented.	Annually	Undertaken on an as needs basis with event committees. Millthorpe Markets now incorporates multiple accessible carparking.

Creating Meaningful Employment Opportunities						
Strategy	Actions	Responsibility	CSP Ref.	Outcome	Timeframe	Status
Improve Council employment conditions and opportunities for people living with a disability.	Establish flexible work practices to encourage an inclusive working environment.	ES	2.1	Flexible work practices implemented.	Ongoing	Flexible work practices established and promotion of Council as a flexible workplace undertaken as needed and identified.
	Provide disability awareness training to staff and Councillors.	ES	2.4	Staff and Councillors and have completed training.	Each Council term	Training of staff and councillors undertaken in current Council Term (2 - 4 May 2022).
Ensure Council recruitment process is accessible for people living with a disability.	Review and update the recruitment process to ensure it is accessible for people living with a disability.	ES	2.1	Review undertaken and improvements made to promote inclusion.	Annually	Planning in progress.
	Promotion of Council as an Equal Employment Opportunity employer with all vacancies.	ES	2.1	Council positions vacant promote Council as an Equal Employment Opportunity employer.	Ongoing	Council promotion of job vacancies accompanied with statement that Council is an Equal Employment Opportunity employer.
Identify opportunities to procure goods and services from businesses in the region who employ people living with a disability.	Review procurement procedure to identify options to procure goods and services from identified businesses.	CS	2.1	Procedure reviewed and list developed and used within Council.	2023	Procurement Policy amended in 2023 to include reference to investigation and procurement of goods / services from Australian Disability Enterprises where suitable and practicable.

Enhancing Systems and Processes to Improve Access						
Strategy	Actions	Responsibility	CSP Ref.	Outcome	Timeframe	Status
Ensure Council communication and customer service is accessible to all.	Apply access and inclusion principles to Council's communication channels.	ES	2.1	Council communication is accessible.	Ongoing	This occurs on an ongoing basis.
	Information is provided in an easy to read and accessible format.	ES	2.1	Promotional material presented in an accessible format.	Ongoing	This occurs on an ongoing basis.
	Promote Council's implementation of access and inclusion principles and recognise the rights and contribution of people living with a disability in the community.	ES	4.1	Promotion of Disability Inclusion Action Plan is undertaken.	Ongoing	This occurs on an ongoing basis.
	Ensure website conforms to Web Content Accessibility Guidelines conformance level AA.	CS	4.1	Website to conform to Web Content Accessibility Guidelines.	2023	Readspeaker implemented. Other options reviewed as improvement opportunities identified.
	Council meetings are livestreamed to provide an alternative for attendance at meetings in person.	CS	2.4	Council meetings are livestreamed.	Ongoing	Council meetings streamed monthly and accessible from Council's website.
Ensure a coordinated approach to disability and inclusion is adopted and maintained across all departments of Council.	Staff to be familiar with the Disability Inclusion Action Plan ensuring a coordinated approach to disability inclusion is maintained across the organisation.	CS	2.1	Disability Inclusion Action Plan is promoted on Council Intranet. Disability Inclusion Action Plan is circularised for reinforcement and status updates / outcomes.	Semi-annual	DIAP discussed and promoted amongst MANEX and meetings of Directors / Managers. DIAP promoted on Council Intranet Plan circulated amongst responsible officers to update status and outcomes.
Ensure recognition of the Disability Inclusion Plan in Council's IP&R documentation.	Council's Disability Inclusion Plan is acknowledged in Council's Delivery Program and Annual Operational Plan.	CS	2.1	Council's Delivery Program and Annual Operational Plan includes acknowledgement of Council's Disability Inclusion Action Plan.	Annually	Reference to DIAP included in 2023/24 Operational Plan and 2023/24 - 2026/27 Delivery Program.

Acronyms

CS – Corporate Services

CWL – Central West Libraries

ES – Executive Services

IS – Infrastructure Services

PES – Planning and Environmental Services

YMCA – The Y NSW: CentrePoint Sport and Leisure Centre

06) SIX MONTHLY DELIVERY PROGRAM REVIEW - DECEMBER 2023**Department:** Corporate Services**Author:** Director Corporate Services**CSP Link:** 2. Build the Capacity and Capability of Local Governance and Finance**File No:** CM.PL.1

Recommendation:

That the six-monthly review, for period ending 31 December 2023, of Council's 2023/24 – 2026/27 Delivery Program be received.

Reason for Report:

To review progress of Council's 2023/24 – 2026/27 Delivery Program.

Report:

As part of the Integrated Planning and Reporting Framework the Office of Local Government (OLG) requires Council to adopt a suite of strategic planning documents. These documents include a long term Community Strategic Plan, a four year Delivery Program and an annual Operational Plan and Budget. These documents are supported by the Resourcing Strategy comprising the Long Term Financial Plan, Asset Management Policy and Plans and the Workforce Plan.

The 2023/24 – 2026/27 Delivery Program was adopted in June 2023 following consultation involving the community, Councillors and Council staff (note: a revised Delivery Program was adopted at the 23 January 2024 meeting that did not change the deliverables).

The Delivery Program outlines what will be delivered to the community during the term of Council using the Blayney Shire Council Community Strategic Plan as an overarching guide.

It is a further requirement of the OLG that progress reports are provided to Council and the community every 6 months. At the conclusion of the Council term a full and comprehensive report, known as the End of Term Report, is prepared for the benefit of the outgoing Council and community.

This report is presented in a format which summarises the activities across the organisation using qualitative and quantitative information sourced from Managers and Directors.

Risk/Policy/Legislation Considerations:

Council is required under the Local Government Act to report six monthly to Council with reporting included in Council's Annual Report.

Budget Implications:

Nil

Enclosures (following report)

Nil

Attachments (separate document)

- | | | |
|---|--|----------|
| 1 | Delivery Program Status Report as at 31 December
2023 | 22 Pages |
|---|--|----------|

07) YOUTH WEEK 2024**Department:** Corporate Services**Author:** Director Corporate Services**CSP Link:** 4. Enhance facilities and networks that support Health and Wellbeing of the Community, Sport, Heritage and Cultural interests**File No:** GS.LI.1

Recommendation:

That Council;

1. Receive the report on Youth Week 2024.
2. Endorse the allocation from the 2024 Youth Week Small Grants Program be endorsed as follows:

Le Danse School	\$ 1,350
Em Dance	\$ 1,350
Blayney High School*	\$ 1,830
YMCA NSW*	\$ 1,530

Includes GST*Reason for Report:**

To inform Council on the proposed Youth Week activities proposed for the Blayney Shire.

Report:

Youth Week 2024 is scheduled for 11 to 21 April 2024 with the theme “Express. Empower. Get Loud.” and is aimed at youth aged 12 – 25 years.

As in recent years, Council has engaged with the community to seek expressions of interest for holding events as part of the Youth Week Small Grants Program. In the past, this has been a successful means to hold a number of Youth Week events in the Shire.

The program was promoted through the local newspaper, website, social media and by email distribution to the schools, sporting groups, and village contacts.

The closing date for applications was 4 March 2024. At the closing date for expressions of interest 4 applications were received with 3 proposed to be held in Blayney and 1 proposed to be held in Lyndhurst. Of the applicants listed 2 are registered for GST and amounts included in the above recommendation to Council include GST where applicable. For budget comparison purposes amounts in the below table are shown as GST exclusive. Applications and proposed allocations are detailed as follows:

Projects	Applicant	Amount (GST excl.)	Event Detail
Disco; Plan / Teach Sessions and Free Classes	Le Danse School	\$1,350	Older students lead and plan classes with free class entry all week. Friday night Dance Disco. (Lyndhurst)
Trivia afternoon; Disco and Free Classes	Em Dance	\$1,350	Free classes (8) including jazz, ballet, acro, tap and lots more; Trivia afternoon; and Disco for all ages.
Art projects; Dances; Whole of school breakfast and lunch; School beautification projects	Blayney High School**	\$1,664	Pavement / chalk art; Tree boxes art at school; Flash mob dance; celebratory breakfast and lunch for students; Get Loud competitions; and school beautification projects on site with loud music.
Strength workshops; Wet / Dry Inflatables; Group Fitness activities; and Aquatic Education	YMCA**	\$1,391	Free Fitness Group Classes; Squad program session with a focus on technique and fitness; Wet and Dry Inflatables with free entry with a focus on fun and connection; Strength workshop focusing on educating youth on gym-based fundamentals
Total:		\$5,755	

**Registered for GST

Risk/Policy/Legislation Considerations:

Nil

Budget Implications:

The NSW Youth Week Grants Program requires Council to match the \$2,588 funding allocated. Youth Week funding from Department of Communities and Justice also paid an additional \$824 rural / regional subsidy not required to be matched.

Council detailed and exhibited the Youth Week Grants Program in the 2023/24 Operational Plan. The total budget for the program is \$6,000. The above allocation will commit \$5,755 and residual funds not allocated will be applied to costs of advertising / promotion.

Enclosures (following report)

Nil

Attachments (separate document)

Nil

08) INFRASTRUCTURE SERVICES MONTHLY REPORT

Department: Infrastructure Services

Author: Director Infrastructure Services

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

File No: GO.ME.1

Recommendation:

That Council note the Infrastructure Services Monthly Report for March 2024.

Reason for Report:

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

Report:

Major Contracts

Belubula Way Bridge (REPAIR, R4R9)

All roadworks, bridgeworks, and temporary works are complete. Removal of a tree is still scheduled for April as per advice to minimise habitat impact.

Four Mile Creek Road Bridge (FCB2A)

Management documents have all been prepared and issued. Preliminary design has been approved, with detailed design currently underway.

Major Works

Garland Road Repair (RLRRP)

This project is complete.

Neville Road Rehabilitation (FLR4)

This project is complete.

Forest Reefs/Tallwood Road Intersection (R4R8)

In-situ sub-base stabilising works are now complete. Stormwater drainage construction is underway in preparation for kerb construction in a week's time.

Barry Road Heavy Patching (R4R9)

Works are now complete.

Tallwood Road Heavy Patching (R4R9)

Road pavement and wearing course works are all complete. Minor drainage works and linemarking are outstanding.

Unwin & Stabback Street (LRCl)

Works on Unwin Street are nearing completion. Driveway laybacks are substantially all completed. Private works agreements have been issued but not yet returned. Easement overland drainage path construction is underway.

Stormwater pipe construction is underway on Stabback Street, with approximately 75% of the pipes now laid on the street. A minor service conflict has delayed completion of the pipe construction to Church Street. Kerb preparation will be undertaken next week.

Minor Road Works**Maintenance works**

Since the previous report, pothole patching has been performed on the following roads: Panuara Road, Garland Road, Belubula Way, Tallwood Road, Browns Creek Road, Forest Reefs Road, Hobbys Yards Road, Neville Road, Guyong Road, Vittoria Road, Hillside Lane, Charles Booth Way, Nyes Gates Road, Spring Terrace Road, Matthews Road, Carcoar Dam Road.

Pothole patching has also generally been performed in the following towns/areas: Blayney, Millthorpe, Lyndhurst.

Maintenance grading has been undertaken on the following roads: Hilltop Lane, Matthews Lane, Davis Road, Rosedale Road, Ewins Lane, Winterbottoms Lane, Snake Creek Road.

Footpaths**Trunkey Street, Newbridge (R4R8)**

Works are completed up to Stringybark Craft Shop.

Planning, design and scoping is currently underway for the stage 2 works fronting the Gladstone Hotel. Preliminary estimates and sketches have been made, however final design is still in progress.

Belubula River Walk – Stage 4 (SCCF4)

Works have commenced, with drainage works currently underway. Pavement works and sealing are outstanding, with programmed works expected to be completed by the end of April.

Plumb/Palmer/Orange Road, Blayney (SCCF5)

Some preliminary drainage works have been undertaken in Plumb Street. Materials have been ordered. Commencement of the path has been delayed with the prioritisation of Unwin & Stabback Streets; works will commence following substantial completion of this project.

Open Spaces & Facilities**Maintenance works**

Parks and gardens team have been mowing ovals and parks as part of the normal routine. Attention was given to the Blayney Showground in preparation for the show. Tree maintenance at Newbridge Showground was undertaken which included some new plantings.

The renovation of turf surfaces on Council's sports grounds will shortly commence in preparation for the transition from summer to winter sports.

King George Oval Upgrades (R4R8, SCCF4, SCCF5)

Works on the carpark have commenced, with sub-base works largely complete. Minor drainage works and subsoil lines will be installed, with the project expected to be completed by late March.

Accessible seating works have commenced, with one slab poured. The other will be completed after carpark works are completed and seating installed thereafter.

Carrington Park Toilet Refurbishments (R4R8)

Construction works for the accessible carpark are completed, with only linemarking outstanding.

Heritage Park New Toilets (R4R8)

Fabrication of the building is underway with the project on track for site commencement mid-May.

Council is still waiting for a decision from Regional NSW in regard to transfer of funds from this project to the KGO upgrade project.

Recycled Water Treatment Plant

Council's management plans, monitoring plans and supporting documentation has been compiled for application under Section 60 of the Local Government Act.

This information in application format has been sent to NSW Department of Planning and Environment (DPIE) for pre-submission assessment, as per the DPIE process.

Assets

Work continues on the 2025 Transportation revaluation with condition assessments in progress for the major culvert network and bridge network. Unit rate reviews have commenced and are being documented for inclusion in the methodology.

Review of the Ground Penetrating Radar data is still underway, with the aim that there will be more accurate assumptions in determining granular thickness of road pavements.

Work to improve and validate current data held in our assets system is underway.

Central NSW Joint Organisation continue to prepare a joint procurement for seal condition assessment.

Risk/Policy/Legislation Considerations:

Information report only.

Budget Implications:

Nil

Enclosures (following report)

Nil

Attachments (separate document)

Nil

09) CNSWJO - DATA SHARING AGREEMENT BETWEEN COUNCIL AND SPATIAL SERVICES

Department: Infrastructure Services

Author: Director Infrastructure Services

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

File No: RD.AD.1

Recommendation:

That Council enter into a new data sharing agreement with Spatial Services.

Reason for Report:

At the Central NSW Joint Organisation Board meeting on 23 August 2023, it was resolved;

“That the Board note the Disaster Risk Reduction Program report and: recommend to councils they consider entering into new data sharing agreements with Spatial Services.”

Report:

Agreements concerning data between Council and Spatial Services

The Disaster Risk Reduction Fund (DRRF) Regional Resilience Program (RRP), consisting of NSW Reconstruction Authority and eight Joint Organisations; including Central NSW Joint Organisation, have been exploring options to streamline access to Geographic Information System (GIS) and other pertinent data. The goal is to establish a single, authoritative source of truth for natural disaster planning and preparedness.

Spatial Services Customer and Emergency Management Services Business Unit recently presented their work to the RRP, as outlined below.

1. Emergency Information Coordination Unit and Emergency Services Spatial Information Library

The Emergency Information Coordination Unit team is a division within the Spatial Services Customer and Emergency Management Services business unit. Their responsibility lies in overseeing the Emergency Services Spatial Information Library (ESSIL), which contains an extensive collection of 350 statewide GIS data layers.

Notably, the ESSIL is not limited solely to use by emergency personnel during crises. It also serves as a valuable resource accessible for data retrieval, visualization, and analysis, for disaster planning and preparedness purposes by other council staff. Access to this critical information for disaster planning and preparedness by council staff can be facilitated through newly established data management agreements with the Spatial Services Customer and Emergency Management Services business unit.

The involvement of councils in these new agreements represents a significant stride towards establishing the ESSIL as an authoritative source for disaster planning and preparedness information.

2. Live NSW and Digital Twins

Live NSW encompasses a comprehensive ecosystem comprising data, platforms, infrastructure, and governance structures, facilitating access and visualization of spatial information data, products, and services for local and state governments, utilities, industry stakeholders, and the broader community.

In the context of the DRRF project, critical data communication gaps have been identified as a cause for concern in disaster planning and preparedness. Live NSW serves as a centralised repository for spatial data related to infrastructure and the environment. This enables various government departments and initiatives to collaborate and exchange essential planning data.

Furthermore, the concept of Digital Twins results in creating a virtual representation of a physical entity, augmenting it with a comprehensive, dimensionally accurate, and location-based model. This approach can prove highly valuable in enhancing disaster planning and preparedness efforts.

3. Data sharing agreements

Council currently has an existing data sharing agreement in place with Spatial Services. The existing agreement, as it currently stands, limits the use of data exclusively to the Emergency Information Coordination Unit's purposes. However, Council has the opportunity to enter into new data sharing agreements, which provide several benefits:

1. **Sharing Relevant Data:** New agreements empower councils to share pertinent data that can prove valuable for neighboring councils, organizations, or the general public in the context of disaster planning and preparedness.
2. **Exchanging Timely Information:** These agreements facilitate the exchange of up-to-date information essential for effective emergency management.
3. **Supporting Live NSW Initiatives:** Council can also use these agreements to contribute to Live NSW initiatives by sharing relevant and current data.
4. **Flexible Data Control:** Council gains control over how their data is shared, with options including:
 - a. **Open Data:** Data is made discoverable and accessible to anyone under Creative Commons licensing.
 - b. **Shared Data:** While discoverable to everyone, access is limited to

- parties designated by the council.
- c. Restricted Data: This type of data remains hidden and is only accessible to specific entities, such as emergency management organizations or other bodies as determined by the council.

New data sharing agreements offer councils greater flexibility and the ability to leverage data for the benefit of disaster planning and preparedness while maintaining control over access and usage.

Risk/Policy/Legislation Considerations:

The establishment of new data sharing agreements between Council and Spatial Services will greatly position Spatial Services as the singular source for GIS and other pertinent data crucial for disaster planning and preparedness for Council.

Budget Implications:

Data sharing agreements and MOU are without cost to the Council. They provide access to data that the Councils may use in accordance with the terms and conditions of the agreement.

Setup costs are dependent up the capability of the Council system Information at this time indicates it will be nil cost to Blayney Council, other than Council IT personnel time required to set up the Application Programming Interface.

Spatial Services will work with Council during the development of the data sharing agreement to determine the best way to exchange data with the Councils.

Enclosures (following report)

Nil

Attachments (separate document)

1 Data Sharing Spatial Services

19 Pages

10) DA2023/138 - ERECTION OF A DWELLING - 109 PRESCOTT STREET LYNDHURST

Department: Planning and Environmental Services

Author: Manager Development Assessment

CSP Link: 5. Protect Our Natural Environment

File No: DB.AB.2050

Recommendation:

That Council consent to Development Application 138/2023 for an Erection of a Dwelling House at Lot 184 DP 1298034, 109 Prescott Street, Lyndhurst, subject to the recommended conditions of consent.

Reason for Report:

To seek Council consent to Development Application 138/2023 for the Erection of a Dwelling House at Lot 184 DP 1298034, 109 Prescott Street, Lyndhurst. The application does not comply with *Blayney Development Control Plan (DCP) 2018 (DCP) in relation to buildings setbacks*. The applicant has sought Council's approval for a variation to the DCP's acceptable solutions. Consent will be recommended subject to conditions.

Report:

Executive Summary

A development application has been received from Planning Potential on behalf of C & C De Pijper seeking consent for the Erection of a Dwelling House on Lot 184 DP 1298034, 109 Prescott Street, Lyndhurst.

The subject property is located in a RU1 Primary Production Zone under the *Blayney Local Environmental Plan 2012 (BLEP)* and contains an existing outbuilding (shed). The property has been historically used for agricultural purposes.

The application does not comply with the DCP, *Part C: Residential Development, C4.2 1 Building Setbacks* as the proposed development does not meet the development standard for side and rear setbacks of 50m. The proposed setback from the northern boundary is 15m and 18.950m from the western boundary. As such, the applicant has sought Council's approval for a variation to the acceptable solution.

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

Proposed Development

The proposed development consists of the erection of a dwelling house with an area of 181.45m² to be constructed of metal wall and roof sheeting, aluminium doors, windows, gutters, fascia and flashings.

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

Section 1.7 of the EP&A Act 1979 identifies that Part 7 of the Biodiversity Conservation Act 2016 and Part 7A of the Fisheries Management Act 1994 have effect in connection with terrestrial and aquatic environments. Having regard to the relevant provisions and based on an inspection of the subject property, it is considered that the proposed development is not likely to have a significant effect any threatened species, population or ecological communities or their habitats.

Section 4.15 Evaluation

Matters for Consideration – General

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

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

Part 1 – Preliminary

Clause 1.2 Aims of Plan

The proposed development is considered to be consistent with the broad aims of the BLEP 2012. Relevant issues are addressed in the body of this report.

Clause 1.7 Maps

Land zoning:	RU1 Primary Production
Lot size:	2.81HA
Heritage:	N/A
Terrestrial biodiversity:	Yes
Groundwater vulnerability:	N/A
Drinking water catchment:	N/A
Watercourse:	N/A
Flood:	N/A

Clause 1.9A – Suspension of Covenants, Agreements and Instruments

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

- *a covenant imposed by the Council or that the Council requires to be imposed, or*
- *any prescribed instrument within the meaning of section 183A of the Crown Lands Act 1989, or*
- *any conservation agreement within the meaning of the National Parks and Wildlife Act 1974, or*

- *any Trust agreement within the meaning of the Nature Conservation Trust Act 2001, or*
- *any property vegetation plan within the meaning of the Native Vegetation Act 2003, or*
- *any biobanking agreement within the meaning of Part 7A of the Threatened Species Conservation Act 1995, or*
- *any planning agreement within the meaning of Division 6 of Part 4 of the Act.*

This clause does not affect the rights or interest of any public authority under any registered instruments. A search of Council's records indicates that the subject property is not affected by any of the foregoing covenants, instruments, agreements or plans, other than a small easement for electricity which is not impacted by the proposed Erection of a Dwelling.

Part 2 – Permitted or prohibited development

Clause 2.3 Zone objectives and Land Use Table

Clause 2.3(2) of BLEP provides that the Council shall have regard to the objectives for development in a zone when determining a development application in respect of land within the zone. The objectives of the RU1 Primary Production zone are:

- *To encourage sustainable primary industry production by maintaining and enhancing the natural resource base.*
- *To encourage diversity in primary industry enterprises and systems appropriate for the area.*
- *To minimise the fragmentation and alienation of resource lands.*
- *To minimise conflict between land uses within this zone and land uses within adjoining zones.*
- *To enable function centres, restaurants and appropriate forms of tourist and visitor accommodation to be developed in conjunction with agricultural uses.*

The proposed development is consistent with the objectives of the zone and encourages diversity in primary industry and minimises conflict between land uses within the prescribed zone and adjoining properties.

Part 4 – Principal development standards

Clause 4.2A Erection of dwelling houses or dual occupancies on land in certain rural zones

The proposed development is permissible pursuant to Clause 4.2(3)(e) of the BLEP; *(e) is a lot or holding with a size of at least 1.5ha on land identified as "Dwelling Opportunity" on the Dwelling Opportunity Map.*

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.

The proposed development includes on-site stormwater retention. The land holding and setbacks from boundaries minimises and mitigates the impact of the stormwater to any surrounding neighbours. There will be no impacts on groundwater or river water and no significant adverse impacts of stormwater runoff on adjoining properties, native bushland or receiving waters.

6.3 Terrestrial biodiversity

- (1) The objective of this clause is to maintain terrestrial biodiversity by—*
- (a) protecting native fauna and flora, and*
 - (b) protecting the ecological processes necessary for their continued existence, and*
 - (c) encouraging the conservation and recovery of native fauna and flora and their habitats.*
- (2) This clause applies to land identified as “Biodiversity” on the Natural Resource—Biodiversity Map.*
- (3) Before determining a development application for development on land to which this clause applies, the consent authority must consider—*
- (a) whether the development is likely to have—*
 - (i) any adverse impact on the condition, ecological value and significance of the fauna and flora on the land, and*
 - (ii) any adverse impact on the importance of the vegetation on the land to the habitat and survival of native fauna, and*
 - (iii) any potential to fragment, disturb or diminish the biodiversity structure, function and composition of the land, and*
 - (iv) any adverse impact on the habitat elements providing connectivity on the land, and*
 - (b) any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development.*
- (4) Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that—*
- (a) the development is designed, sited and will be managed to avoid any significant adverse environmental impact, or*
 - (b) if that impact cannot be reasonably avoided by adopting feasible alternatives—the development is designed, sited and will be managed to minimise that impact, or*
 - (c) if that impact cannot be minimised—the development will be managed to mitigate that impact.*

The proposed development does not include the removal of trees on the subject property. Removal of vegetation (grass) will be removed but limited to just to the construction site. There is no adverse impact on the condition, ecological value and significance of the fauna and flora on the land.

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.

Per BASIX 1374919S, the development will be serviced by on-site water (rainwater tanks) and on-site waste-water system for the management of sewage. Access is via Cemetery Lane (unformed crown road, an agreement has been formed between NSW Crown Lands and the owner) which will be upgraded to Council's standard. Electricity is connected to the subject property as identified at the site inspection.

State Environmental Planning Policy (Resilience and Hazards) 2021

State Environmental Planning Policy (Resilience and Hazards) 2021 (replaces State Environmental Planning Policy 55 – Remediation of Land (SEPP55))

requires that a consent authority must not consent to the carrying out of development of land unless it has considered whether the land is contaminated; is satisfied that the land is suitable in its contaminated state for the development that is proposed, and if the land requires remediation to be made suitable for the proposed development it is satisfied that the land will be remediated before the land is used for that purpose.

An inspection of the site shows no evidence that the land has historically been used for anything other than agricultural land use. In utilising local knowledge, discussions with existing Council staff indicate that the land has never been known to be used for any more intensive activity other than grazing. Consequently, having regard to all available information it is safe to conclude that there is no evidence of previous contaminating land uses that would require 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

Not applicable.

Section 4.15(1)(a)(iii) Any Development Control Plan

Blayney Shire Development Control Plan 2018

Part C: Residential Development

Clause DCP	Comment	Compliance
<i>C3.5 Rural Sheds</i>	Maximum size subject to merit based assessment.	<input type="checkbox"/> Yes <input type="checkbox"/> No Comment: NA to this application.
<i>C4.1 Building Setbacks</i>	Setbacks: Dwellings (and attached ancillary buildings) must meet the following minimum setbacks in metres (m) from the lot boundaries Zone RU1 & RU2 1) Public road frontage – 20m; 2) Side or rear boundary – 50m	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Comment: DCP requirement is 50m for side and rear setback. The proposed setback from the northern boundary is 15m, 18.950m from the western boundary, 77.360m from the eastern boundary (Prescott Street) and 108.2m from the

		southern boundary (Carcoar Street). The proposed variation is supported due the existing site constraints and topography of the site, location of the existing outbuilding (shed), the existing surrounding residential development and the Lyndhurst Cemetery located along the northern boundary. In this instance strict compliance with the setback requirement is unnecessary and the relevant objectives are sufficiently met. Sufficient grounds for the departure have been established and no adverse impacts have been assessed.
<i>C4.2 Building Siting & Buffers</i>	<p>1) Environmental Hazards: Buildings must be sited so as to avoid, or if not avoid, mitigate or minimise the impacts from natural hazards (including but not limited to flooding, stormwater hazards, bushfire etc.) or impacts on sensitive environment areas (including but not limited to significant vegetation, biodiversity, watercourses etc.) in accordance with Part G – Environmental Management & Hazards.</p> <p>2) Existing Trees: Buildings should be sited so as to minimise disturbance or removal of existing significant trees (including for asset protection zones to minimise bushfire risk) and buildings should be located outside the drip line of any retained trees to protect root structures.</p> <p>3) Buffers: Where dwellings are located adjacent to existing or potential higher impact activities (including, but not limited to agriculture, intensive agriculture, mineral resources</p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Comment: The proposed dwelling house is proposed to be erected on grassland. No trees are proposed to be removed. The proposed dwelling will be adjacent to residential development and the Lyndhurst Cemetery. The proposed location of the dwelling house is supported due the existing site constraints and topography of the site, location of the existing outbuilding (shed), the existing surrounding residential development and the Lyndhurst Cemetery located along the northern boundary. No adverse impacts are assessed.</p>

	<p>etc.) then applicants must address the recommended buffer distances in Part G – Environmental Management & Hazards. If these buffer distances cannot be met then there must be additional justification that addresses how impacts will be avoided or minimised.</p> <p>4) Dual Occ – N/A</p> <p>5) Privacy & Amenity: Buildings must be sited to reduce any overlooking of the living rooms and primary private open spaces of adjoining dwellings and appropriately screened to protect privacy, noise separation and residential amenity of adjoining dwellings. If dwellings must be sited in close proximity to adjoining dwellings then privacy measures such as landscaping or screening, offsetting of windows, opaque windows etc. should be utilised.</p>	
<i>C4.3 Visual Impacts</i>	<p>1) Ridgelines: Dwelling must be located away from ridgelines or seek to minimise their visual impact on the skyline.</p> <p>2) Scale / Colours/ Materials: Building must be designed and constructed to integrate with the surrounding rural landscape and not detract from the rural amenity.</p> <p>3) Reflectivity: External materials must have low reflectivity if they are visible from a public road or neighbouring dwelling and there is a reasonable probability of glare affecting driver safety, residential amenity, or the building being too visually intrusive.</p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Comment: The proposed development complies with the development standards.</p>
<i>C8.1 Site Planning</i>	<p>1) Considers and responds to the topography, climate and natural environment;</p> <p>2) Avoids, or if it cannot avoid,</p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Comment: The proposed development complies with the</p>

	<p>minimises or mitigates against natural hazards and land use conflicts;</p> <p>3) Protects and enhances any heritage items or heritage conservation areas;</p> <p>4) Integrates with the surrounding built form and landscape character; and</p> <p>5) Maintains reasonable residential amenity (for the site and adjacent dwellings).</p>	development standards.
<i>C8.2 Water & Energy Efficiency</i>	A BASIX Certificate may need to be submitted with the Development Application in accordance with State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 prepared either by an applicant or a suitably qualified consultant.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Comment: A BASIX Certificate was lodged with the application.
<i>C8.4 Earthworks</i>	<p>1) Cut and/or fill should be minimised by appropriate site planning, building orientation and design, taking into account the slope of the site, proximity to adjacent properties and environmentally sensitive areas, and access and drainage requirements.</p> <p>2) Cut and/or fill for residential uses that is greater than 1m in depth or closer than 1m to a lot boundary may require additional certification to avoid impacts on adjacent properties.</p> <p>3) Applicants must notify Council if cut and/or fill will result in the net export or import of fill from sites other than the subject site and demonstrate the fill is not contaminated.</p>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Comment: Minimal cut/fill is proposed for this development.
<i>C8.6 Connection to Utilities</i>	<p>1) N/A</p> <p>2) N/A</p> <p>3) New development must be connected to grid-electricity unless the applicant can demonstrate a sufficiently sized and appropriate alternative (off-grid) system to meet the reasonable needs of that type of</p>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Comment: The proposed development is connected or proposes to be connected to the required services.

	development. 4) N/A	
<i>C8.7 Siting & Visibility of Utilities</i>	<p>1) Utilities should be located underground (particularly in heritage conservation areas or main streets) or utilise existing poles (at the discretion of Council) unless other constraints make this unsuitable.</p> <p>2) Utility boxes and cabinets (e.g. electricity substations, meter boxes etc.) on private land are integrated into the development and screened (where appropriate).</p>	<p><input checked="" type="checkbox"/>Yes <input type="checkbox"/>No</p> <p>Comment: The proposed development has minimal impact on the surrounding residential development.</p>
<i>C8.8 Water Tanks</i>	Dwellings that are reliant on rainwater for drinking water must have a minimum tank capacity of 60,000L or the requirements set out in the BASIX Certificate (whichever is greater). Additional capacity may be required for garden watering and other purposes.	<p><input checked="" type="checkbox"/>Yes <input type="checkbox"/>No</p> <p>Comment: The subject property is connected to reticulated water and proposes onsite water tanks.</p>
<i>C8.9 On-Site Sewage Management</i>	Where a lot is unable to connect to a reticulated sewage system, the applicant must provide an Effluent (Geo-technical) Report prepared by a suitably qualified geo-technical engineer that supports the design and location of any on-site system in accordance with Council's Development and Building Guide, any relevant Australian Standards, and Part G2.5 On-Site Effluent Disposal of this DCP.	<p><input checked="" type="checkbox"/>Yes <input type="checkbox"/>No</p> <p>Comment: The development will be serviced by an onsite system and this application is supported by the onsite effluent management report.</p>
<i>C8.11 Solid Waste Management</i>	Applicants must determine (in consultation with Council) what solid waste collection services are available, other appropriate method of disposing of solid waste and suitable storage location(s).	<p><input checked="" type="checkbox"/>Yes <input type="checkbox"/>No</p> <p>Comment: Prescott Street is serviced by Council's waste contractor and upon Final Occupation Certificate for the dwelling, a bin service will be</p>

		optional as the dwelling is more than 250m from the bin route as per Council policy 18C Waste Collection Services.
C8.12 Letterboxes	Separate letterboxes for each dwelling must: 1) Be located where it is easily visible from the road frontage and accessible for Australia Post employees; 2) Be clearly marked with the correct house number; 3) N/A	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Comment: The property address is clearly marked and visible from Prescott Street. Australia Post employees will have clear access to the letterbox provided.
C8.13 Street Numbering	Each dwelling must have an appropriate street number that is clearly visible from the street (as determined by Council).	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Comment: Street numbering is on the front entry gate and clearly visible from Prescott Street.
G2.5 On-Site Effluent Disposal	Where an on-site effluent disposal system is proposed to manage sewage, the on-site systems must be suitably sized and able to operate on the lot (taking into account the proposed use and its likely liquid waste / effluent production) without impacting on development on the subject lot, neighbouring lots or surface or ground water systems, and don't require excessive vegetation removal.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Comment: The geotechnical report has been prepared by a suitably qualified company suited to the proposed dwelling house.

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)

A BASIX Certificate accompanies the 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**Context and Setting**

The surrounding land use is rural residential development and the proposed development is compatible with the scale, amenity and character of the surrounding area.

Land Use Conflict

The proposed development will not create land use conflict within the surrounding area as it is considered to be consistent with the character of the rural residential area.

Access and Traffic

Vehicle access to the subject land is via Cemetery Lane, an unformed Crown Road. An agreement between NSW Crown Lands and the owner has been established and accompanies the application. No adverse impacts are assessed.

Public Domain

The proposed development will not impact on the public domain within the surrounding area, as it is considered to be consistent with the character of the rural residential area which and is not visible from a public road.

Social Impact in the Locality

Due to the type and scale of the proposed development, the social impacts of the development are not significant. No adverse impacts are assessed.

Economic Impact in the Locality

Due to the type and scale of the proposed development, the economic impacts of the development are not significant. No adverse impacts are assessed.

Site Design and Internal Design

The proposal is generally consistent with the BLEP and DCP as discussed above. The development on the site will not detrimentally affect adjoining land and has been designed with regard to the existing site conditions.

Cumulative Impacts

The proposal is generally consistent with the BLEP and DCP the proposal is surrounded by residential properties of a similar size, shape and density. It is assessed that the cumulative impacts of the proposed development are not such that the application should be refused.

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

No submissions were received during the notification period.

Section 4.15(1)(e) The public interest

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

Risk/Policy/Legislation Considerations:

The proposed development is permissible with development consent of Council. The proposed development complies with the relevant aims, objectives and provisions of BLEP. A Section 4.15 assessment of the development indicates that the development is acceptable in this instance. Attached are draft conditions of consent outlining conditions considered appropriate to ensure that the development proceeds in an acceptable manner.

Budget Implications:

Nil

Enclosures (following report)

1	Draft Conditions	9 Pages
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Attachments (separate document)

2	Site Plan	1 Page
3	Elevations and Colour Schedule	3 Pages
4	Statement of Environmental Effects	23 Pages

Annexure A**Reasons for Decision**

1. To comply with legislative statutory requirements.

DEVELOPMENT IN ACCORDANCE WITH APPROVED PLANS & DOCUMENTATION

1. Development is to take place in accordance with:

Plan/Doc No.	Plan/Doc Title	Prepared by	Issue	Date
23-084	Site Plan, Floor Plan, Elevation Plans	designsatm	-	November 2023
1374919S	BASIX	Marco Kiho	-	4 November 2023
R16110e	On-Site Effluent Management Study	Envirowest Consulting Pty Ltd	-	13 October 2023
-	Statement of Environmental Effects	Planning Potential	-	October 2023

As amended in accordance with any conditions of this consent.

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

Prescribed Conditions**BUILDING CODE OF AUSTRALIA**

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.

IDENTIFICATION OF SITE

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

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

HOME BUILDING ACT

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

CONTRACT OF INSURANCE

5. 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 Certifier before any building work authorised to be carried out by the consent, commences.

CONSTRUCTION CERTIFICATE

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

Prior to Issue of a Construction Certificate

SECTION 7.11 CONTRIBUTIONS (TYPE A - RESIDENTIAL)

7. Contributions are to be paid to Council towards the provision or improvement of amenities or services (residential subdivision/works) under the *Blayney Local Infrastructure Contributions Plan 2022* (see Council's web site). The contributions to be paid are currently \$9,296.00 per new lot created/per new dwelling. The amount payable would be recalculated on the basis of the contribution rates that are applicable at the time of payment. Evidence of payment of the contributions is to be provided to the Principle Certifier prior to the issue of the Construction Certificate.

Prior to Works Commencing

CONSTRUCTION CERTIFICATE

8. Prior to commencement of any works, a Construction Certificate is to be obtained, and where Council is not the PC, a copy is to be submitted to Council.

COMMENCEMENT OF WORK & APPOINTMENT OF PC

9. 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 Certifier (PC).

SOIL & WATER MANAGEMENT PLAN

10. The developer is to submit a soil and water management plan for the site in accordance with WBC Guidelines for Engineering Work.

No building, engineering, or excavation work, or topsoil stripping or vegetation removal, is to be carried out in relation to this development until such time as the plan has been approved by Council and the measures detailed in the plan are in place prior to works commencing. The measures detailed in the plan are to remain in place until all landscaping is completed.

PUBLIC LIABILITY INSURANCE

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

During Construction**HOURS FOR CONSTRUCTION**

12. Construction 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.

RUBBISH AND DEBRIS

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

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

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

EXCAVATIONS AND BACKFILLING

14. 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.

TOILET FACILITIES

15. 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.

ENGINEERING INSPECTIONS

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

F	New Gate – Rural Crossing	<ul style="list-style-type: none"> * Prior to commencement of excavation works. * After compaction of base and prior to sealing * Road pavement surfacing
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NEW GATE – RURAL

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

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

Note: Any new vehicular access points are to be located such that all RMS stopping sight distances are achieved.

ROAD AND INTERALLOTMENT DRAINAGE

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

RELOCATE UTILITY SERVICES

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

RURAL ADDRESS NUMBER

20. The rural address number must be displayed at the entrance of the property in a prominent position that is visible from the road, within fourteen (14) days of the number plate(s) being provided by Council.

DUST SUPPRESSION

21. The applicant will ensure that all machinery and traffic movement areas are continually watered when in use in order to prevent raised dust from becoming a nuisance to neighbouring properties.

WASTE

22. All waste associated with the construction works is to be appropriately collected, stored and disposed of at an approved waste facility.

WATER SUPPLY

23. On site water storage is to be provided for domestic purposes. Total storage capacity is to be a minimum of 45,000 litres.

RAINWATER TANK OVERFLOW

24. The overflow for the rainwater tank is to be connected to a drainage line and conveyed to the legal point of discharge in accordance with Australian Standard 3500 in a manner that is not adversely affecting adjacent land.

Note 1: The rainwater tank should be maintained and protected against mosquito infestation.

DRAIN BUILDING SURROUNDS

25. The ground surrounding the building 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 200 mm below the finished floor level and shall have a minimum grade of 1:100 to the approved storm water disposal location. This work shall be carried out following the installation of the roof gutter & down pipes, and prior to the final inspection. All surface water run-off from the building platform, cut & fill shall be directed to the street gutter.

CLADDING

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

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

Note 2: Zincalume will be not accepted.

PONDING TO NEIGHBOURS

27. 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.

PLUMBING AND DRAINAGE CODE OF PRACTICE

28. All drainage and plumbing work is to be carried out in accordance with the current *Plumbing and Drainage Code of Practice* by a licensed plumber and drainer.

DRAINAGE RECORDS

29. A works as executed plan drawn to the scale of 1 in 200 of drainage is to be submitted to Council at the time of inspection.

SEPTIC TANK GENERAL

30. An on-site waste management system is to be installed, operated and maintained on the land and the premises connected thereto, in accordance with

the provisions of the Local Government (Approvals) Regulation made under the Local Government Act 1993. The on-site sewage management system chosen shall be maintained in accordance with the recommendations of the report by Envirowest Consulting Ref: r14774e dated: 28 June 2023. The aerated wastewater system (AWTS) chosen shall have sufficient capacity to treat the effluent from 10 persons. Specifications for the AWTS shall be submitted to Council prior to installation.

Section 68 Requirements

LICENSED PLUMBER

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

NOTICE OF PLUMBING WORKS

32. Prior to the commencement of plumbing and drainage works the responsible plumbing contractor is to submit to Council a "Notice of Works" under the Plumbing and Drainage Act 2011. Details of the proposed AWTS septic tank system, including NSW Health accreditation, shall be submitted with the NOW.

WORK BY LICENSED CONTRACTOR

33. All plumbing and drainage work must be carried out by a licensed plumber/drainer in accordance with the requirements of the Plumbing Code of Australia and Australian Standard AS3500.

ATWS SPECIFICATIONS

34. The aerated wastewater system (AWTS) chosen shall have sufficient capacity to treat the effluent from 4 persons. Specifications for the AWTS shall be submitted to Council prior to installation.

PROXIMITY OF ATWS TO DWELLING

35. The AWTS tank shall be installed no closer than 1.5 metres to the proposed dwelling.

EXCAVATIONS AND BACKFILLING

36. All excavation and backfilling associated with the installation of the septic tank 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.

HOURS FOR WORK

37. Work shall only be carried out between 7.00 am and 6.00 pm on Monday to Friday, and 8am to 5pm on Saturdays. No work 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.

ATWS GENERAL

38. The on-site sewage management system is to be installed, operated and maintained on the land and the premises connected thereto, in accordance with the provisions of the Local Government (General) Regulation 2005 made under the Local Government Act 1993.

DISPOSAL AREA EXCLUSIONS

39. Vehicular traffic and livestock is excluded from the disposal area.

SURFACE WATER

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

WORK-AS EXECUTED PLAN

41. A work-as-executed plan of drainage shall be drafted by the drainer and submitted to Council and the owner upon completion of all drainage works.

CERTIFICATE OF COMPLIANCE

42. A certificate of compliance for the plumbing works associated with this approval shall be submitted by the plumber to Council and the owner upon completion of all drainage works.

SERVICE CONTRACT

43. The owner shall enter into a quarterly service contract with the manufacturer, distributor, or their agent.

MAINTENANCE RECORD – OWNER/OPERATOR

44. An operator's manual incorporating a service record is to be provided with the aerated septic tank system. The date of each service shall be entered on the record sheet.

COUNCIL RECORDS

45. A copy of the quarterly service record sheet shall be forwarded by the service contractor to the approving Council within fourteen (14) days of each service.

SIGNAGE

46. Within or adjacent to the surface irrigation area shall be displayed a sign advising reclaimed effluent is being used for irrigation. The sign shall be on a white background with red lettering stating "Reclaimed Effluent – Do not Drink, Avoid Contact".

RECREATIONAL LAWN AREAS

47. Recreational lawn areas of domestic premises shall not be irrigated with effluent from the aerated wastewater treatment system.

IRRIGATION SYSTEM

48. Soaker hoses, garden sprinklers and standard water hoses and fittings are not to be used as part of the effluent irrigation system.

WATER TANK/S

49. The overflow for the rainwater tank/s is to be connected to a drainage line and conveyed to the street gutter, common drainage line, legal point of discharge or otherwise disposed of on site in accordance with Australian Standard 3500 in a manner that is not adversely affecting adjacent land.

INSPECTIONS

50. Forty – eight (48) hours notice shall be given to Council for inspection of the following:
- a) Internal and external drainage lines, and septic tank prior to backfilling. The licensed plumber/drainer shall be on site at the time of the inspection, and the drainage lines shall be charged;
 - b) Hot and cold water at rough-in; and
 - c) The septic system and disposal area before use.

Prior to Issue of Occupation Certificate

OCCUPATION CERTIFICATE

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

Ongoing

APPROVED USE

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

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. Frame inspection
- c. Waterproofing prior to tiling.
- d. Final/stormwater inspection at time of completion of all works.

Notice of Commencement

AN3. Notice of commencement of building works – The attached form needs to be completed and emailed, faxed or mailed to Council at least 2 days before any work commences on the site.

TELSTRA CORPORATION LIMITED***Note 1: Dial Before You Dig***

Underground assets may exist in the area that is subject to your application. In the interests of health and safety and in order to prevent damage to third party assets please contact Dial Before You Dig at www.1100.com.au or telephone on 1100 before excavating or erecting structures. (This is the law in NSW). If alterations are required to the configuration, size, form or design of the development consent (or a new development application) may be necessary. Individuals owe asset owners a duty of care that must be observed when working in the vicinity of plant or assets. It is the individual's responsibility to anticipate and request the nominal location of plant or assets on the relevant property via contacting the Dial Before You Dig service in advance of any construction or panning activities.

Note 2: Telecommunications Act 1997 (Commonwealth)

Telstra (and its authorised contractors) are the only companies that are permitted to conduct works on Telstra's network and assets. Any person interfering with a facility or installation owned by Telstra is committing an offence under the Criminal Code Act 1995 (Cth) and is liable for prosecution. Furthermore, damage to Telstra's infrastructure may result in interruption to the provision of essential services and significant costs. If you are aware of any works or proposed works which may affect or impact on Telstra's assets in any way, you are required to contact: Telstra's Network Integrity Team on Phone Number 1800 810 443.

11) DA2024/3 - ERECTION OF A SHED - 2 QUEEN STREET LYNDHURST

Department: Planning and Environmental Services

Author: Manager Development Assessment

CSP Link: 5. Protect Our Natural Environment

File No: DB.AB.2062

Recommendation:

That Council consents to Development Application DA2024/3 for the Erection of an Outbuilding (Shed) at Lot 567 DP740789 – 2 Queen Street, Lyndhurst subject to the recommended conditions of consent.

Reason for Report:

To seek Council's consent for the Erection of an Outbuilding (Shed, 15m x 15m, 225m²) on Lot 567 DP740789 – 2 Queen Street, Lyndhurst. The application does not comply with the Council's Development Control Plan (DCP) in relation to cumulative floor area for the site and a variation has been sought. Consent will be recommended subject to conditions.

Report:

A development application has been received from Mr J Delios seeking consent for the Erection of an Outbuilding (Shed, 15m x 15m, 225m²) on Lot 567 DP740789 – 2 Queen Street, Lyndhurst (the 'subject property').

The subject property is located in a RU5 Village Zone under the *Blayney Local Environmental Plan 2012 (BLEP)* and contains an existing Dwelling House and Outbuildings (Sheds).

The application does not comply with the DCP, Part C: Residential Development, C3.4, as the proposed development exceeds the acceptable solution of a 128m² cumulative floor area.

The proposed shed will have a floor area of 225m². The total cumulative floor area for the existing and proposed sheds would be 369m², which exceeds the standard by 241m². As such, the applicant has sought Council's approval for a variation to the acceptable solution.

The key consideration is whether the proposed development meets the relevant objectives / performance criteria and acceptable solutions of the Blayney Development Control Plan 2018 (DCP) for an outbuilding in a RU5 Village Zone.

Based on the rationale set out in the body of this report, it is recommended that a variation should be supported allowing for a variation in the cumulative floor area on the subject property.

In summary, it is considered that the proposed development is consistent with the aims, objectives and performance criteria of the *BLEP* and *DCP* subject to the recommended conditions of consent.

Report:**Proposed Development**

The proposed development is for the Erection of an Outbuilding (Shed, 15m x 15m, 225m²) at Lot 567 DP740789 – 2 Queen Street, Lyndhurst.

The purpose of the development is a private use for the storage for vintage cars. The exterior of the proposed development will match the existing Outbuilding (Shed) in materials and colour finish.

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

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

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

Section 4.15 Evaluation**Matters for Consideration – General**

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

Section 4.15(1)(a)(i) The Provisions of any Environmental Planning Instrument**Blayney Local Environmental Plan 2012****Part 1 – Preliminary****Clause 1.2 Aims of Plan**

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

Clause 1.7 Maps

Land zoning:	RU5 Village Zone
Lot size:	1,789.19m ²
Heritage:	N/A
Terrestrial biodiversity:	N/A
Groundwater vulnerability:	Yes
Drinking water catchment:	N/A
Watercourse:	N/A
Flood:	N/A

Clause 1.9A – Suspension of Covenants, Agreements and Instruments

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

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

This clause does not affect the rights or interest of any public authority under any registered instruments. A search of Council's records indicates that the subject property is not affected by any of the foregoing covenants, instruments, agreements or plans which is not impacted by the proposed Erection of an Outbuilding (Shed).

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

The subject property is zoned RU5 Village Zone. An Outbuilding (Shed) is permissible in the in RU5 Village Zone.

The objectives of the RU5 Village Zone seek to:

- *To provide for a range of land uses, services and facilities that are associated with a rural village.*

- *To minimise conflict between land uses within this zone and land uses within adjoining zones.*
- *To encourage and provide opportunities for population and local employment growth commensurate with available services.*
- *To minimise the impact of non-residential uses and ensure those uses are in character and compatible with the surrounding residential development.*

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

Part 6 – Additional local provisions

Clause 6.2 Stormwater management

Clause 6.2 seeks to minimise the impacts of urban stormwater on land to which this clause applies and on adjoining properties, native bushland and receiving waters. The proposed development setbacks from boundaries minimises and mitigates the impact of stormwater to any surrounding neighbours. The application is assessed as no significant impact on groundwater or river water and no significant adverse impacts of stormwater runoff on adjoining properties, native bushland or receiving 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 water, the supply of electricity, the disposal and management of sewage, stormwater drainage / conservation and suitable vehicle access. It is understood that all essential services are available to the subject property.

State Environmental Planning Policy (Resilience and Hazards) 2021

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

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

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

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

Not applicable to this application.

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

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

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

C3 outlines the provisions in a *Zone RU5 Village areas where the existing lot size is $\geq 900m^2$ in addition to the visual impact/amenity controls above any garages, carports, outbuildings or sheds must not exceed:*

- 1) A ridge height of 4.8m from existing ground level;*
- 2) A cumulative floor area greater than $128m^2$; and*
- 3) Should generally be located behind any existing or proposed dwelling or towards the rear of any property.*

The application does not comply with the *DCP, Part C: Residential Development, C3.4*, as the proposed development exceeds acceptable the solution of $128m^2$ cumulative floor area.

The total cumulative floor area for the existing and proposed Outbuilding (Shed) is $369m^2$, which exceeds the standard by $241m^2$. 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, where Council has considered a request from the applicant that seeks to justify the departure by demonstrating:

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

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

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

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

The proposed development sufficiently addresses the objective through the design and layout of the proposed buildings to ensure that the scale and setting integrates into the existing village residential landscape, whilst improving the amenity on the surrounding area.

- The proposed Outbuilding (Shed) is located behind the front building line existing dwelling house and is setback 1.5m further from Queen Street from the existing Outbuilding (Shed), therefore, reducing the scale, bulk and visual impact on Queen Street and adjoining land owners; and
- Existing landscaping provides a screen and buffer between the surrounding landowners.

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

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

- **In the case of a development application for the demolition of a building, the provisions of AS 2601 (Clause 92)**
Not applicable to this application.
- **In the case of a development application for the carrying out of development on land that is subject to a subdivision order made under Schedule 7 to the Act, the provisions of that order and of any development plan prepared for the land by a relevant authority under that Schedule (Clause 92)**
Not applicable to this application.
- **Fire safety and other considerations (Clause 93)**
Not applicable to this application.
- **Buildings to be Upgraded (Clause 94)**
Not applicable to this application.
- **BASIX Commitments (Clause 97A)**
Not applicable to this application.

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

The likely impacts of the proposed development have been considered in the body of this report. Based on this assessment, it is considered that the

proposed development is unlikely to have a significant or detrimental impact and will have a positive improvement on the amenity of the surrounding area

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

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

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

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

Section 4.15(1)(e) The public interest

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

Risk/Policy/Legislation Considerations:

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

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

Budget Implications:

Nil

Enclosures (following report)

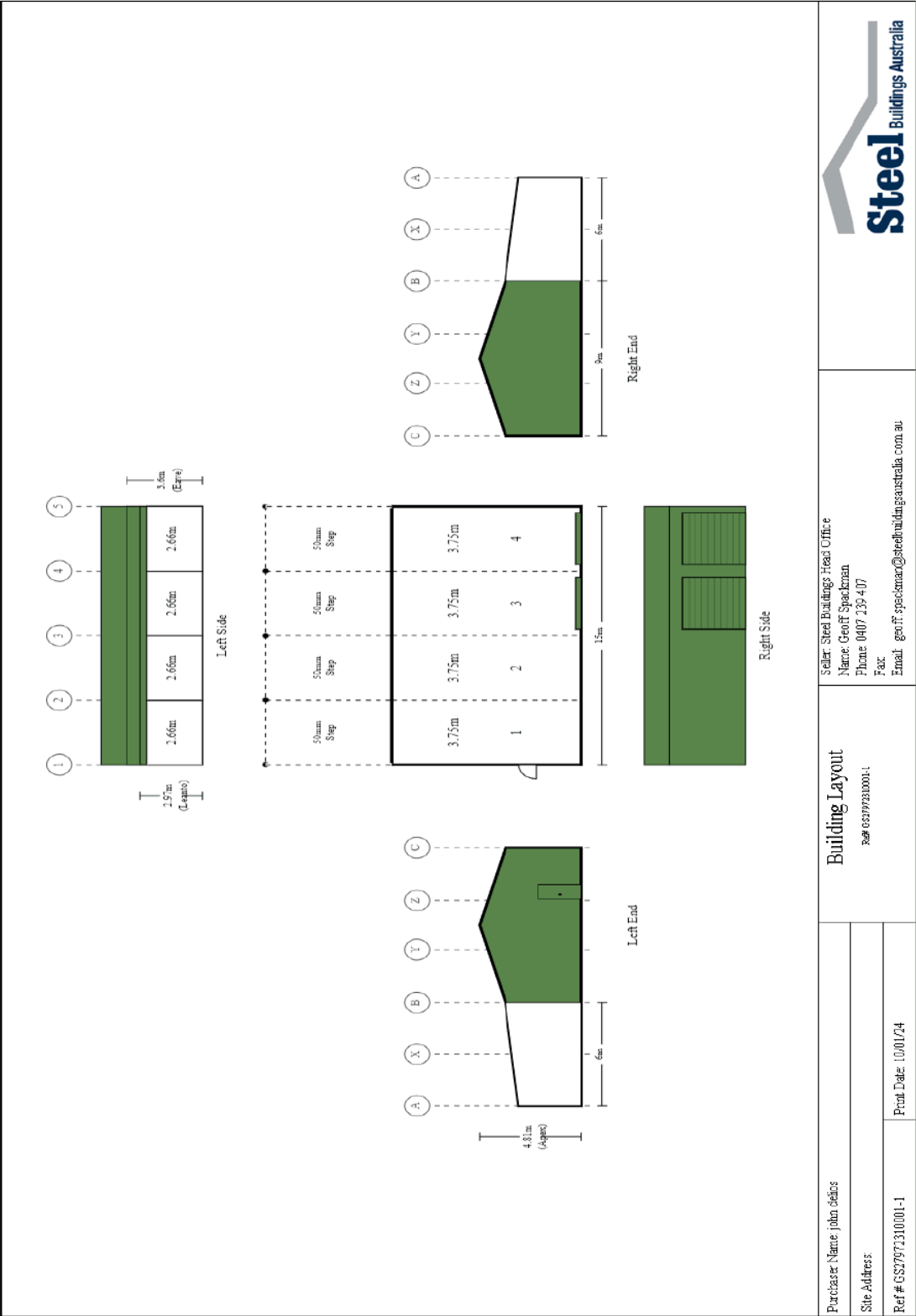
1	Site Plan	2 Pages
2	Shed Plans	1 Page
3	Statement of Environmental Effects	3 Pages
4	Draft Conditions	4 Pages


Attachments (separate document)

Nil







 STATEMENT OF ENVIRONMENTAL EFFECTS FOR GARAGES, CARPORTS, SHEDS, OUTBUILDINGS AND SWIMMING POOLS/SPAS	
WHY IS A STATEMENT OF ENVIRONMENTAL EFFECTS REQUIRED? A Statement of Environmental Effects (SEE) is a report which: <ul style="list-style-type: none"> ■ Details the proposed development; ■ Describes the site, including its history, constraints and context; ■ Addresses compliance of the proposal with relevant planning controls and regulations; and ■ Identifies and explains the potential impacts of your development proposal. Whilst only a brief statement is required for proposals likely to have minimal impact, you must still provide a clear explanation of why there will be little impact.	
APPLICATION DETAILS Applicant: <u>JOHN DEZIOS</u> Lot/Section/DP: <u>Lot 567 / DP - 740 789</u> Address: <u>2 Queen St Lyndhurst 2797</u>	
DESCRIPTION OF THE DEVELOPMENT What is the proposed development? <u>Garage</u>	DESCRIPTION OF THE SITE What is the area of the site? <u>1000 Sqm</u> What is the current use of the site? <u>nothing</u>
What building structures exist on the site? <u>House and Garage</u>	What is the previous use of the site? <u>nothing</u>
What is the wall material and colour? <u>colour Bond</u>	Is the site subject to any natural hazards? Flood Bushfire Other <u>NO</u>
What is the roof material and colour? <u>colour Bond</u>	Is the site subject to any other constraints? Easements Vegetation Sloping Land Other <u>NO</u>
Is any demolition required? Yes <input type="radio"/> No <input checked="" type="radio"/>	What type of development exists on the surrounding land? <u>nothing</u>
Further description: <u>NO</u>	Further description:

Statement of Environmental Effects for Garages, Carports, Sheds, Outbuildings and Swimming Pools/Spas 1 of 3 continued >

PLANNING CONTROLS

What is the zoning?

Residential ☒ Large Lot Residential ☐ Rural Landscape
Rural ☐ General Industrial ☐ Light Industrial ☐

Is the proposal consistent with zone objectives? Yes ☐ No ☒

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

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

Attached garage or carport in urban areas/zones (e.g. Zone R1 / R15 / B2 / R5-1ha) must be:

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

Detached garages/carports/sheds/shipping containers in urban areas/zones (e.g. Zone R1 / R15 / must be:

- Located behind any existing or proposed dwelling or towards the rear of any property? Yes ☐ No ☒
- Must not exceed a ridge height of 4.8m from existing ground level? Yes ☐ No ☒
- Must not exceed a cumulative floor area (detached from the dwelling), if the lot is < 900m² in size – maximum of 96m² or if the lot is ≥ 900m² in size – maximum of 128m²? Yes ☐ No ☒

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

- A ridge height of 6m from existing ground level? Yes ☐ No ☒
- A cumulative floor area greater than 300m²? Yes ☐ No ☒
- A minimum setback of 10m, or where the dwelling on the allotment is within 50m of a public road, the outbuilding should be located behind the front building line of any dwelling? Yes ☐ No ☒

Shipping Containers in Zone R15 Village, Zone R1 General Residential, Zone R5 Large Lot Residential, and Zone B2 Local Centre must not exceed:

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

Water tanks, pools and spas must not exceed:

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

JUSTIFICATION

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

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

Statement of Environmental Effects for Garages, Carports, Sheds, Outbuildings and Swimming Pools/Spas 2 of 3 continued >


Further description:

THE LIKELY IMPACTS OF THE PROPOSAL

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

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

Further description:

Applicants Sig: 

Date: 14/12/2023

Statement of Environmental Effects for Garages, Carports, Sheds, Outbuildings and Swimming Pools/Spas 3 of 3

Reasons for Conditions

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

Approved Plans

1. Development In Accordance With Approved Plans & Documentation

Development is to take place in accordance with:

Plan/DocNo.	Plan/Doc Title	Prepared by	Issue	Date
-	Site Plan	-	-	-
-	Shed Plans	Steel Buildings Australia	-	10/01/24
-	Statement of Environmental Effects	John Delios	-	14/12/2023

as amended in accordance with any conditions of this consent.

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

Prescribed Conditions

BUILDING CODE OF AUSTRALIA

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.

IDENTIFICATION OF SITE

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

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

CONTRACT OF INSURANCE

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

HOME BUILDING ACT

5. Residential building work within the meaning of the *Home Building Act 1989* must not be carried out unless the principal certifying authority for the development to which the work relates (not being the Council) has given the Council written notice of the following information:
- a) in the case of work for which a principal contractor is required to be appointed:
 - 1. The name of the licence number of the principal contractor, and
 - 2. The name of the insurer by which the work is insured under Part 6 of that Act,
 - b) in the case of work to be done by an owner-builder:
 - 1. The name of the owner-builder, and
 - 2. The name of the owner-builder is required to hold an owner-builder permit under that Act, the number of the owner-builder permit.
- If arrangements for doing the residential building work are changed while the work is in progress so that the information under this condition becomes out of date, further work must not be carried out unless the principal certifying authority for the development to which the work relates (not being the Council) has given the Council written notice of the updated information.

EXCAVATION WORK

6. Where any excavation work on the site extends below the level of the base of the footings of a building on adjoining land, the person having the benefit of the development consent must, at the person's own expense:
- a) Protect and support the adjoining premises from possible damage from the excavation, and
 - b) Where necessary, underpin the adjoining premises to prevent any such damage.

Prior to Works Commencing**CONSTRUCTION CERTIFICATE**

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

COMMENCEMENT OF WORK & APPOINTMENT OF PC

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

During Construction**HOURS FOR CONSTRUCTION OR DEMOLITION**

9. 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.

EROSION AND SEDIMENT CONTROL

10. 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)*.

RUBBISH AND DEBRIS

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.

TOILET FACILITIES

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*.

EXCAVATIONS AND BACKFILLING

13. 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.

DRAIN BUILDING SURROUNDS

14. The ground surrounding the building 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 200 mm below the finished floor level and shall have a minimum grade of 1:100 to the approved storm water disposal location. This work shall be carried out following the installation of the roof gutter & down pipes, and prior to the final inspection.

PONDING TO NEIGHBOURS

15. 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 or discharge of stormwater occur on adjoining land as a result of this development.

CLADDING

16. All roof and wall finishes shall be comprised of low reflective surface materials. The roof and wall colours of the shed are to match the roof and wall colours of the dwelling.

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

Note 2: Zincalume will be not accepted.

Prior to Issue of Occupation Certificate**OCCUPATION CERTIFICATE**

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

Ongoing**APPROVED USE**

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

Advisory Notes**Inspection Schedule**

The Principal Certifier 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 Certifier, 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. Frame inspection
- c. Final/stormwater inspection at time of completion of all works.

12) CENTRAL TABLELANDS WEEDS AUTHORITY DELEGATE REPORT**Department:** Executive Services**Author:** Councillor Reynolds**CSP Link:** 5. Protect Our Natural Environment**File No:** EM.ME.6**Recommendation:**

That Council receive and note the Central Tablelands Weeds Authority delegate report.

Reason for Report:

To provide Councillors with an update on the Central Tablelands Weeds Authority.

Report:**Roadside weed control:**

Annual roadside spraying has moved to the new 3-year rotation program starting this spraying season 2023-2024. This new program has commenced within each the four constituent council areas of Bathurst, Blayney, Lithgow, and Oberon. To accommodate the new program the spraying contractors have increased their capacity of available staff and equipment to undertake the increased work to be undertaken.

Blayney Shire Council has contributed approximately \$75,000 to the roadside program to control priority weeds and Cadia Valley operations has contributed \$10,000 for the control of sticky nightshade and priority weeds around the mine. This combined funding will see close to 50% of roadsides controlled in the Shire this financial year.

The following roads in section 1 have been controlled: Back Road, Belubula Street, Beneree Road, Bentleys Lane, Bluett Close, Brady Road, Brooklee Lane, Browns Creek Road, Buesnel Lane, Bulb Farm Lane, Burtons Lane, Calvert Lane, Carcoar Road, Charles Booth Way, Chesney Lane, Clayton Lane, Clover Ridge Road, Convent Lane, Curralea Lane, Davis Road, Dicksons Lane, Dungeon Road, Dunstaffnage Lane, Duttons Lane, Eves Lane, Ewins Lane, Carcoar Road, Fairbanks Lane, Ferndale Lane, Fiddicks Lane, Fleetwood Lane, Forest Reefs Road, Gap Road, Gartholme Road, Glenelg Road, Glengate Road, Glenlea Road, Glenorie Road, Graham Road, Green Grove, Gregghamstown Road, Guyong Road, Halls Road, Hillside Lane, Kinghams Lane, Koomoorang Road, Limestone Lane, Lindsay Lane, Matthews Road, Mayfield Lane, Mid Western Hwy (Bathurst), Millthorpe Road, Mitchell Close, Myers Lane, Nichols Lane, Nixons Lane, North Lane, Nyes Gates Road, Peppermint Lane, Pittman Drive, Pounds Lane, Quarry Farm Lane, Rosedale Road, Sherlocks Lane, Showground Lane, Smiths Lane, Souths Lane, Spring Hill Road, Spring Terrace Road, Springvale Lane,

Tallwood Road, Toners Lane, Vittoria Road, Warburtons Lane, Willis Lane, Sherlocks Lane, Wilsons Lane and Wombiana Lane.

The following roads in section 2 have been controlled. Mandurama Road, Fullers Lane, Barry Road.

The following roads in section 3 have been controlled. Cadia Road, Errowanbang Road, Wattersons Lane, Hagars Lane, Long Swamp Road, Carbine Road and Ovington Lane. Further work in section 3 will be done in coming days around Panuara, Errowanbang, Burnt Yards and Mandurama. The goal of the roadside program is to control all of section 2 and some more of section 3 next financial year, seeing a major reduction in the level of priority weeds along the Shires roads.

Rail corridor control of weeds

UGL rail has been undertaking a large amount of rail corridor weed control this financial year. This has included the western line as well as the Blayney to Demondrille line. Within Blayney township, they have undertaken a lot of mulch of bushes and will follow up with chemical control. UGL Rail is also hoping to undertake western line control work around the Millthorpe village by April. At the time of this report UGL Rail were working between Blayney Station and Millthorpe to control priority weeds.

Availability of Fluproponate

Fluproponate is the most widely used product for spraying serrated Tussock, a serious priority weed in the CTWA area, and Chilean needle grass. The Authority has adequate supplies of the chemical available for roadside and aerial programs and this is being made available to purchase by landholders.

Aerial Spraying Program

The CTWA aerial spraying program is progressing with plans to commence in late March of 2024, weather permitting. To date, CTWA has 72 landowners signed up to participate in this year's program, across the four LGA's, which is an increase compared to the previous year. The program has mapped 475 ha of Serrated tussock and 522 ha of Blackberry booked in for aerial spraying. The program has a greater number of landowner participants than in years prior, however there is a reduction in the amount of Serrated tussock and Blackberry that has been booked. There are two main reasons for this, according to landowners: firstly, the increased cost due to rising chemical costs (applicable to both aerial and ground spraying programs). Secondly, that many landowners are feeling the effects of reduced income and increased cost of living, and this is impacting on their weed control budgets. Several landowners have stated that they would like to do more but are unable to afford it.

Quarterly Budget Review Statement – 2nd Quarter to December 31st 2023**Table 1**

Upper Macquarie County Council 2023/2024 Financial Year							
Quarterly Budget Review Statement [Consolidated Program Basis] 2nd Quarter							
INCOME & EXPENSES							
	Original		Adjustments	Position		Revised	Actual
	Original	Revised 1 st Qtr	Recommended	Projected	Variation	YTD	YTD
	Budget (\$)	Budget (\$)	For Council (\$)	End Year (\$)	End Year (\$)	2nd Qtr	Accrual (\$)
Income:							
Landholder Support Program	\$413,000.00	\$413,000.00		\$413,000.00		\$206,502.00	\$23,684.58
Roadsides Weed Control Program	\$240,919.00	\$240,919.00		\$240,919.00		\$120,462.00	\$245,524.00
Weed Biosecurity Compliance Program	\$1,013,793.00	\$1,013,793.00		\$1,013,793.00		\$506,898.00	\$663,793.56
Business Management Program	\$98,000.00	\$98,000.00		\$98,000.00		\$48,990.00	\$77,331.78
Total Income from Continuing Operations	\$1,765,712.00	\$1,765,712.00	\$0.00	\$1,765,712.00	\$0.00	\$882,852.00	\$1,010,333.92
Expenses:							
Landholder Support Program	\$350,000.00	\$350,000.00		\$350,000.00		\$175,002.00	\$45,317.69
Roadsides Weed Control Program	\$240,920.00	\$240,920.00		\$240,920.00		\$120,444.00	\$2,327.04
Weed Biosecurity Compliance Program	\$851,874.00	\$861,874.00		\$861,874.00		\$429,274.00	\$388,524.98
Business Management Program	\$286,338.00	\$286,338.00		\$286,338.00		\$143,170.50	\$146,692.84
Total Expenses from Continuing Operations	\$1,729,132.00	\$1,739,132.00	\$0.00	\$1,739,132.00	\$0.00	\$867,890.50	\$582,862.55
Net Operating Result from Continuing Operations	\$36,580.00	\$26,580.00	\$0.00	\$26,580.00		\$14,961.50	\$427,471.37

2nd QUARTERLY BUDGET REVIEW STATEMENT
For the Period 1st July 2023 to 31st December 2023.

3

The CTWA is currently projected to run a small surplus for the 2023-24 Financial Year.

Biosecurity Compliance Inspections November, December 2023 & January 2024

Inspections for November, December 2023 & January 2024 throughout the Authority area.

TOTAL: 257 Inspections conducted in the months of November, December 2023 & January 2024

- 154 of the 257 were high risk
- 103 of the 257 were low risk
- 171 of the 257 were Re-inspections
- 86 of the 257 were First Inspections

Of the 171 of the 257 Re-inspections

- 109 of the 171 were high risk
- 62 of the 171 were low risk

Of the 86 of the 257 were First inspections

- 45 of the 86 were high risk
- 41 of the 86 were low risk

At 31st January 2024, 27 properties were beyond 90 days of their compliance date.

Inspections year to date 1st July 2023 to 31st January 2024

TOTAL: 623 Inspections conducted

- 338 of the 623 were high risk
- 285 of the 623 were low risk
- 423 of the 623 were Re-inspections
- 200 of the 623 were First Inspections

Of the 423 of the 623 were Re-inspections

- 256 of the 423 were high risk
- 167 of the 423 were low risk

Of the 200 of the 623 were First inspections

- 82 of the 200 were high risk
- 118 of the 200 were low risk

Penalty Infringement Notices

PIN information to date 1st July 2018 to 31st January 2024

TOTAL of 102 PIN's Issued since 1st July 2018

- 83 of the 102 are 1st PIN's
- 19 of the 102 are 2nd PIN's
- 63 of the 102 have been Paid
- 12 of the 102 are owing
- 25 of the 102 have been withdrawn
- 2 of the 102 have been court elect

Of the 83 1st PIN's

- 52 of the 83 have been paid
- 8 of the 83 are owing
- 22 of the 83 have been withdrawn
- 1 of the 83 have been court elect

Of the 19 2nd PIN's

- 11 of the 19 have been paid
- 4 of the 19 are owing
- 3 of the 19 have been withdrawn
- 1 of the 19 have been court elect

Risk/Policy/Legislation Considerations:

Nil

Budget Implications:

Nil

Enclosures (following report)

Nil

Attachments (separate document)

Nil

13) CANOBOLAS ZONE NSW RURAL FIRE SERVICE BUSH FIRE LIAISON COMMITTEE DELEGATE REPORT

Department: Executive Services

Author: Councillor Reynolds

CSP Link: 5. Protect Our Natural Environment

File No: ES.ME.2

Recommendation:

That Council receive and note the Canobolas Zone NSW Rural Fire Service Bush Fire Liaison Committee delegate report.

Reason for Report:

To provide Councillors with an update on the Canobolas Zone NSW Rural Fire Service Bush Fire Liaison Committee.

Report:

Maintenance and Repairs Financial Report for Canobolas Zone

The Canobolas tracking register shows an expenditure in the order of almost \$447,902.92 from a set budget of \$600,000 with funds available at \$152,097. With the annual servicing and roadworthy inspections of the fire fighting fleet completed, the major costs for the remainder of the FY will be fuel costs, electricity charges and any fleet repairs or breakdowns. We have high confidence of remaining within budget this financial year in terms of maintenance and repairs expenditure. The overriding issue is that there were 44 Tankers in our fleet who's service was carried out and invoiced against either flood or S44 operations. If these are factored into the M&R allocations, finances would be much tighter and therefore the amount of the M&R Grant provided by the RFFF remains at a critical level for annually remaining within our means. The continuous increase in costs associated with fuel, electricity supply, parts and consumables plus increasing labour costs places constant pressure on our identified budget which is increasingly difficult to manage.

Brigade Stations Upgrades

Blayney 4B station

The station is 99% complete. The defects list is 80% complete, security operational. The final paint and landscaping of the front garden should be complete by the end of the second week in March.

Other Station Upgrades

Additional funding has been secured for a number of existing stations for the installation of concrete aprons and the approved sites are Spring Hill, Neville and Lyndhurst. \$60K was allocated to Kings Plains, however this site is on private land and the lease is not so secure to warrant the expenditure. Canobolas has requested that this Kings Plains funding be reallocated to the Cowra Air Base apron to upgrade the existing spray seal construction. A range of additional funding allocations may be available for infrastructure

projects and Canobolas has added additional bids for fire station upgrades that total \$528K. If allocated these funds will not require any additional contribution from Councils. All funding is available for the current FY only and must be expended prior to the end of May 2024.

Roadside Hazard Reduction

Collectively the four Councils have \$386,244 allocated to assist their roadside mowing programs. This funding is allocated as part of the Canobolas Hazard Reduction program outlined in the Canobolas Bush Fire Risk Management Plan. The work has been progressively achieved and to date some \$37,000 claimed. In order to claim the funds, the activity must be marked as complete within the RFS Guardian portal. Within Guardian there are 297 individual activities where 111 of these were planned for Q2, a further 111 for Q3 and 75 for Q4. Whilst \$37K has been reimbursed, Guardian shows a nil completion rate and potentially claims may not be paid until the activity is marked as complete within Guardian. Canobolas is aware that Council staff will have difficulty on navigating the unfamiliar Guardian system, the RFS will offer assistance to train and assist Councils in getting the completions completed within the portal in order for the claims to be finalised and reimbursements paid.

Fleet and Equipment Report

At the time of the report there were no replacement fleet and refurbished fleet distributed to the Blayney Shire Brigades this financial year.

During the past quarter the RFS has delivered sufficient Flood Rescue Kits to allow one for every tanker within the Canobolas fleet. The Kits consist of 2 x 20m throw ropes, 2 x Personal Flotation Devices and 2x water safe helmets. This equipment is in response to the ongoing concern that the RFS tasks its personnel to assist other agencies with flood related tasks without the issue or availability of any equipment with which to do so.

Mobile Data Terminals

The RFS is systematically installing Mobile Data Terminals into every fire tanker across the State within a program that will take some 18 months to complete. Canobolas have been advised a commencement date of late April. The MDT will provide incident information, route mapping, topographic navigation, crew building capability, weather information, access to documents and SOPs etc. The units will replace the current Status Panels which assist in minimising radio communications and will be installed in Canobolas tankers using up to 6 Fire Station locations to minimise travel and offline time.

Operational Services Report

The Fire Season commenced across the Canobolas Zone as at October 1 2023 and a busy season was anticipated and, whilst the rate of responses has been on average, generally the fire ignitions have not yet presented any major issues in extinguishment. The largest fire event to date has been the Canobolas Support of the “Staircase Road” Fire that Burnt in October 2023 within the Parkes District west of Mandagery. Since 1 July 2023, Canobolas

Brigades have attend a total of 479 incidents (correct 31Jan 24), made up of 175 Bush & Grass and 72 MVA's. The average turnout time for response is 6.3 minutes with an average travel time of 16.4 minutes. Hazard complaints dealt with by Canobolas total 97 to the end of January 2024 Hazard Reductions completed within the Canobolas Zone totals 115ha protecting 395 properties.

Permits are available for issue, new permit books, have been distributed, using a State wide numbering format and a standardised conditions check box has been added along with a QR Code capability for centralised notification. The Communications hardware within the FCC has been replaced with updated Omnitronics due to age and reliability issues with the original hardware. The FCC Operational capability was tested during a recent RFS IMX assessment event.

There are concerns with the ongoing dry conditions that bushfire activity may increase as we head through autumn and grass continues to cure.

WHS Issues

A number of Accident Near Miss forms have been completed due to mishaps either at incidents or during training. None of these have been of significance. In the past two quarters, however, RFS AED units have been deployed and used at 3 incidents involving members of the public. The need to deploy AED's coincides generally with the passing of an individual and this had caused impact on the mental health of our personnel and the follow up support and consultation with peers and Critical Incident Support personnel has been one positive outcome of what is normally a sad event.

Risk/Policy/Legislation Considerations:

Nil

Budget Implications:

Nil

Enclosures (following report)

Nil

Attachments (separate document)

Nil

Matters to be dealt with in closed committee

In accordance with the Local Government Act (1993) and the Local Government (General) Regulation 2021, 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.

14) CONTRACT W2 2023 - ASSET MANAGEMENT OF SEWER PIPES

This matter is considered to be confidential under Section 10A(2) (di) of the Local Government Act, as it deals with commercial information of a confidential nature that would, if disclosed (i) prejudice the commercial position of the person who supplied it.