



15 March 2022

Dear Councillor,

Your attendance is requested at an Ordinary Council Meeting of the Blayney Shire Council to be held in the Chambers, Blayney Shire Community Centre on Monday, 21 March 2022 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 21.02.22
- (9) Matters arising from Minutes
- (10) Reports of Staff
 - (a) Executive Services
 - (b) Corporate Services
 - (c) Infrastructure Services
 - (d) Planning and Environmental Services
- (11) Delegates Reports
- (12) Closed Meeting

Yours faithfully



Rebecca Ryan
General Manager

Meeting Calendar 2022

March

<u>Time</u>	<u>Date</u>	<u>Meeting</u>	<u>Location</u>
9.00am	18 March 2022	Mining and Energy Related Councils Meeting	Orange
6.00pm	21 March 2022	Council Meeting	Community Centre
8.30am	23 March 2022	Orange360 Board Meeting	Orange
2.00pm	24 March 2022	Floodplain Risk Management Committee Meeting	Community Centre
9.00am	31 March 2022	Central NSW Joint Organisation Canberra Visit	TBC

April

<u>Time</u>	<u>Date</u>	<u>Meeting</u>	<u>Location</u>
10.00am	8 April 2022	Traffic Committee Meeting	Community Centre
10.30am	13 April 2022	Central Tablelands Water Meeting	Grenfell
6.00pm	19 April 2022	Council Meeting	Community Centre
8.30am	27 April 2022	Orange360 Board Meeting	Orange

May

<u>Time</u>	<u>Date</u>	<u>Meeting</u>	<u>Location</u>
6.00pm	16 May 2022	Council Meeting	Community Centre
8.30am	25 May 2022	Orange360 Board Meeting	Orange
9.00am	26 May 2022	Central NSW Joint Organisation Summit	TBC
9.00am	27 May 2022	Country Mayors Meeting	Sydney

INDEX OF REPORTS OF THE BLAYNEY SHIRE COUNCIL MEETING
HELD ON MONDAY 21 MARCH 2022

MAYORAL MINUTE	6
01) AR Bluett Memorial Award	6
02) 2022 IPWEA Excellence Award.....	7
03) Retirement of David Hoadley.....	8
CONFIRMATION OF MINUTES.....	9
04) Minutes of the Previous Council Meeting held 21 February 2022	9
EXECUTIVE SERVICES	19
05) ALGWA NSW Conference.....	19
06) Toursim Development Fund Applications	21
CORPORATE SERVICES	24
07) Report Of Council Investments As At 28 February 2022	24
08) Request For Interest Free Loan Doctors Incentive Package	29
09) Youth Week 2022	31
10) Amendment To Investment Policy	33
11) Minutes Of The Financial Assistance Committee Meeting Held 3 March 2022	42
12) Appointment of Independent Member - Audit, Risk and Improvement Committee	48
13) Country Education Foundation	50
14) Additional Special Variation.....	52
15) Lease of Industrial Land for Agistment Purposes	58
16) NAIDOC Week Schools Initiative.....	60
INFRASTRUCTURE SERVICES.....	62
17) Director Infrastructure Services Monthly Report.....	62
18) Central West Councils Environment and Waterways Alliance	67
19) Pesticide Notification Plan	69
20) Blayney Mainstreet Master Plan.....	86
21) Revised Recycled Water Policy.....	94
PLANNING AND ENVIRONMENTAL SERVICES	100
22) Draft Central West and Orana Regional Plan 2041 submission	100
23) CentrePoint Management Agreement Extension	107
24) DA2021/35 - Fifteen (15) Lot Subdivision - 238 Forest Reefs Road Millthorpe	112
DELEGATES REPORTS.....	148
25) Report of the Central NSW Joint Organisation Meeting held 24 February 2022	148
CONFIDENTIAL MEETING REPORTS.....	150
26) Electricity Procurement - Central Nsw Joint Organisation	150
27) Legal Matter	150

28)	Land Acquisition For Road Re-Alignment At 143 Forest Reefs Road - DP1280817	150
29)	Land Acquisition For Road Re-Alignment At 133 And 150 Carbine Road	150

LIVE STREAMING OF COUNCIL MEETINGS

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

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

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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.

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01) AR BLUETT MEMORIAL AWARD

Author: Councillor Ferguson Scott Ferguson

File No: GO.ME.1

Recommendation:

For Council information.

Item:

Blayney Shire Council recently attended the Local Government NSW Special Conference in Sydney and was awarded the 2021 AR Bluett Award in the Rural Category.

The AR Bluett Award celebrates excellence and progression in local government. The Bluett Award is 'the greatest accolade a Council can achieve' and 'the pinnacle of local government achievement'.

Congratulations to our Councillors, staff, community and stakeholders. We are very proud of the achievements, and it is an honour to be recognised at this level.

A formal presentation of the Bluett Award and Stephen Ward Scholarship by the Trustees to Council will be held in Blayney on Friday 8 April 2022.

The Trustees have determined to award two Stephen Ward Scholarships worth \$5,000 to the Bluett Award Winning Councils this year. This is an opportunity for two Blayney Shire Council employees to undertake further study, professional development or research conducted by a recognised educational institution or professional body or private research project subject to peer review.

At the conference, retired Councillor, David Kingham, was presented with a Service Award. This award is presented in appreciation of commitment and dedication to the pursuit of achievement for the community of a local government in NSW as a member of Council. David served as a Councillor at Blayney Shire Council for 13 years. He initiated the establishment of the Blayney Sports Council and Blayney Sports Awards.

Enclosures (following report)

Nil

Attachments (separate document)

Nil

02) 2022 IPWEA EXCELLENCE AWARD

Author: Councillor Ferguson Scott Ferguson

File No: GO.ME.2

Recommendation:

For Council information.

Item:

Blayney Shire Council recently attended the Institute of Public Works Engineering Australasia (IPWEA) Public Works 2022 NSW and ACT state conference at Parliament House, Canberra.

At the Gala Dinner for the 2022 Engineering Excellence Awards, CentrePoint Sport & Leisure Centre – Accessibility Upgrade and Modernisation Project (Stage 1) was awarded best project in “greater than \$500,000 less than \$5 million” category.

The Stage 1 major aquatic upgrades are a fantastic project in which every department of Council contributed towards delivering.

Enclosures (following report)

Nil

Attachments (separate document)

Nil

03) RETIREMENT OF DAVID HOADLEY

Author: Councillor Ferguson Scott Ferguson

File No: ES.AP.1

Recommendation:

That Council acknowledge and thank David Hoadley for his contribution to the Canobolas Zone NSW Rural Fire Service.

Item:

David Hoadley has retired from the position of Manager of Canobolas Zone NSW Rural Fire Service after 21 years in this position. Prior to this was a volunteer for 23 years before spending 9 years as Blayney Fire Control Officer.

David has been a highly valued member of the NSW Rural Fire Service and on behalf of Blayney Shire Council we thank him for his contribution and wish him well in his retirement.

Enclosures (following report)

Nil

Attachments (separate document)

Nil

04) MINUTES OF THE PREVIOUS COUNCIL MEETING HELD 21 FEBRUARY 2022**Department:** Executive Services**Author:** General Manager**CSP Link:** 2. Local Governance and Finance**File No:** GO.ME.3**Recommendation:**

That the Minutes of the Ordinary Council Meeting held on 21 February 2022, being minute numbers 2202/001 to 2202/024 be confirmed.

**MINUTES OF THE BLAYNEY SHIRE COUNCIL ORDINARY MEETING
HELD IN THE CHAMBERS, BLAYNEY SHIRE COUNCIL COMMUNITY
CENTRE, ON 21 FEBRUARY 2022, COMMENCING AT 6.00PM**

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

General Manager (Mrs R Ryan), Director Corporate Services (Mr A Franze), Director Infrastructure Services (Mr G Baker), Director Planning & Environmental Services (Mr M Dicker) and Administration Officer (Mrs N Smith)

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

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

Councillor/Staff	Interest	Item	Pg	Report	Reason
Cr Somervaille	Non Pecuniary (Significant)	3	12	Tourism Development Fund Application	One of the nine applicants to participate in the Joint Photography Project is Athol Gardens, a tourism business owned and operated by my wife
Mark Dicker	Pecuniary Interest	3	12	Tourism Development Fund Application	Wife is the Director of Ironbark Espresso Bar

MAYORAL MINUTE**GENERAL MANAGER'S ANNUAL PERFORMANCE REVIEW
RESOLVED****2202/001**

That:

1. Council nominate Councillor Pryse Jones and Councillor Reynolds, along with the Mayor, and a Councillor nominated by the General Manager to comprise the Performance Review Panel.
2. Council delegate all tasks necessary for the completion of the Performance Review, and Panel members all undertake training in accordance with the Performance Review Guidelines.
3. The Mayor be delegated authority to finalise all arrangements for the Performance Review Panel to convene on 25 March 2022.

(Ferguson/Ewin)

CARRIED**CONFIRMATION OF MINUTES****MINUTES OF THE PREVIOUS COUNCIL MEETING HELD 17
JANUARY 2022****2202/002****RESOLVED**

That the Minutes of the Ordinary Council Meeting held on 17 January 2022, being minute numbers 2201/001 to 2201/028 be confirmed.

(Reynolds/Ewin)

CARRIED**MATTERS ARISING FROM THE MINUTES**

Nil

EXECUTIVE SERVICES REPORTS**TOURISM DEVELOPMENT FUND APPLICATION
RESOLVED****2202/003**

That Council approve the following applications under the 2021/22 Tourism Event Development Program;

- a) \$1,125 for the Joint Photography Project
- b) \$1,000 for the Blayney Agricultural and Pastoral Association Inc.
- c) \$1,750 for the Millthorpe Wine Collective

(Pryse Jones/Newstead)

CARRIED

Cr David Somervaille and Mark Dicker, Director Planning & Environmental Services returned to the meeting.

**FUNDING DEEDS STRONGER COUNTRY COMMUNITIES
ROUND 4**

2202/004

RESOLVED

That Council endorse the General Manager's execution of the NSW Government's Stronger Country Communities Round 4 Funding Deeds, totalling \$794,774.

(Ewin/Reynolds)

CARRIED

CORPORATE SERVICES REPORTS

WRITE-OFF OF INVENTORY

2202/005

RESOLVED

That Council approve the write-off of \$1,597.03 of stores and materials following the Bi-Annual stocktake conducted on 15 December 2021.

(Gosewisch/Pryse Jones)

CARRIED

DISABILITY INCLUSION ACTION PLAN STATUS REPORT

2202/006

RESOLVED

That Council receive and note the Blayney Shire Disability Inclusion Action Plan status report as at 31 December 2021.

(Somervaille/Ewin)

CARRIED

**BLAYNEY SHIRE FINANCIAL ASSISTANCE PROGRAM
COMMITTEE COMMUNITY REPRESENTATIVES**

2202/007

RESOLVED

That Council;

1. Increase the number of community representatives to 6 for the Blayney Shire Financial Assistance Program Committee
2. Appoint the following community representatives to the Blayney Shire Financial Assistance Program Committee:
 - Miles Hedge
 - David Kennedy
 - David Kingham
 - Tamara Miller
 - Elizabeth Russ
 - Graeme Summerson
3. Amend the quorum from 4 to 5 members.

(Somervaille/Pryse Jones)

CARRIED

SIX MONTHLY DELIVERY PLAN REVIEW - DECEMBER 2021
RESOLVED**2202/008**

That the six-monthly review, for period ending 31 December 2021, of Council's 2021/22 – 2024/25 Delivery Plan be received.
(Reynolds/Newstead)

CARRIED**TEN4TEN LEADERSHIP DIALOGUE**
AMENDED MOTION

1. That Council support the request for sponsorship, subject to at least one of the successful applicants residing in Blayney Shire Council area, in the amount of \$1,500 for the Ten4Ten Leadership Dialogue from Regional Development Australia Central West.
2. That a report be provided back to Council on the outcomes for the participant(s) from Blayney Shire by RDA CW.
3. That an amount of \$1,500 be included for approval in the 3rd Quarter Budget Review for this purpose.

(Reynolds/Ewin)

LOST**2202/009****RESOLVED**

1. That Council support the request for sponsorship, amount of \$1,500 for the Ten4Ten Leadership Dialogue from Regional Development Australia Central West.
2. That an amount of \$1,500 be included for approval in the 3rd Quarter Budget Review for this purpose.
3. That a report be provided back to Council on the outcomes for the participants(s) from Blayney Shire by RDA CW.

(Somerville/Gosewisch)

CARRIED**REPORT OF COUNCIL INVESTMENTS AS AT 31 JANUARY**
2022**2202/010****RESOLVED**

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

(Reynolds/Ewin)

CARRIED**QUARTERLY BUDGET REVIEW STATEMENT - DECEMBER**
2021**2202/011****RESOLVED**

1. That the Quarterly Budget Review Statement for the quarter ending 31 December 2021 be received.
2. That the supplementary votes of \$170k (nett) proposed in the Quarterly Budget Review Statement be adopted, resulting in an increase to capital expenditure of \$1.81m, a decrease to

operating expenditure of (\$150k) and an increase in income of \$1.83m which includes an increase of \$1.73m in capital income.

(Newstead/Somervaille)
CARRIED

LEASE OF INDUSTRIAL LAND FOR AGISTMENT PURPOSES
RESOLVED

2202/012

That Council lease industrial land for the period ending 29 February 2024 with a 1 year option to the following party:

Lease lot 2: 8 Tollbar Street (Lot 1 DP 842577): A.Sutherland
(Reynolds/Somervaille)
CARRIED

COMPLIANCE AND REPORTING ACTIVITIES
RESOLVED

2202/013

That the report on Compliance and Reporting Activities for the 6 month period to December 2021 be received.

(Ewin/Somervaille)
CARRIED

INFRASTRUCTURE SERVICES REPORTS

DIRECTOR INFRASTRUCTURE SERVICES MONTHLY
REPORT
RESOLVED

2202/014

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

(Ewin/Reynolds)
CARRIED

CNSWJO - REGIONAL CONTRACT FOR SUPPLY AND
DELIVERY OF BULK FUEL
RESOLVED

2202/015

That Council agrees to participate in the Central NSW Joint Organisation Regional Contract for the supply and delivery of bulk fuel.

(Ewin/Newstead)
CARRIED

MINUTES OF THE TRAFFIC COMMITTEE MEETING HELD 11
FEBRUARY 2022
RESOLVED

2202/016

1. That the minutes of the Blayney Traffic Committee Meeting, held on Friday 11 February 2022, be received and noted.
2. That Council endorse the Traffic Management Plan for the Blayney Anzac Day Service as a Class 3 event, subject to the conditions detailed in the Director Infrastructure Services' Report.

3. That Council amend the condition for the Orange Running Festival to install 2 x VMS signs, and these be replaced with Corflute signs at the following intersections: -
 - Carcoar Road northbound at Forest Reefs Road
 - Spring Terrace Road (north of Forest Reefs Road)
 - Tallwood Road (south of Forest Reefs Road)
4. That Council note the change of date for the undertaking of the Central West Charity Tractor Trek, to be staged across various roads in the Blayney Shire on 23-25 September 2022, and that the event approval be subject to the conditions as detailed in the Director Infrastructure Services' Report of June 2021.
5. That Council
 - a. Remove 2 x hold lines at the Water St – Osman St intersection that are furthest from the centreline of Water St.
 - b. Undertake vegetation management on Osman Street to ensure Give Way Signs are provided with adequate sight distance.
 - c. Reinstate worn holding lines at the Osman Street intersections.
6. That Council
 - a. Remove non-compliant W2-1 (Crossroad) signage on either approach along Selwyn Street, Barry.
 - b. Install repeater signs in accordance with the NSW Speed Zoning Guidelines (300m for 50km/h road).
 - c. Install additional R1-2 (Give way) signs on the right hand side (gateway) of each approach on Selwyn Street, Barry.
 - d. Reinstate the hold line on the southern side of the Sawyer and Selwyn Street intersection, on Selwyn Street, Barry.
 - e. Install traffic counters on either side of the intersection along Selwyn Street, Barry following completion of the works.
 - f. Provide NSW Police with the traffic monitoring data report for Sawyer Street, Barry.
7. That Council, at the intersection of Burtons and Wilsons Lanes:-
 - a. Replace the existing faded Crest (w5-11) and T-Junction (w2-3) intersection signage.
 - b. Improve roadside conditions to address Safe Intersection Sight Distance compliance by remediating roadside vegetation.
 - c. Undertake traffic monitoring, and perform a further sight distance check subsequent to works.

(Newstead/Reynolds)

CARRIED

PLANNING AND ENVIRONMENTAL SERVICES REPORTS**DA71/2019/1 - FORTY (40) LOT SUBDIVISION - 19A PLUMB STREET BLAYNEY****2202/017****RESOLVED**

That Council consents to modification of condition 58 in Development Consent DA71/2019 for a forty (40) lot torrens title subdivision at Lot 29, DP1050133 - 19A Plumb Street, Blayney, subject to the recommended conditions of consent.
(Somervaille/Newstead)

The **DIVISION** was taken and the names of the Councillors voting FOR and AGAINST were as follows:

FOR

Councillor Ewin
Councillor Ferguson
Councillor Somervaille
Councillor Newstead
Councillor Pryse Jones
Councillor Gosewisch

Total (6)**AGAINST**

Councillor Reynolds

Total (1)**CARRIED****PLANNING PROPOSAL TO AMEND THE BLAYNEY LOCAL ENVIRONMENTAL PLAN 2012 - PP1: BLAYNEY AND BROWNS CREEK ROAD****2202/018****RESOLVED**

That Council

1. Endorse the amendment to the Blayney Local Environmental Plan 2012 changing the R1 General Residential zone in the Town of Blayney and the Zone R5 Large Lot Residential area near Browns Creek Road as outlined in this report.
2. In exercising its delegation under Section 3.36 of the Environmental Planning and Assessment Act 1979, as endorsed by NSW Department Planning and Environment, forward required documentation to Parliamentary Counsel for opinion to amend the Blayney Local Environmental Plan 2012.

(Somervaille/Ewin)

The **DIVISION** was taken and the names of the Councillors voting FOR and AGAINST were as follows:

FOR

Councillor Ewin
Councillor Ferguson
Councillor Somervaille
Councillor Reynolds
Councillor Newstead

AGAINST

Councillor Pryse Jones

Councillor Gosewisch

Total (7)**Total (0)****CARRIED****EMPLOYMENT ZONE REFORMS AND CHANGES TO THE
BLAYNEY LOCAL ENVIRONMENTAL PLAN 2012****2202/019****RESOLVED**

That Council

1. Note the employment zones reform being progressed by the NSW Government to the Standard Instrument Principal Local Environmental Plan.
2. Endorse the Return Translation Detail outlining the proposed amendments to the Blayney Local Environmental Plan 2012.
3. Delegate to the General Manager authority to finalise the Return Translation Detail document including any minor typographical or editorial changes prior to public exhibition.
4. Delegate to the General Manager authority to finalise the amendments to the Blayney Local Environmental Plan 2012.
(Reynolds/Pryse Jones)

The **DIVISION** was taken and the names of the Councillors voting FOR and AGAINST were as follows:

FOR

Councillor Ewin

Councillor Ferguson

Councillor Somervaille

Councillor Reynolds

Councillor Newstead

Councillor Pryse Jones

Councillor Gosewisch

Total (7)**AGAINST****Total (0)****CARRIED****CLOSED MEETING****2202/020****RESOLVED**

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

**CONTRACT 6/2021 - DESIGN AND CONSTRUCTION OF
BLAYNEY SHIRE BRIDGES (PORTION B)**

This matter is considered to be confidential under Section 10A(2) (di) (dii) 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; AND commercial information of a confidential nature that would, if disclosed (ii) confer a commercial advantage on a

competitor of the Council.

**CONTRACT 6/2021 - DESIGN AND CONSTRUCTION OF
BLAYNEY SHIRE BRIDGES (PORTION C)**

This matter is considered to be confidential under Section 10A(2) (di) (dii) 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; AND commercial information of a confidential nature that would, if disclosed (ii) confer a commercial advantage on a competitor of the Council.

CNSWJO - PANEL CONTRACT FOR LINE MARKING

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.

(Reynolds/Ewin)

CARRIED

CONFIDENTIAL MEETING REPORTS

**CONTRACT 6/2021 - DESIGN AND CONSTRUCTION OF
BLAYNEY SHIRE BRIDGES (PORTION B)**

2202/021

RESOLVED

That Council accepts the tender from Murray Construction Pty Ltd for the Design and Construction of Leabeater Street Bridge over Grubbenbun Creek, Portion B of Contract 06/2021, for the value of \$426,825 (\$469,508 inc GST), and subject to variations.

(Reynolds/Gosewisch)

CARRIED

**CONTRACT 6/2021 - DESIGN AND CONSTRUCTION OF
BLAYNEY SHIRE BRIDGES (PORTION C)**

2202/022

RESOLVED

That Council accepts the tender from Murray Construction Pty Ltd for the Design and Construction of Lucan Road Bridge over Limestone Creek, Portion C of Contract 06/2021, for the value of \$491,114 (\$540,225 inc GST), and subject to variations.

(Reynolds/Ewin)

CARRIED

CNSWJO - PANEL CONTRACT FOR LINE MARKING
RESOLVED

2202/023

That Council accept and sign contracts with the following providers for linemarking services:-

- Avante Linemarking,
- Central West Linemarking,
- Complete Linemarking
- Oz Linemarking

(Ewin/Newstead)

CARRIED

2202/024 RESOLVED

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

(Reynolds/Newstead)

CARRIED

**AT THE RE-OPENING OF THE MEETING TO THE PUBLIC, THE
MAYOR ANNOUNCED THE OUTCOMES OF RESOLUTION NUMBERS
2202/021 TO 2202/024.**

There being no further business, the meeting concluded at 7.18pm.

The Minute Numbers 2202/001 to 2202/0024 were confirmed on 21 March 2022 and are a full and accurate record of proceedings of the Ordinary Meeting held on 21 February 2022.

Cr S Ferguson
MAYOR

Mrs R Ryan
GENERAL MANAGER

05) ALGWA NSW CONFERENCE**Department:** Executive Services**Author:** General Manager**CSP Link:** 2. Local Governance and Finance**File No:** GR.ME.2

Recommendation:

That Council approve the registration and attendance of Councillor Pryse Jones at the 2022 ALGWA Conference to be held in Fairfield.

Reason for Report:

To seek Council approval for the registration of a Councillor to the 2022 ALGWA Conference and payment of expenses, as per Council's Payment of Expenses and the Provision of Facilities to the Mayor and Councillors Policy.

Report:

The 2022 Australian Local Government Women's Association (ALGWA) NSW Conference is being hosted by Fairfield City Council, from 7 to 9 July 2022.

ALGWA is the peak body for women in local government. It is a voluntary-run organisation, that supports both employees and elected representatives. The 2022 Conference is designed to provide training and support for councillors and staff, whether they are new to local government or have been around for a long time.

Risk/Policy/Legislation Considerations:

The Payment of Expenses and the provision of Facilities to the Mayor and Councillors Policy (1A) clause 3.1 Conferences and Seminars requires requests for attending conferences to be approved by Council resolution.

The Local Government Act 1993 (section 232) prescribes that Councillors must make all reasonable efforts to acquire and maintain the skills necessary to perform the role of a Councillor. In support of this, regulations have been made requiring Council to provide induction training and ongoing professional development for Mayors and Councillors.

A Professional Development Program is to be developed in consultation with all Councillors and delivered over the term of Council to build the skills, knowledge and personal attributes necessary to be an effective Mayor or Councillor.

Cr Pryse Jones, attended the ALGWA networking session at the LGNSW Special Conference; and this is considered another learning and professional development opportunity for a new female Councillor.

Budget Implications:

The cost of registration, accommodation and travel is estimated to be \$1,600 if an early bird registration fee is paid by 30 April 2022; which is within the 21/22 Councillor expenses budget for training and conferences.

Enclosures (following report)

Nil

Attachments (separate document)

Nil

06) TOURSIM DEVELOPMENT FUND APPLICATIONS**Department:** Executive Services**Author:** Manager Tourism and Communications**CSP Link:** 3. The Local and Visitor Economy**File No:** GS.PG.1**Recommendation:**

That Council approve the following applications under the 2021/22 Tourism Event Development Program;

- a. \$1,000 for the Platform Arts Hub, Textures of One Exhibition
- b. \$1,000 for the National All Breeds Junior Heifer Show Association Inc
- c. \$1,000 for the Millthorpe Village Committee, Millthorpe Garden Ramble

Reason for Report:

For Council to consider and approve the applications seeking Council financial support under the Tourism Development Fund 2021/22.

Report:

Platform Arts Hub – Textures of One

Funding requested: \$1,000

Textures of One is the annual art and craft exhibition for Platform Arts Hub Blayney, which is a subcommittee of the Blayney Town Association. The event opens on 6 May 2022 until 27 May 2022. The event is a themed exhibition with this year's theme being 'Light and Shade'. Funding is sought for promotional materials such as fliers, social media advertising and updating event banners. Textures of One does receive funding for the Blayney Shire Council Acquisitive Prize through the Community Financial Assistance Program, however these additional funds are focused on the promotion of the event to a broader audience and encourage more people from across the region to attend.

The total expenditure for the event is budgeted at \$3,580, excluding the Council Acquisitive Prize (\$1,000).

National All Breeds Junior Heifer Show Association Inc

Funding requested: \$1,000

The National All Breeds Junior Heifer Show (NABJHS) is an annual youth cattle event that provides an opportunity for young people who share an interest in beef cattle to come together and learn. The event has been running for 28 years (except for 2020/2021 due to COVID 19) in Dubbo. The Equestrian and Livestock Centre has attracted the event to Blayney for 2022. NABFHS will hold a three-day show with an extensive program of educational and interactive learning activities, workshops and competitions.

It is expected the event will provide immediate economic benefit to the community of Blayney with approximately 320 attendees plus spectators/supporters and a dinner function using local venues and businesses.

The total budget for the event is \$100,000, with \$3,000 for venue hire recommended to for approval by the Community Financial Assistance Program.

The \$1,000 from the Tourism Development Fund will go towards promotion including a photographer for the event which will be valuable in promoting the venue for similar events. Council and relevant stakeholders will have access to the photos.

Millthorpe Village Committee: Millthorpe Garden Ramble
Funding requested: \$1,000

The Millthorpe Garden Ramble is a significant annual event in the Millthorpe calendar held on the first weekend in November, this year to be held on 5th and 6th November 2022. In previous years the event has been attended by 1,400 – 1,500 people visiting from Orange, Sydney, Blue Mountains and regional NSW.

This funding application for \$1,000 is for new banners to replace those damaged, fliers, social media boosts and the design of the promotional material with a total promotional budget of \$6,000.

Risk/Policy/Legislation Considerations:

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

As the program was included in the 2021/22 Operational Plan, does not exceed more than 5 percent of Council's income and is open to all persons within Council's area; 28 days public notice of Council's resolution is not required.

These applications all fit within the guidelines as they are tourism focused events, and the funds will encourage more people to attend the events and visit the Shire. Platform Arts Hub is a member of Orange360. As the Millthorpe Garden Ramble and NABJSH are one off events, they do not need to be members of Orange360, however all events will be listed on the Orange360 website.

Budget Implications:

The approval of these applications will cost \$3,000. Council had allocated a total budget of \$18,873 for 2021/22, approval of this application will leave \$10,998 available in this program.

Any funding not allocated in this program by 30 June 2022 will not roll over to 2022/23.

Enclosures (following report)

Nil

Attachments (separate document)

Nil

07) REPORT OF COUNCIL INVESTMENTS AS AT 28 FEBRUARY 2022

Department: Corporate Services

Author: Chief Financial Officer

CSP Link: 2. Local Governance and Finance

File No: FM.AU.1

Recommendation:

1. That the report indicating Council's investment position as at 28 February 2022 be received.
2. That the certification of the Responsible Accounting Officer be received and the report be adopted.

Reason for Report:

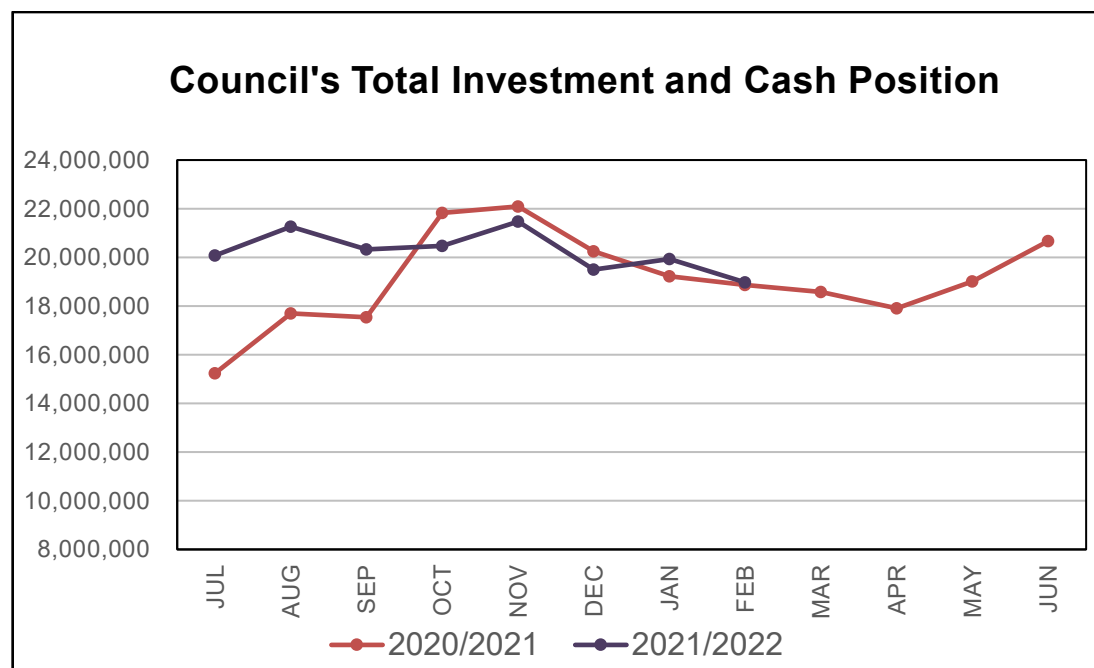
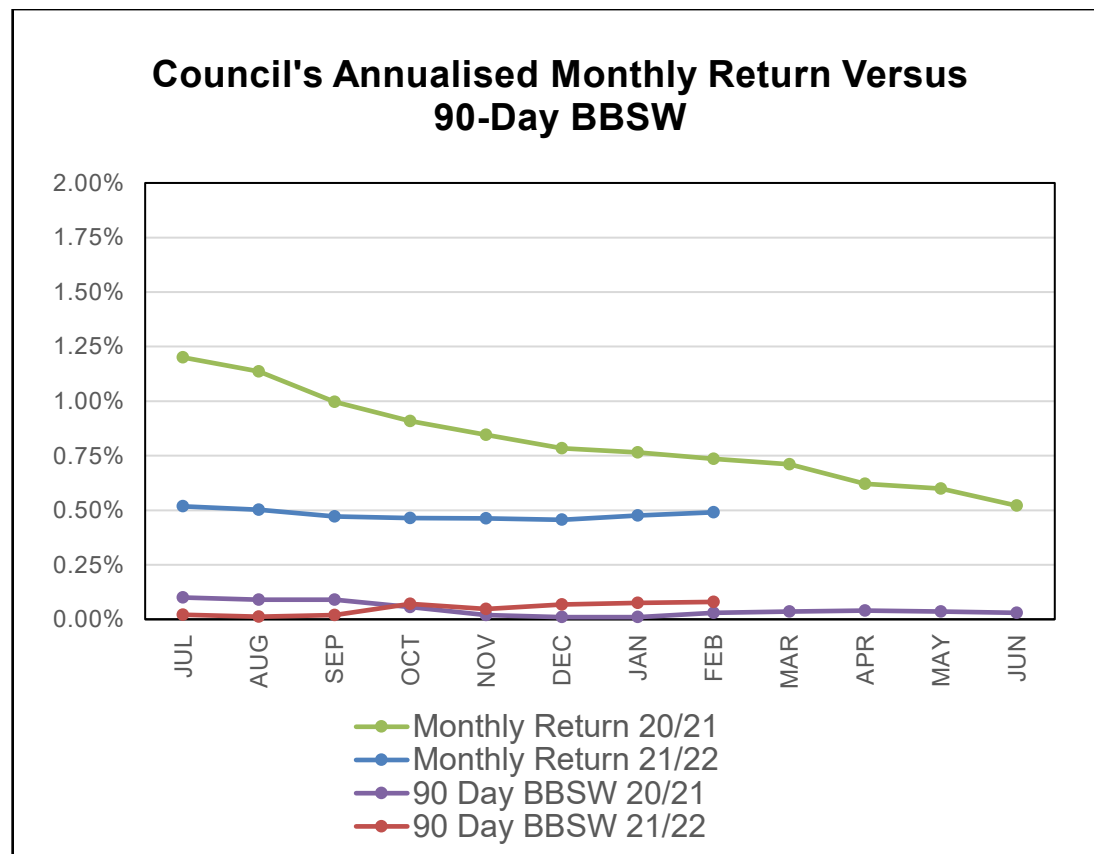
For Council to endorse the Report of Council Investments as at 28 February 2022.

Report:

This report provides details of Council's Investment Portfolio as at 28 February 2022.

Council's total investment and cash position as at 28 February 2022 is \$18,972,361. Investments earned interest of \$6,279.13 for the month of February 2022.

Council's monthly net return on Term Deposits annualised for February of 0.50% outperformed the 90 day Bank Bill Swap Rate of 0.08%.



REGISTER OF INVESTMENTS AND CASH AS AT 28 FEBRUARY 2022					
Institution	Method	Rating	Maturity	Amount \$	Interest
Westpac	Direct	A1+/AA-	01/03/2022	500,000	0.310%
ME Bank	IAM	A2/BBB+	15/03/2022	500,000	0.450%
MyState Bank Ltd	Curve	A2/BBB	22/03/2022	500,000	0.500%
CBA	Direct	A1+/AA-	29/03/2022	500,000	0.290%
Macquarie Bank	IAM	A1/A+	29/03/2022	500,000	0.450%
CBA	Direct	A1+/AA-	12/04/2022	500,000	0.410%
NAB	Direct	A1+/AA-	26/04/2022	500,000	0.350%
NAB	Direct	A1+/AA-	10/05/2022	500,000	0.350%
NAB	Direct	A1+/AA-	24/05/2022	500,000	0.350%
Westpac	Direct	A1+/AA-	07/06/2022	500,000	0.340%
Westpac	Direct	A1+/AA-	21/06/2022	500,000	0.350%
CBA	Direct	A1+/AA-	05/07/2022	500,000	0.410%
CBA	Direct	A1+/AA-	19/07/2022	500,000	0.410%
ME Bank	IAM	A2/BBB+	02/08/2022	500,000	0.450%
CBA	Direct	A1+/AA-	16/08/2022	500,000	0.450%
NAB	Direct	A1+/AA-	30/08/2022	500,000	0.340%
CBA	Direct	A1+/AA-	13/09/2022	500,000	0.390%
CBA	Direct	A1+/AA-	27/09/2022	500,000	0.410%
Macquarie Bank	Curve	A1/A+	11/10/2022	500,000	0.500%
CBA	Direct	A1+/AA-	18/10/2022	500,000	0.460%
CBA	Direct	A1+/AA-	01/11/2022	500,000	0.700%
NAB	Direct	A1+/AA-	15/11/2022	500,000	0.530%
Reliance Bank	Direct	Unrated	22/11/2022	500,000	0.400%
Macquarie Bank	IAM	A1/A+	29/11/2022	500,000	0.500%
Westpac	Direct	A1+/AA-	29/11/2022	500,000	0.550%
Bank of Queensland	Curve	A2/BBB+	06/12/2022	500,000	0.650%
NAB	Direct	A1+/AA-	06/12/2022	500,000	0.650%
NAB	Direct	A1+/AA-	10/01/2023	500,000	0.770%
CBA	Direct	A1+/AA-	24/01/2023	500,000	0.760%
NAB	Direct	A1+/AA-	07/02/2023	500,000	0.770%
NAB	Direct	A1+/AA-	22/02/2023	500,000	0.850%
NAB	Direct	A1+/AA-	20/06/2023	500,000	0.600%
Westpac	Direct	A1+/AA-	15/08/2023	500,000	0.530%
Westpac	Direct	A1+/AA-	10/10/2023	500,000	0.720%
Total Investments				17,000,000	0.472%
Commonwealth Bank - At Call Account ⁽¹⁾				511,529	0.150%
Commonwealth Bank Balance - General ⁽¹⁾				1,224,356	0.000%
Reliance Bank ⁽¹⁾				236,476	0.000%
TOTAL INVESTMENTS AND CASH				18,972,361	
Benchmarks:		BBSW 90 Day Index ⁽¹⁾			0.080%
		RBA Cash Rate ⁽¹⁾			0.100%

1. % Interest rates as at end of reporting period

Summary of Investment Movements - February 2022		
Financial Institution	Investment/(Recall) Amount \$	Commentary
NAB	(501,995)	Term Deposit Matured 08/02/2022
NAB	500,000	Term Deposit Reinvested 08/02/2022
NAB	(501,745)	Term Deposit Matured 22/02/2022
NAB	500,000	Term Deposit Reinvested 22/02/2022

Long Term Credit Rating (or Moody's, Fitch, S&P or Equivalent)	Policy Maximum	Current Holding %	Current Holding \$
TCorp IM Funds	100%	0%	-
AAA – AA Category	100%	76%	13,000,000
A- Category	40%	9%	1,500,000
BBB+ Category	30%	9%	1,500,000
BBB Category	10%	3%	500,000
BBB- Category and below: Local ⁽²⁾ ADI's	5%	3%	500,000
BBB+ / BBB / BBB- & below categories combined	30%	15%	N/A
2. ADI's located within the Local Government Area			17,000,000

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

RESTRICTED CASH, CASH EQUIVALENTS & INVESTMENTS		
	Actual 30/06/2021 \$ 000's	Forecast* 30/06/2022 \$ 000's
External Cash Restrictions	12,640	9,633
Internal Cash Restrictions	7,476	5,026
TOTAL RESTRICTED ASSETS	20,116	14,659

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

CERTIFICATION – RESPONSIBLE ACCOUNTING OFFICER

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

Risk/Policy/Legislation Considerations:

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

Council has received approval from TCorp for an amendment to the investment conditions, imposed as part of their conditions of borrowing, to enable increased investment with Reliance Bank. This approval is subject to a further reduction of Council's ability to invest in BBB+/BBB investments from 30% to 25% however will enable Council to increase its holding with Reliance Bank from 5% to 10%.

Policy 4B Investment Policy has been amended and is the subject of a separate report.

Budget Implications:

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

Enclosures (following report)

Nil

Attachments (separate document)

Nil

08) REQUEST FOR INTEREST FREE LOAN DOCTORS INCENTIVE PACKAGE**Department:** Corporate Services**Author:** Chief Financial Officer**CSP Link:** 2. Local Governance and Finance**File No:** CR.SD.1

Recommendation:

That Council approve the provision of an interest free loan to Dr. Bonnie McRae pursuant to policy 6C Package for Doctors Incentives for Retention / Attraction.

Reason for Report:

To seek Council approval for the provision of an interest free loan pursuant to policy 6C Package for Doctors Incentives for Retention / Attraction.

Report:

Council is in receipt of a request for an interest free loan by Dr. Bonnie McRae to assist with securing a home as part of her intention to move into the Blayney community permanently.

Council's policy 6C Package for Doctors Incentives for Retention / Attraction offers incentive to attract and retain doctors in the Blayney Shire through a \$40,000 2 year interest free loan. The intent of the policy is for securing new GP's to practice in the Blayney Shire.

A copy of the application is attached for information of Councillors.

Risk/Policy/Legislation Considerations:

If approved by Council and in the event of default, Council will be an unsecured creditor. The agreement provides that repayments are at 6 montly intervals and that interest is payable on the principal at the rate of 10% pa in the event of payment default.

Budget Implications:

As this will become an interest free loan, the cash outflow will not affect Council's operational budget result. However, it will reduce unrestricted cash levels over the next two years.

At current rate of return of 0.50% per annum, this would result in a loss of investment interest revenue of approximately \$300 over the two year period.

Enclosures (following report)

1 Application for interest free loan - Dr. Bonnie McRae 1 Page

Blayney Family Medical Practice
1-3 Osman Street
PO Box 55, BLAYNEY NSW 2799
Phone: 02 63689333 Fax: 02 63689370



Dr Bonnie McRae

23.02.2022

General Manager
Blayney Shire Council
91 Adelaide Street
PO Box 62
Blayney
NSW 2799

RE: Package for Doctors Incentives for Retention / Attraction
Policy 6C

To the Manager, Rebecca Ryan

My name is Marjorie Davis, Practice Manager at Both the Blayney & Carcoar Medical Practices' & I am writing this on behalf of Dr Bonnie McRae.

Dr Bonnie McRae has recently joined our practice after relocating [REDACTED] & currently is employed by Dr SP Vijayakumar on a permanent basis with intention to move into the Blayney community permanently.

Dr Bonnie McRae is a fully fellowed Doctor with MB, MD(UNSW), FRACGP. We have always had the need for more female doctors as patients depending on needs feel more comfortable speaking female to female. Dr Bonnie McRae will also be seeing patients at the Aged Care Facilities including VMO (Visiting Medical Officer) at the Blayney Multi -Purpose Service alongside Dr Vijayakumar & Dr Kalpana Sriskantharan.

Dr Bonnie McRae is currently staying with family short term.
Therefore, I would like to apply on behalf of Dr Bonnie McRae for the interest free two- year loan of \$40,000.
This will assist Dr McRae and enable she and her family to secure a home which gives her a sense of security and ensure that the Blayney Township and surrounding towns have the services of a female Doctor on a regular, permanent basis.

Since starting at the practice she now has a regular clientele base of her own within the practice and the Nursing homes including the Blayney Multi-Purpose Service.

Respectfully

[REDACTED]
Marjorie Davis
Blayney / Carcoar Medical Practices'
[REDACTED]
Ph: 63689333
Fax: 63689370

09) YOUTH WEEK 2022**Department:** Corporate Services**Author:** Director Corporate Services**CSP Link:** 4. Community, Sport, Heritage and Culture**File No:** GS.LI.1**Recommendation:**

That the report on Youth Week 2022 be received and the allocations from the 2022 Youth Week Small Grants Program be endorsed as follows:

- | | |
|---------------------------|----------|
| a. Le Danse School | \$ 820 |
| b. YMCA NSW | \$ 3,850 |
| c. Blayney High School | \$ 1,750 |
| d. Millthorpe Youth Group | \$ 1,000 |

Reason for Report:

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

Report:

Youth Week 2022 is scheduled for 4 to 14 April 2022 with the theme “*It’s Up to YOUth*” 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, social media and by email distribution to the schools, sporting groups, and village contacts.

The closing date for applications was 7 March 2022. At the closing date for expressions of interest 4 applications were received. Applications are detailed as follows with funding proposed including GST:

Project	Applicant	Amount	Event Detail
Dance Disco and Free Classes Week	Le Danse School	\$ 820	Older students lead classes with free entry all week. Friday night Dance Disco.
Youth Week Activities	YMCA	\$ 3,850	Movie Night, free Wet and Dry Inflatables, free Fitness Group Classes and free gym / training programs.
Everybody In - It's up to You th	Blayney High School	\$ 1,750	Activities over 5 – 7 April. All-in breakfast, Everybody in activity, Music lunch, Student lead assembly
Paintball Excursion	Millthorpe Youth Club	\$ 1,000	Action paintball excursion - Yarramundi

Risk/Policy/Legislation Considerations:

Nil

Budget Implications:

The NSW Youth Week Grants Program requires Council to match the \$2,892 funding allocated. Youth Week funding from Department of Communities and Justice also paid an additional \$800 rural / regional subsidy not required to be matched. The total budget for the program is \$6,944. The above allocation will commit \$6,820 and residual funds not allocated will be applied to costs of advertising / promotion.

Enclosures (following report)

Nil

Attachments (separate document)

Nil

10) AMENDMENT TO INVESTMENT POLICY**Department:** Corporate Services**Author:** Director Corporate Services**CSP Link:** 2. Local Governance and Finance**File No:** GO.PO.1

Recommendation:

That Council approve the Investment Policy, as amended, and it be updated to the Policy Register.

Reason for Report:

To seek Council approval for amendment to the Investment Policy, reflecting increasing the limit for investments with Reliance Bank.

Report:

Following a question from Council to seek approval from TCorp to increase the limit for investments with the Reliance Bank in the Investments Policy and subsequent approval, an amendment is required of the Investment Policy.

The objectives of the Investment Policy are:

- To undertake investment of surplus funds in a way that, firstly ensures the security of Council Funds and secondly maximises earnings from authorised investments.
- To ensure there is sufficient liquidity to meet all reasonably anticipated cash flow requirements, as and when they fall due, without incurring significant costs due to the unanticipated sale of an investment.

The amendment to the policy is to effect amendments to increase investments with Reliance Bank to \$1m. Council is also required to make an amendments to reduce the overall holding of BBB investments from 30% to 25% and amendments to counterparty limits of BB and BBB+ investments.

As the amendments are a condition of borrowings by NSW TCorp it is recommended that the amended policy be adopted.

Risk/Policy/Legislation Considerations:

The Local Government Act (s625) serves to outline the types of investments that Council is permitted to invest in. Council may however establish guidelines on investment practice providing it does not erode legislative requirements.

Budget Implications:

The proposed policy amendment will have minimal impact on Council's returns on investment.

Enclosures (following report)

1 Draft 4B Investment Policy

7 Pages

Attachments (separate document)

Nil



Investment Policy

Policy	4B
Officer Responsible	Chief Financial Officer
Last Review Date	XX/03/2022

Strategic Policy

1.1 Objectives

- (a) To undertake investment of surplus funds in a way that, firstly ensures the security of Council Funds and secondly maximises earnings from authorised investments.
- (b) To ensure there is sufficient liquidity to meet all reasonably anticipated cash flow requirements, as and when they fall due, without incurring significant costs due to the unanticipated sale of an investment.

1.2 Definitions

Authorised Deposit taking institutions - financial institutions in Australia supervised by the Australian Prudential Regulation Authority (APRA) and authorised under the Banking Act 1959 (Cth) to accept deposits from the public.

Ausbond Bank Bill Index - formerly the UBS Bank Bill Index. The UBS Australia index family was acquired by Bloomberg from Q3 2014, and while branding changed the benchmark construction is unaltered. It represents the performance of a notional rolling parcel of bills averaging 45 days and is the widely used benchmark for local councils and other institutional cash investors.

Bank Bill Swap Rate - a short-term interest rate used as a benchmark for the pricing of Australian dollar derivatives and securities, most notably floating rate bonds

Bills of Exchange - A bill of exchange is an unconditional order in writing, addressed by one person to another, signed by the person giving it, requiring the person to whom it is addressed to pay on demand, or at a fixed or determinable future time, a sum certain in money to or to the order of a specified person, or to bearer.

Debentures - a type of debt instrument that is backed only by the general creditworthiness and reputation of the issuer rather than being secured by physical assets or collateral.

Ministerial Investment Order - schedule of authorised investments approved for access by NSW Councils pursuant to Local Government Act 1993 section 625 by the Order of the Minister and published in the Government Gazette.

Responsible Accounting Officer - a member of the staff of the council designated by the General Manager, or if no such member been designated, the General Manager. (LGGR, clause 196)

TCorp – New South Wales Treasury Corporation including the TCorp Investment Management arm which manages the TCorpIM funds (formerly Hour-glass).

Term Deposits (Deposits) - Funds invested with a financial institution at a predetermined rate that applies for the duration of the deposit. The

principal is held on deposit for a fixed term with interest payable at set periods during the term and/or on maturity. Increasingly banking regulation requires term deposits to be issued on “unbreakable” terms or at a minimum funds cannot be withdrawn for a minimum period of 31 days.

1.3 Legislative Requirements

All investments are to be made in accordance with:

- (a) Local Government Act 1993;
- (b) Local Government Act 1993 – Order (of the Minister) dated 12 January 2011
- (c) Trustee Act 1925;
- (d) Local Government (General) Regulation 2005;
- (e) Local Government Code of Accounting Practice and Financial Reporting;
- (f) Australian Accounting Standards; and
- (g) Office of Local Government Circulars.

1.4 Delegation of Authority

Authorised Officer	Roles & Responsibilities
General Manager	Authority to invest surplus funds and authority to delegate this function in accordance with the Council's adopted Investment Policy.
Director Corporate Services	Per Delegation
Chief Financial Officer (Responsible Accounting Officer)	Per Delegation
Accountant	Per Delegation

All delegated officers shall confirm in writing that they have received a copy of Council's current investment policy and that they understand the contents and their obligations as a delegated officer.

1.5 Authorised Investments

Investments are limited to those allowed by the most current Ministerial Investment Order that has been issued by the NSW Minister for Local Government.

Council shall only invest money (on the basis that all investments must be denominated in Australian Dollars) in the following forms of investment:

- (a) any public funds or securities issued by or guaranteed by, the Commonwealth, any State of the Commonwealth or a Territory;
- (b) any debentures or securities issued by a council (within the meaning of the Local Government Act 1993 (NSW));

- (c) interest bearing deposits with, or any debentures or bonds issued by, an authorised deposit-taking institution (as defined in the Banking Act 1959 (Cwth)), but excluding subordinated debt obligations;
- (d) any bill of exchange which has a maturity date of not more than 200 days; and if purchased for value confers on the holder in due course a right of recourse against a bank which has been designated as an authorised deposit-taking institution by the Australian Prudential Regulation Authority;
- (e) a deposit with the New South Wales Treasury Corporation or investments in an TCorpIM Investment Fund of the New South Wales Treasury Corporation.

All investment instruments (excluding short term discount instruments) referred to above include principal and investment income (interest).

1.6 Prudent Person Standard

The investments shall be managed with care, diligence and skill that a prudent person would exercise. As trustees of public monies, officers are to manage Council's investment portfolios to safeguard the portfolio in accordance with the spirit of this Investment Policy, and not for speculative purposes

1.7 Ethics and Conflicts of Interest

Officers shall refrain from personal activities that would conflict with the proper execution and management of Council's investment portfolio. This policy requires officers to disclose any conflict of interest to the General Manager.

If engaged, independent advisors shall also be required to declare that they have no actual or perceived conflicts of interest.

1.8 Prohibited Investments

This Investment Policy prohibits any investment carried out for speculative purposes including:

- (a) Derivative based instruments;
- (b) Principal only investments or securities that provide potentially nil or negative cash flow;
- (c) Stand alone securities issued that have underlying futures, options, forward contracts and swaps of any kind; and
- (d) Any investment acquired using leveraging to fund the purchase (borrowing to invest);
- (e) **Any ADI disclosed in the below table as declared to be prohibited by resolution of Council:**

<u>Prohibited ADI</u>	<u>Minute No.</u>	<u>Council meeting date</u>
AMP Bank	NMCU/15419	15/03/2021

1.9 Risk Management Guidelines

Investments are to comply with the following criteria:

- (a) Preservation of Capital - all reasonable measures are to be taken to prevent losses in portfolio value (considering the time value of money);
- (b) Institutional Diversification:
 - i. Not less than three (3) quotations shall be obtained from authorised institutions when an investment is proposed.
 - ii. Direct investments shall not exceed counterparty limits with any one institution at any one time as detailed below.
 - iii. All term deposit investments are to be made with authorised deposit taking institutions authorised under the Banking Act, 1959 and with an investment grade credit rating, excepting ADI's located within the local government area.
 - iv. The maximum holding limit in each rating category and the target credit quality weighting for Council's total portfolio shall be in accord :

Long Term Credit Rating (or Moody's, Fitch, S&P or Equivalent)	Total Portfolio Limits	Counterparty Limits
	Maximum Holding	
TCorp IM Funds	100%	100%
AAA – A Category	100%	Lesser of \$5m or 40%
A- Category	40%	Lesser of \$3m or 20%
BBB+ Category**	30% 25%	Lesser of \$1m or 10%
BBB Category**	10% 5%	Lesser of \$500k or 5%
BBB- Category and below: Local ADI's – Reliance Bank*	5% 10%	Lesser of \$500k or 5% \$1m or 10%
BBB- Category and below: Other Local ADI's	0%	-

*ADI's located within the Local Government Area

** BBB+ / BBB categories are not to exceed **30% 25%** collectively

- (c) Maturity Risk - the investment portfolio is to be invested within the following maturity constraints:

Long Term Credit Rating (or Moody's, Fitch, S&P or Equivalent)	Overall Portfolio Return to Maturity
	Maximum
TCorp IM Funds	Not applicable
AAA to BBB+ Category	3 Years
BBB Category	12 months

- (d) Market/Credit Risk - consideration shall be given to the risk that the fair value or the future cash flows of an investment will fluctuate due to changes in market prices, or the risk of failure to repay principal or pay interest on an investment;

(e) Liquidity Risk -

- i. Matching investments with cash flow requirements.
- ii. Ensure access is available within seven (7) days to at least \$1,000,000 or 10% of value of total investments, whichever is lesser.

1.10 Performance Benchmarks

The performance of the investment portfolio shall be against the industry standard 11am Cash Rate for cash investments, BBSW 90 Day Swap Rate for direct investments and the Ausbond Composite 2 – 5 year index for investments exceeding 2 years.

1.11 Safe Custody

Safe custodial arrangements shall be as follows:

- (a) Council must retain beneficial ownership at all times;
- (b) Council must be in receipt of documentation existence of investment;
- (c) The custodian must be the custodian nominated by TCorp for investment in TCorpIM Funds, or Austraclear, or an investment grade institution so rated by Standard and Poor's or Fitch.

1.12 Reporting and Responsibilities of Council Officers

- (a) The Responsible Accounting Officer shall be responsible for reconciling the investment register on a monthly basis and ensuring sufficient records are maintained, including:
 - a. the source and amount of money invested;
 - b. particulars of the security or form of investment in which the money was invested;
 - c. the term of the investment, and
 - d. if appropriate, the rate of interest to be paid, and the amount of money earned, in respect of money invested.
- (b) A monthly report shall be provided to Council, detailing the investment portfolio in terms of performance, investment institution and amount of each investment.
- (c) The report should also detail each average return percentage against the performance benchmark rates.
- (d) For audit purposes, certificates must be obtained from financial institution confirming the amounts of investment held on the Council's behalf at 30th June each year.
- (e) The documentary evidence must provide Council legal title to the investment.

1.13 Investment Advisor

Should Council engage an investment advisor, the advisor must be approved by Council and licensed by the Australian Securities and Investment Commission. The advisor must be an independent person who has no actual or potential conflict of interest in relation to investment products being recommended and is free to choose the most appropriate product within the terms and conditions of the investment policy.

The independent advisor is required to provide written confirmation that they do not have any actual or potential conflicts of interest in relation to the investments they are recommending or reviewing, including that they are not receiving any commissions or other benefits in relation to the investments being recommended or reviewed.

1.14 Grandfathering provisions

This Policy shall only apply to investments made from the date of Council adoption onwards.

1.15 Review of Investment Policy

This policy shall be reviewed annually by the Chief Financial Officer and any amendments, if necessary, shall be reviewed against investment requirements in the conditions of borrowing of TCorp, if applicable, and approved by resolution of Council.

End of Policy

Adopted:	14/10/2003	123
Last Reviewed:	11/10/2005	280
	14/05/2007	07/094
	09/08/2010	1008/04
	14/03/2011	1103/010
	08/08/2011	1108/004
	14/11/2011	1111/011
	12/11/2012	1211/014
	10/11/2014	1411/007
	17/09/2018	1809/010
	21/10/2019	1910/007
	15/02/2021	2102/017
	xx/xx/2022	
Next Review:	17/03/2025	

**11) MINUTES OF THE FINANCIAL ASSISTANCE COMMITTEE MEETING
HELD 3 MARCH 2022**

Department: Corporate Services

Author: Director Corporate Services

CSP Link: 2. Local Governance and Finance

File No: CR.SD.2

Recommendation:

1. That the minutes of the meeting held 3 March 2022 be received.
2. That the recommendations for 2021/22 - Round 1 of the Community Financial Assistance Program by the Financial Assistance Committee, in the amount of \$39,236 be approved.
3. That an amount of \$19,326 from prior year unexpended funds be voted at the next Quarterly Budget Review.

Reason for Report:

For Council to approve the minutes of the Financial Assistance committee meeting held 3 March 2022.

Report:

The Financial Assistance Committee at its meeting held 3 March 2022 considered the second round of the Community Financial Assistance Program applications for 2021/22.

An amount of \$20,562 was available for distribution in Round 2. An amount of \$54,015 in unexpended funds from prior periods was also available. Council received 18 applications with a total value of \$256,271 in works for projects seeking \$57,368 in financial assistance. The Financial Assistance Committee has recommended \$39,236 be allocated to projects. Recommendations are pursuant to the criteria stipulated in the Community Financial Assistance Program guidelines.

**MINUTES OF THE MEETING OF BLAYNEY SHIRE COUNCIL FINANCIAL
ASSISTANCE PROGRAM COMMITTEE
HELD 3 MARCH 2022
AT BLAYNEY SHIRE COMMUNITY CENTRE**

The meeting commenced at 5:03pm.

1. PRESENT

Councillor David Somervaille (Chair); Councillor Bruce Reynolds; Miles Hedge; David Kennedy; Graeme Summerson; Tamara Miller, Elizabeth Russ; David Kingham; Anton Franze (Director Corporate Services).

2. APOLOGIES

Melissa O'Brien (Cadia)

3. COMMITTEE INDUCTION

The chair gave an overview of the role of the committee as a section 355 committee of Council, including the need to comply with council policies, including in relation to conflicts of interest.

4. DECLARATIONS OF INTEREST

Name	Item	Nature	Interest		
			Pecuniary	Non-Pecuniary	
			S	S	LTS
David Kingham	7:10	Member of Orange Broadcasters			X
Tamara Miller	7:4	Treasurer Blayney A&P		X	
	7:12	Member of Blayney Town Assoc. of which Platform Hub is a sub-committee			X
David Somervaille	7:1	Member of Blayney Rotary who assist the RYDA Program			X
	7:2	Member of Blayney Golf Club			X
David Kennedy	7:1	Member of Blayney Rotary who assist the RYDA Program			X
	7:2	Member of Blayney Golf Club			X
	7:2	Member of Blayney Golf Club			X
	7:3	Chairman of Abundant Life Church		X	
Elizabeth Russ	7:4	Member of Blayney A&P			X
	7:12	Member of Blayney Town Assoc.			X
	7:13	Treasurer Blayney Local & Family History Group			X
Miles Hedge	7:1	Member of Blayney Rotary who assist the RYDA Program			X
	7:2	Member of Blayney Golf Club			X
	7:4	Auditor Blayney A&P			X
	7:13	Auditor Blayney Family History Group			X

S – significant

LTS – less than significant

5. MINUTES FROM PREVIOUS MEETING – 20 July 2022**RECOMMENDATION:**

The minutes of the previous meeting held on 20 July 2022 were noted.

T. Miller / E. Russ

6. BUSINESS ARISING

Nil.

7. CONSIDERATIONS OF ROUND 2:2020/21 COMMUNITY FINANCIAL ASSISTANCE PROGRAM APPLICATIONS

Graeme Summerson left the meeting for consideration of Application no. 3 (Abundant Life Church).

Tamara Miller left the meeting for consideration of Application no. 4 (Blayney A&P Association).

Recommendation:

That an amount of \$39,236 for 2021/22 Round 2 Community Financial Assistance Program be recommended for approval by Council as per the Following schedule, with the excess over the Round 2 pro rata allocation of \$20,562 (namely \$19,326) being funded from prior years unspent carryover.

D.Kingham / M.Hedge

FINANCIAL ASSISTANCE GRANTS: ROUND 2 - 2021/22

No.	Applicant	Project	Grant sought	Grant recommended	Comments and feedback
1	Road Safety Education Limited	RYDA Road Safety and Youth Development program for Blayney Shire young drivers	\$ 1,000	\$ 1,000	While not hosted in LGA it is of significant benefit to students of Blayney High School.
2	Blayney Golf Club	Replacement of carpet in the Clubhouse	\$ 7,000	\$ 3,000	Continuing improvement to community run facility.
3	Abundant Life Community Care	Purchase of BBQ Trailer	\$ 3,000	\$ -	Defer as Committee will consider application when funding sources are confirmed. Applicant to commit to wider community access/benefit.
4	Blayney A&P Association	Provide watering points and secure fencing across boundary	\$ 3,000	\$ 3,000	Contributions by users. Worthwhile project.
5	Country Education Foundation of Australia - Orange and District Branch	Supporting post-school options for vocational and tertiary education of students	\$ 3,000	\$ -	Project commended for consideration of Council however falls outside of scope of policy. Similar to Ten4Ten initiative.
6	Neville Equine Performance	Develop a Multi-Purpose Arena with soft fall and cattle holding yards at Neville Showground. Further develop portable judging stand and storage area.	\$ 6,000	\$ 3,000	Needs to be staged so as to fit within policy cap
7	Tallwood Public Hall Trust	Replace Lino in the kitchen and replace existing kitchen table with stainless steel food preparation bench	\$ 2,033	\$ 2,033	Project fits guidelines and worthwhile

No.	Applicant	Project	Grant sought	Grant recommended	Comments and feedback
8	National All Breeds Junior Heifer Show	Waiver of Council fees - Showground Hire (Referred from GM)	\$ 3,000	\$ 3,000	One off funding recommended, based on likely community economic benefit.
9	NAIDOC	NAIDOC Week Initiatives contribution toward printing and distribution toward students	\$ 450	\$ -	Falls outside scope of policy. Recommend for consideration under Youth Week funding.
10	Orange Community Broadcasters	Waiver of Public Liability Insurance	\$ 1,773	\$ 591	¹ / ₃ contribution conditional on contributions from other LGA's.
11	Newbridge Progress Association	Lining of the ceiling in the kitchen and storeroom of the Brian Bennett Pavilion	\$ 5,000	\$ 5,000	Important to finish this building. Conditional on engagement and adherence to Council requirements.
12	Platform Arts Hub Blayney	Purchase of heaters, tables, stools and kitchenware	\$ 6,500	\$ 3,000	Continued enhancement of new cultural facility.
13	Millthorpe and District Historical Society	Building audit and electrical upgrades to old showcases at Golden Memories Museum	\$ 1,704	\$ 1,704	Co-contribution and worthwhile project.
14	Blayney Little Athletics	Hiring of storage container for sporting equipment	\$ 1,397	\$ 1,397	Supported given disruption caused by council project. Ideally should be funded within grant for KGO amenities project.
15	Blayney Shire Local and Family History Group	Repair, Restore and Upgrade existing Boer War Memorial	\$ 10,000	\$ 10,000	Special project funding recommended for project. Council to support and closely monitor as project develops.
16	Millthorpe School of Arts	Purchase small garden shed and shelving for Millthorpe School of Arts	\$ 1,356	\$ 1,356	Noted located in Heritage Conservation Area and next to heritage building. Conditional on compliance with DCP. Recommend for reconsideration of materials as concern with water proofing and security of shed.

No.	Applicant	Project	Grant sought	Grant recommended	Comments and feedback
17	Orange and District Antique Club	Waiver of Fees and Charges - Hire of Redmond Oval (Referred from GM)	\$ 600	\$ 600	Supported
18	Trunkley Public School	Waiver of Fees and Charges - Hire of Community Centre (Referred from GM)	\$ 555	\$ 555	Supported
			\$ 57,368	\$ 39,236	

8. MEETING NIGHTS

Preference expressed for meetings to be Tuesday or Thursday nights. Dates for next meeting to be circularised.

9. REVIEW OF DRAFT FINANCIAL ASSISTANCE SCHEDULE (RECIPIENTS) OPERATIONAL PLAN 2022/23

A number of edits were identified in the proposed schedule however no changes to recipients were identified.

Recommendation:

That the recipients listed in the draft Financial Assistance Schedule operational plan 2022/23 (recipients only) be endorsed.

G.Summerson / M.Hedge

10. REQUESTS APPROVED BY GENERAL MANAGER UNDER DELEGATION

Recommendation:

That the approvals of fee waiver financial assistance, under delegation by the General Manager, in the amount of \$652 be noted.

D.Kennedy / E.Russ

11. NEXT MEETING

To be advised

There being no further business the meeting closed at 7:05pm.

Risk/Policy/Legislation Considerations:

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

Budget Implications:

Council has an amount of \$100,000 allocated in its 2021/22 Operational Plan for this purpose including amount of \$57,500 approved in advance for assistance to groups, schools and organisations for events; rates and charges and public liability insurance.

The committee has recommended that an amount of \$19,326 from prior year unexpended funds, held as Cadia SRV be voted at the next Quarterly Budget Review. As this program is funded from the Cadia Special Rate Variation this funding will be sourced from the Restricted Cash allocation as at 30 June 2021.

Enclosures (following report)

Nil

Attachments (separate document)

Nil

12) APPOINTMENT OF INDEPENDENT MEMBER - AUDIT, RISK AND IMPROVEMENT COMMITTEE

Department: Corporate Services

Author: Director Corporate Services

CSP Link: 2. Local Governance and Finance

File No: FM.AU.1

Recommendation:

That Council endorse the appointment of Ron Gillard as the Independent Member to the Audit Risk and Improvement Committee.

Reason for Report:

For Council to endorse the appointment of an Independent Member to the Audit, Risk and Improvement Committee.

Report:

Blayney Shire Council and Central Tablelands Water share an established Audit, Risk and Improvement Committee. Upper Macquarie County Council are joining this arrangement commencing in 2022. The Councils will continue to convene meetings on the same day at the same location at different times and share the same 2 independent members. This provides a cost effective solution to all Councils to fulfil obligations for conduct of Audit, Risk and Improvement Committee meetings.

The outgoing independent members from the previous Council term were Phil Burgett, and Donna Rygate. At the January meeting, Council approved reappointment Donna Rygate (**Resolution No 2201017**) and was advised that Phil Burgett had retired from the committee.

The term for independent members is an election term and the Committee Charter limits appointment term to 2 election terms (usually a maximum of 8 years).

Council approved at the January Council meeting to call for Expressions of Interest for Appointment of Independent Members through a joint process. Applications closed 25 February 2022 and a joint meeting of representatives to assess applications was held 3 March 2022.

Applicants are expected to satisfy a selection criteria including knowledge and experience in either local government; financial reporting; auditing requirements and risk management governance.

A total of 5 applications were received through the Expression of Interest process and appointment of independent members will be subject to concurrence of all Councils. Following the panel assessment of applications received it was recommended that Ron Gillard be appointed.

The appointment of this applicant as an independent external member will permit the Audit, Risk and Improvement Committee to have its complement of independent external members and support a framework of internal governance within Council.

Risk/Policy/Legislation Considerations:

The Audit, Risk and Improvement Committee has been established to promote good corporate governance in Council. Good corporate governance of the Council ensures that the people of Blayney Shire receive the services that they need in an effective and efficient manner, delivered with honesty and integrity.

The objective of the Committee is to provide independent assurance and assistance to Council with respect to the following key areas as per Section 428A of the Local Act. Such areas include compliance; risk management; fraud control; internal control; financial management; governance; implementation of the strategic plan, delivery program and strategies, service reviews; collection of performance measurement data by the council; other matters prescribed by the regulations, and execution of Council functions.

The Committee is an independent advisory Committee that assists the Council to fulfil its oversight responsibilities.

Budget Implications:

Costs associated with calling of Expressions of Interest have been shared by participating Councils with Blayney conducting oversight and administration of the process. Audit, Risk and Improvement Committee meeting costs including sitting fees for independent members and associated service reviews / audits are provided for in Council's 2021/22 Operational Plan for this purpose.

Enclosures (following report)

Nil

Attachments (separate document)

Nil

13) COUNTRY EDUCATION FOUNDATION**Department:** Corporate Services**Author:** Director Corporate Services**CSP Link:** 1. Public Infrastructure and Services**File No:** CR.SD.2

Recommendation:

For Council consideration.

Reason for Report:

For Council to consider a request for sponsorship received from Country Education Foundation to assist rural and regional students to pursue their higher education, training and career goals.

Report:

Council is in receipt of a request for sponsorship from Country Education Foundation (CEF) and the amount of sponsorship sought is \$3,000.

The CEF is a not-for profit organisation and has been in existence since 2003, their purpose is to assist rural and regional students to pursue their higher education, training and career goals through financial assistance, scholarships, mentoring, and support.

The aim of CEF is to help close the participation gap between country and city students. The benefit of the program is the skill-set that local youth can bring back to the communities and serves to help local youth aspire to skilled positions in their community and reduce youth unemployment.

Annually, the Orange and District Committee raises funds from the local area and uses funds to help about 25 school leavers from the Blayney, Cabonne and Orange Local Government Areas (LGA's). In 2022 they have assisted 7 students that live in the Blaney LGA. All money generated by the Orange and District Committee is dispersed by the National Office to the local committee.

The financial assistance obtained would be used to assist 2 school leaver students from the Blayney LGA to reimburse costs for entering further education and training. School leavers from lower income families are targeted.

Risk/Policy/Legislation Considerations:

The application was tabled at the last meeting of the Financial Assistance Program Committee and was deemed to be outside of the scope of the Financial Assistance Policy and commended for consideration of Council.

Budget Implications:

Council does not have an allocated budget in the 2021/22 Operational Plan for this purpose.

Should Council choose to approve this request it may opt to fund approval from the Community Financial Assistance Program unspent funding or from within General Fund. In any case approval of this program will require an amount of \$3,000 to be approved in the 3rd Quarter Budget Review.

Enclosures (following report)

Nil

Attachments (separate document)

- 1 Application - Country Education Foundation request 15 Pages

14) ADDITIONAL SPECIAL VARIATION**Department:** Corporate Services**Author:** Director Corporate Services**CSP Link:** 2. Local Governance and Finance**File No:** RV.NO.2

Recommendation:

1. That Council make an application to the Independent Pricing and Regulatory Tribunal (IPART) under section 508(2) of the Local Government Act (1993) for a temporary Additional Special Variation of 2.5% including the population factor; for the 22/23 Operational Plan.
2. In making this application for the Additional Special Variation, Council has undertaken an assessment against the current Long Term Financial Plan, which assumed a 2.5% Rate Peg for 22/23 and noted;
 - a) the additional income that Council will receive if approved compared to that Rate Peg of 0.7% as determined by IPART in December 2021 totals \$167K
 - b) is required to maintain Councils current levels of services and operations to the Blayney Shire
 - c) that Council has considered the impact on ratepayers and the community in 2022/23 Operational Plan and future years and that the impact is reasonable.

Reason for Report:

For Council to endorse the application for an Additional Special Variation (ASV).

Report:

The Office of Local Government released a Circular outlining the process for ASV applications for 2022/23 following the announcement by IPART of a 0.7% rate peg.

Council has the ability to demonstrate its need for a special variation to meet the obligations they set for 2022/23 in their 2021/22 Integrated Planning and Reporting (IP&R) documentation. In the current LTFP and Delivery Program in previous years, Council had used a forecast of 2.5% in its financial planning as recommended by IPART.

Under the guidelines Council will need to demonstrate that:

- Council has demonstrable financial need such that, in the absence of a special variation, council would not have sufficient funds to meet its obligations as identified in its 2021-22 LTFP as and when they fall due in 2022-23; and
- Council's 2021-22 IP&R documentation budgeted for an income increase above the percentage of 0.7% rate peg; and

- Council has resolved to apply for the special variation under section 508(2) of the Act and that the resolution clearly states:
 - whether the resolution is for a temporary or permanent special variation under section 508(2) of the Act; and
 - the additional income that Council will receive if the special variation is approved; and
 - why the special variation is required; and
 - that the council has considered the impact on ratepayers and the community in 2022-23 and, if permanent, in future years if the special variation is approved and considers that it is reasonable.

The ASV application process is a simpler more targeted application process. IPART will not require council to demonstrate community consultation outside of the processes outlined above. To demonstrate community consultation, IPART will consider the consultation undertaken through the IP&R process and consider the resolution to apply for a ASV meets the requirements outlined above.

Under this ASV round of applications IPART will:

- Accept applications until 29 April 2022;
- Publish applications to enable community consultation for a period of at least three weeks; and
- Notify Councils of its decision no later than 21 June 2022.

An assessment of the impact on ratepayers in the 22/23 Operational Plan is outlined in the following table, comparing the 0.7% to 2.5% Rate Peg increase as proposed. The increase of rates from 0.7% to 2.5% upon ratepayers and community in 2022/23 and future years is considered reasonable.

Name of Category/Sub Category	Average Rate 2021/2022	Average Rate 2022/2023 0.7%	Average Rate 2022/2023 2.5%
Residential			
Ordinary Rate	\$ 700.87	\$ 705.38	\$ 718.02
Sub Category - Blayney & Carcoar	\$ 719.17	\$ 723.74	\$ 736.04
Sub Category - Millthorpe	\$ 720.28	\$ 725.28	\$ 737.91
Business			
Ordinary Rate	\$ 1,092.54	\$ 1,099.58	\$ 1,119.27
Sub Category - Business Blayney,	\$ 1,262.81	\$ 1,270.95	\$ 1,293.71
Sub Category - Business , Millthorpe & Carcoar	\$ 1,286.76	\$ 1,295.06	\$ 1,318.25
Farmland			
Ordinary Rate	\$ 3,100.23	\$ 3,120.27	\$ 3,176.09
Mining			
Ordinary Rate	\$ 17,461.81	\$ 17,574.44	\$ 17,889.06
Sub Category - Mining Gold			
Sub Category - Mining Gold / Copper Combined	\$ 4,589,057.00	\$4,618,656.00	\$ 4,701,350.70

Risk/Policy/Legislation Considerations:

Part 2 of the Local Government Act provides legislative reference around limit of annual income from rates and charges for councils.

Budget Implications:

In the 2021/22 – 2024/25 Delivery Program Council provided for an increase to Rates and Charges of 2.5% (approx. \$232K). This is based on the assumptions made in the 2018/19 – 2027/28 Long Term Financial Plan. The rate peg announcement of 0.7% (approx. \$65K) Council has the potential for Council to have a shortfall of \$167K in its 2022/23 budget prior to commencement. The ASV will provide Council the avenue to propose its budget with rate income as forecast, negating the need for reductions to expenditure and services.

Enclosures (following report)

- | | | |
|---|--|---------|
| 1 | Guidelines for Additional Special Variation (ASV)
Process for 2022/23 | 3 Pages |
|---|--|---------|

Attachments (separate document)

Nil



Office of
Local Government

Circular to Councils

Circular Details	22-03 / 7 March 2022 / A811946
Previous Circular	20-38 Special Rate Variation and Minimum Rate Variation Guideline and Process
Who should read this	Councillors / General Managers / Rating and Finance Staff
Contact	Policy Team / 02 4428 4100 / olg@olg.nsw.gov.au
Action required	Information

Subject

Guidelines for Additional Special Variation (ASV) Process for 2022-23

What's new or changing

- The Independent Pricing and Regulatory Tribunal (IPART) will accept and process an additional round of 2022-23 Special Variation (ASV) applications from councils.
- For applications made under the ASV process, the ASV Guidelines set out in this circular apply in place of the [Guidelines for the preparation of an application for a special variation to general income](#) issued by the Office of Local Government in 2020.
- For more information on when these ASV Guidelines apply, please see 'What this will mean for your council' below.
- This one-off ASV round is available for the 2022-23 financial year only.
- This one-off ASV round is for councils that can demonstrate the need for a special variation to meet the obligations they set for 2022-23 in their 2021-22 Integrated Planning and Reporting (IP&R) documentation.
- Councils seeking a permanent special variation will also need to demonstrate the financial need for the special variation to be included in their rate base on an ongoing basis.
- Separately, IPART has also agreed to undertake a broader review of its rate peg methodology, including the Local Government Cost Index, with outcomes from the review expected to shape rate peg determinations in future years.

What this will mean for your council

- The ASV Guidelines set out in this Circular apply where council is applying for:
 - a temporary or permanent single year special variation for 2022-23 under section 508(2) of the *Local Government Act 1993* (the Act), AND
 - the percentage sought in the application is the lower of:
 - 2.5% (including population factor) or
 - the council's assumed 2022-23 rate peg as exhibited in its 2021-22 Long Term Financial Plan (LTFP) (including population factor)

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- For ASV applications made under the Guidelines set out in this Circular, councils will need to demonstrate that:
 - Council has demonstrable financial need such that, in the absence of a special variation, council would not have sufficient funds to meet its obligations as identified in its 2021-22 LTFP as and when they fall due in 2022-23; and
 - Where councils are applying for a permanent special variation, in addition to the above criterion, the council has demonstrable financial need for the special variation to be retained in its rate base on an ongoing basis; and
 - Council's 2021-22 IP&R documentation budgeted for an income increase above the percentage specified for the council for 2022-23 under section 506 of the Act; and
 - Council has resolved to apply for the special variation under section 508(2) of the Act and that the resolution clearly states:
 - whether the resolution is for a temporary or permanent special variation under section 508(2) of the Act; and
 - the additional income that council will receive if the special variation is approved; and
 - why the special variation is required; and
 - that the council has considered the impact on ratepayers and the community in 2022-23 and, if permanent, in future years if the special variation is approved and considers that it is reasonable.
- The ASV application process will be a simpler more targeted application process.
- IPART will not require councils to demonstrate community consultation outside of the processes outlined above. To demonstrate community consultation, IPART will consider the consultation undertaken through the IP&R process and consider the resolution to apply for a ASV meets the requirements outlined above.
- IPART will release streamlined application forms and further information shortly.
- Under this ASV round of applications:
 - IPART will accept applications until 29 April 2022;
 - IPART will publish applications to enable community consultation for a period of at least three weeks; and
 - IPART will notify councils of its decision no later than 21 June 2022.

Key points

- In late 2021, IPART announced the rate peg for the 2022-23 financial year was set at an increase of between 0.7% and 5.0%.
- Special variations provide an opportunity for councils to vary general income by an amount greater than the annual rate peg. However IPART's normal period for special variation applications in relation to the 2022-23 rate peg has now passed.
- The Office of Local Government and IPART recognise that, due to the delayed council elections and the determination of the 2022-23 rate peg at a lower rate than councils had forecast, councils may not have had sufficient time to prepare special variation application within the normal timeframe.

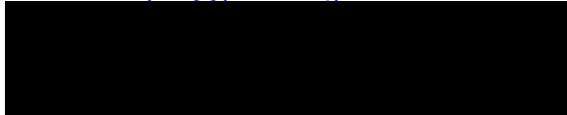
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This may result in some councils not having sufficient funds to pay for required infrastructure and services.

- As such the NSW Government and IPART have agreed to a one-off ASV round for the 2022-23 financial year only.
- This process is not intended to address applications from councils that require a special variation (above 2.5%) to achieve long term financial sustainability for reasons other than those set out in the criteria above, which should be addressed through the standard special variation process.
- Application forms, information papers, and submission details will be published shortly on [IPART's website](#).

Where to go for further information

- For further information please contact IPART on 02 9290 8400 or by email to ipart@ipart.nsw.gov.au.



Melanie Hawyes

Group Deputy Secretary, Crown Lands and Local Government

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15) LEASE OF INDUSTRIAL LAND FOR AGISTMENT PURPOSES**Department:** Corporate Services**Author:** Director Corporate Services**CSP Link:** 3. The Local and Visitor Economy**File No:** PM.TN.10

Recommendation:

That Council lease industrial land for the period ending 29 February 2024 with a 1 year option to the following party:

Lease lot 8: 31 Gerty Street (part Lot 2 DP 881155): C.Haynes \$2,500p.a.

Reason for Report:

For Council to consider an expression of interest received for Lease of Industrial Land for Agistment Purposes recently vacated.

Report:

Council was recently given notice by a lessee on Lease Lot 8, ex-Saleyards Paddocks, Gerty Street (part Lot 2 DP 881155) in the Industrial Area. Council advertised Expressions of Interest for Lease of Industrial Land for Agistment Purposes in February 2022. Council advertised this lot with a guide price of \$1,400 per annum based on the previous lease.

Council received 3 expressions of interest for this land with the highest offer being at \$2,500 per p.a. The proposed lessee has also indicated that they have had previous experience with leasing of land with provision of details for 2 referees provided.

The lease is set for up for fixed period of up to 3 years with a common expiry with other leases of 29 February 2024 and a 1 year option. Lease charges are indexed annually based on the All Australian Weighted Consumer Price Index published for the December quarter.

A condition of leasing this land is that 4 weeks' notice can be given to the lessee to vacate if Council has an interested party to purchase or lease land for a commercial purpose.

The leasing of land assists Council with management of land for fire and weeds while affording the opportunity for interested parties to obtain access to the land for animal grazing.

Risk/Policy/Legislation Considerations:

Should Council choose not to allocate this lease a program of maintenance of land will be required to manage weeds and fire hazards.

Budget Implications:

Income generated will help to offset expenditure associated with land held including insurance and land rates.

Enclosures (following report)

Nil

Attachments (separate document)

Nil

16) NAIDOC WEEK SCHOOLS INITIATIVE**Department:** Corporate Services**Author:** Director Corporate Services**CSP Link:** 4. Community, Sport, Heritage and Culture**File No:** CR.SD.2

Recommendation:

That Council support the request for sponsorship from NAIDOC for the for a NAIDOC Week Initiatives contribution and approve an amount of \$450 be included in the 3rd Quarter Budget Review for this purpose.

Reason for Report:

To inform Council on a request for financial assistance from NAIDOC for a NAIDOC Week School Initiatives program.

Report:

Council is in receipt of a request for sponsorship from NAIDOC for the for a NAIDOC Week Schools Initiatives program. The amount of sponsorship sought is \$450.

NAIDOC provide an educational component to NAIDOC Week celebrations and has promoted respect and harmony within schools and communities. The NAIDOC Schools Initiative involves delivery of the program to schools in the Blayney local government area. It looks at the personal development and well being through connecting people to Indigenous experiences of culture and reconciliation, it involves community participation as well as relationship building and connections through partnerships.

The aim of these initiatives is to provide students with a greater understanding on the importance of friendship and cultural diversity. The competitions reflect Aboriginal ancestry and promote the growth of positive attitudes in all students towards Aboriginal people. They are broadly based around each year's national NAIDOC theme.

Risk/Policy/Legislation Considerations:

The application was tabled at the last meeting of the Financial Assistance Program Committee and was considered to be outside of the scope of the Financial Assistance Policy and referred for consideration under Youth Week Grants program. Regrettably, it does not fit the criteria for Youth Week based on timing.

Budget Implications:

Council does not have an allocated budget within Youth Services for this purpose in the 2021/22 Operational Plan. Should Council choose to approve this request it may opt to fund approval from the Community Financial Assistance Program unspent funding or from within General Fund.

The approval of this program will require an amount of \$450 to be approved in the 3rd Quarter Budget Review.

Enclosures (following report)

Nil

Attachments (separate document)

1 NAIDOC Request

22 Pages

17) DIRECTOR INFRASTRUCTURE SERVICES MONTHLY REPORT**Department:** Infrastructure Services**Author:** Director Infrastructure Services**CSP Link:** 1. Public Infrastructure and Services**File No:** GO.ME.1

Recommendation:

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

Reason for Report:

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

Report:**Topical Matters****IPWEA NSW and ACT State Conference and Engineering Excellence Awards**

The Director (President IPWEA), Manager Assets and Cadet Engineer recently attend the IPWEA Conference at Parliament House in Canberra, where a diverse range of presentations and keynote speeches were made. Topics included the skills and capacity challenges the engineering sector and local government finds itself in, climate change and the need to plan and fund improved resilience from natural disasters in light of the 2019 bushfires, and repeated flooding in the past year, road safety and asset management.

Cadet Engineer William Douglas was the recipient of a Municipal Engineering Foundation scholarship that funded his attendance at the conference, offering him the opportunity to meet with his fellow Young IPWEA members, who he has been meeting with in a virtual environment since his commencement at Blayney, and develop his network. Will also chaired a session in a very professional way, considering his inexperience in such a setting.

Mainstreet Plans

Council has received the latest version of the Blayney Mainstreet Masterplan and this has been shared with the Blayney Town Association. A separate report is provided for Council consideration to place on public exhibition.

Place Design Group have undertaken the requested changes to the Millthorpe Village Centre Masterplan incorporating the community feedback and survey results. Place Design will participate in a second stakeholder online session with the Millthorpe Village Committee, when a suitable time is arranged before the finalised concepts are presented to Council for the next public exhibition phase.

Storm Damage

Council staff recently met with the civil contractor for the Flyers Creek Windfarm, to discuss the way forward to ensure repairs to the culvert under Gap Road at its intersection with Errowanbang Road, are suitable for the windfarm Over Size/Over Mass transport task, and undertaken in a timely fashion.

The scale of works has been agreed upon, and culverts ordered from the manufacturer. These are not anticipated to be delivered before mid – late April.

Bulk Streetlight LED Replacement

Councillors may recall that in September 2021, Essential Energy undertook a bulk streetlight replacement program, replacing existing luminaires with LED luminaires.

The project took approximately 4 weeks to deliver, and minor modifications have been made to address shadowing and light spill issues when they have been brought to Councils attention.

A recent review of consumption data has revealed the positive aspects of the project. January 2021 monthly energy consumption was approximately 25,000 KWh, and in January 2022 this had dropped to 10,600 KWh, a saving of 14,400 KWh, saving Council approximately \$5,500.

Major Contracts

KGO Change Rooms

The northern and southern change rooms are progressing well, with both change rooms having the structural steel completed for the walls and the block work placed. Weather permitting the roof should be installed by 18 March 2022. After this, the internal fit out works will begin.

Gallymont Road Bridge

As a result of wet weather delays and engagement with local landholders requiring access, the project has been postponed by Council until April 2022, with completion scheduled for mid-June.

Leabeater Street Bridge

Council has engaged the contractor and a detailed design is underway.

Lucan Road Bridge

Council has engaged the contractor and a detailed design is underway.

Boondaroo Road Bridge

Design has been progressed enough to enable the commencement of precast component manufacture. With the extensive lead time on materials and manufacture, it is not expected that the contractor will mobilise to site until July. In the meantime there has been progress by a specialist ecologist in locating and controlling native fauna as per the Review of Environmental Factors.

Major Works**Panuara Road Reconstruction**

The contractor has commenced works on site and Stage 1 has now been bitumen sealed. Stage 2 has had the subbase stabilised and the base material is currently being imported for construction. It is expected that all three stages will be completed by the end of financial year.

Hobbys Yards Road Repair

Stage 1 works have been completed. Stage 2 works have been bitumen sealed and the line marking contractor is scheduled to complete the work. The heavy patching work between Barry and Hobbys Yards has been stabilised, with some boxing out required due to the existing road pavement not obtaining the strength that was expected during the geotechnical investigation.

Stormwater Drainage – Oliver Street to Frog Hollow

The work from Roseberry Place to Frape Street has been completed with only some concreting and road repairs remaining. Work is now in progress to cross Frape Street and move towards the existing pit in Oliver Street. Road closures and detours will be in place for the duration of this work, with resident notifications issued.

Road Maintenance Works

Road maintenance works including pothole patching, vegetation management, gravel road maintenance and signage works have been undertaken in the Garland, Errowanbang, Browns Creek and Newbridge areas.

Gravel Re-sheeting

Re-sheeting works have recently been undertaken along Dicksons Lane and Gap Road.

Heavy Patching

The heavy patching project on Moorilda Road has been bitumen sealed and is now complete. A heavy patching project on Neville Road is now planned with the stabiliser expected to establish before the end of the month.

Reseals

Council officers will look to allocate remaining funds on priority roads and within the heavy patching works.

Culvert Renewal Program

Works have been completed on Browns Creek and Errowanbang Culverts. The repairs on Hobbys Yards Road culverts have been quantified and works are expected to commence this month.

Footpaths

The footpath program for this financial year is complete, with works currently being planned for next financial year.

Assets

Council staff have completed both the defect and condition inspections of the footpath network. Condition assessments of the kerb and gutter network have commenced.

Staff are preparing a Roads Strategic Plan and working with consultants to review the Active Movement Strategy. These will be used to inform the Transportation Asset Management Plan and the Long-Term Financial Plan.

Parks and Recreation

Parks and Recreation are continuing routine maintenance such as mowing, tree trimming, and whipper snipping within the open space and sporting oval network.

Belubula River Walk – Stage 3

Quotations have been received and reviewed for the boardwalk steel frame & mini-mesh, and installation is programmed for April/May. Delays have been incurred due to current steel supply shortages. A contractor has been engaged to commence geotechnical investigations for the pedestrian bridge.

Redmond Oval Junior Skate Park

The final concrete works have started, and weather permitting, will be completed by 16 March 2022.

Neville Multipurpose Court

All works have been completed, except the installation of a basketball hoop. This should be completed by the end of March 2022.

WastewaterRecycled Water Treatment Plant

Additional funds have been approved to complete outstanding works. The REF (Review of Environmental Factors) has been completed and final works will begin on the 10 March 2022. Commissioning of the Plant will be undertaken between 22 and 23 March.

Fleet and Plant

Workshop staff have been busy performing regular services and repairs on fleet and plant, as well as conducting heavy vehicle assessments.

An analysis of plant is still underway including a review of the fleet replacement program. It has been identified that Council's skid steer will be sold, the proceeds of which will be put towards the purchase of a 5t excavator – which is an item regularly dry hired. This is expected to produce cost savings over the next number of years.

Risk/Policy/Legislation Considerations:

Information report only

Budget Implications:

Information report only

Enclosures (following report)

Nil

Attachments (separate document)

Nil

18) CENTRAL WEST COUNCILS ENVIRONMENT AND WATERWAYS ALLIANCE

Department: Infrastructure Services

Author: Manager Urban Services

CSP Link: 5. The Natural Environment

File No: EM.PR.1

Recommendation:

That Council continues to support and participate with the Central West Councils Environment and Waterways Alliance.

Reason for Report:

To seek Council endorsement of its membership to the Central West Council's Environmental and Waterways Alliance.

Report:

Central West Councils Environment and Waterways Alliance is a partnership of 18 councils across the Central West of NSW. The Alliance exists to improve environmental outcomes across the region. A Project Support Officer supports Councils with on-ground works, grant funding opportunities, project development and management.

This provides the Alliance with a critical resource, increasing its effectiveness in reaching the aims and objectives identified in forward planning documents which include the Alliance Strategic Plan and Council Community Strategic Plans. The Project Support Officer is not an employee of the Alliance or any of the member Councils, but rather an independent consultant engaged by Gilgandra Shire Council.

In 2021 the Alliance developed new Strategic and Operational Plans to guide works into the future.

- Water and Waterways
- Biodiversity
- Land
- People and Communities
- Towards Sustainability
- Council Capacity
- Respecting Country and First Nations Knowledge

The first six strategies align with the existing Regional State of the Environment Reporting of which Blayney Shire Council is also involved. The seventh Priority has been included in 2021 to acknowledge and pay our respects to the traditional custodians of the lands on which we live, work and play, while recognising the extraordinary knowledge and history of land management that has continued across Australia for tens of thousands of years.

The first Conservation in Action Conference held in partnership with Central Tablelands Local Land Services and Central Tablelands Landcare in 2018 attracted 150 delegates with this number forecast to be exceeded by Conservation in Action 2022. Training and capacity building events are held by the Alliance as a means of investing in positive, long-term environmental outcomes for the region.

Grant funding specifically for Alliance member councils is awarded on a competitive basis by the Alliance. In 2021 a small grants program distributed \$40,000 to member councils in this manner. Blayney Shire Council received \$5,000 to construct a Mini wetland and plant trees at the end of Church Street Blayney. This project will improve water quality in the Belubula River and will add value to the River Walk Project. A survey of the project site was recently completed and a concept design is currently being prepared.

Risk/Policy/Legislation Considerations:

Nil

Budget Implications:

Council's annual membership to the Alliance is \$2,000 which is fixed for each year of the three-year membership agreement. Council's adopted budget includes a provision to cover the costs of this membership.

Enclosures (following report)

Nil

Attachments (separate document)

Nil

19) PESTICIDE NOTIFICATION PLAN**Department:** Infrastructure Services**Author:** Director Infrastructure Services**CSP Link:** 1. Public Infrastructure and Services**File No:** EM.PO.2**Recommendation:**

That the Pesticide Notification Plan be placed on public exhibition for a period of not less than 28 days.

Reason for Report:

For Council to endorse the Notification Plan for Pesticide Use, for public exhibition.

Report:

Council has undertaken a review of the Notification Plan for Pesticide Use (the plan), to ensure its alignment with the Pesticides Regulation 2017.

Council has an obligation to ensure that pesticides and herbicides are applied in a safe, responsible manner, without harm to the community or environment.

The plan:-

- lists the public places where Council uses pesticides.
- describes the ways in which Council will notify people about its pesticide use in those places.

In accordance with the Regulation, Council cannot use pesticides in public places unless

- a pesticide use notification plan has been prepared in consultation with the community
- the plan has been finalised, advertised and made publicly available
- notice has been given in accordance with the plan.

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

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

Risk/Policy/Legislation Considerations:

Adoption of the policy will address an action from the Environment and Cultural Heritage risk in Councils Strategic Risk Register.

Budget Implications:

Nil

Enclosures (following report)

1 Draft Pesticide Use Notification Plan

15 Pages

Attachments (separate document)

Nil



Notification Plan for Pesticide Use

Procedure	
Officer Responsible	Director Infrastructure Services
Last Review Date	29 November 2021

Procedure

Table of Contents

1.	Definitions	3
2.	Introduction	3
3.	Public Places Covered By This Plan.....	4
4.	Notification Arrangements	7
5.	How and When Information Will Be Provided.....	8
	Public parks, garden areas and playgrounds	8
	Sporting fields and ovals	8
	Road and laneway verges.....	8
	Pathways	9
	Bush/regeneration Reserves	9
	Drains, wetlands and waterways.....	9
	Camping areas.....	9
	Showgrounds	10
	Swimming pool buildings and grounds	10
	Cemeteries	10
	Wastewater treatment plant and other facilities	10
	Council buildings.....	11
	Sensitive Places	11
	Notification of emergency pesticide applications	11
6.	What Information Will Be Provided	12
7.	How The Community Will Be Informed Of This Plan	12
8.	Future Reviews Of The Plan.....	12
9.	Record Keeping	13
10.	Contact Details	13
	Annexure A – Sensitive Places List.....	14
	Annexure B – Notification	15

1. Definitions

Pesticide – any substance or mixture of substances used to destroy, suppress or alter the life cycle of any pest. These include herbicides, insecticides, fungicides & rodenticides.

Sensitive Places – in accordance with the Pesticides Regulation 2017 a sensitive place is defined to be any of the following:-

- A school, pre-school, kindergarten, or childcare centre,
- A hospital, community health centre, or nursing home,
- Or any place declared to be a sensitive place by the NSW Environmental Protection Authority.

2. Introduction

This pesticide use notification plan has been prepared in accordance with the requirements of the Pesticides Regulation (2017) (the Regulation).

The aim of this Plan is to meet the community's general right to know about pesticide applications made to outdoor public places that are owned or controlled by Blayney Shire Council. The plan allows members of the community to take action to avoid contact with pesticides, if they wish.

The term 'pesticide' is applied to chemicals used to kill pests and minimise their impact on agriculture, health and other human interests. Pesticides are often classified according to the organisms which they are used to control, eg as fungicides, herbicides, insecticides, molluscicides, nematocides, rodenticides, algaecides etc.

Council aims to ensure that staff and contractors adopt best management practices in the application of pesticides to public places minimising harm to the community or the environment. Examples of best management practices involve using pesticides only for the purpose described on the product label and all the instructions on the label are followed, observing the weather conditions at the control site, continual observance of the general public at the control site, taking care to protect their own health and the health of others while using a pesticide (wearing the appropriate personal protective equipment etc), making every reasonable attempt to prevent damage occurring from the use of a pesticide and keeping records of application.

The majority of pesticide used by Council staff and contractors consists of the application of herbicides for weed control (noxious weeds and grass on town streets etc) and application of insecticides to manage insect pests (Spiders etc). The seasonal conditions and prevailing weather conditions have a major influence on any control work carried out.

The plan sets out how Council will notify members of the community when required of pesticide applications it makes or allows to be made to public places that it owns or controls.

The plan describes;

- what public places are covered by the plan,

- who regularly uses these public places and an estimated level of use,
- how and when Council will provide the community with information about its pesticide applications in public places,
- how the community can access this plan and get more information about Council's notification arrangements,
- how future reviews of the plan will be conducted,
- contact details for anyone wishing to discuss this plan with Council staff.

3. Public Places Covered By This Plan

Council proposes to use or allow the use of pesticides in the following categories of outdoor public places that it owns or controls in the Blayney Shire Council Local Government Area:

- public parks, gardens areas and playgrounds,
- sporting fields and ovals,
- playgrounds,
- road and laneway verges,
- laneways and pathways,
- bush/regeneration reserves,
- drains, wetlands and waterways
- camping areas,
- showgrounds,
- swimming pool buildings and grounds,
- cemeteries,
- waste water treatment plant and other facilities,
- Council buildings.

Blayney Shire Council's estimate of the level of community use, regular user groups and types of pesticide use in each of these categories of public places is summarised in the following table.

Public places or owned controlled by Council	Regular user groups	Level of use of public place	Type of pesticide use
Public parks, garden areas and playgrounds	<ul style="list-style-type: none"> • Council maintenance staff • Young families with children • Elderly people • General recreational users (joggers, dog walkers, picnickers) 	Medium to High (frequent use by multiple users with short to medium stays)	<ul style="list-style-type: none"> • BIO- Active Roundup • Mortien spray insecticide • spot spray fungicide • broadscale selective herbicides • broadscale spraying insecticides
Sporting fields and ovals	<ul style="list-style-type: none"> • Council maintenance staff • Sporting clubs & associations • School groups • General recreational users (joggers, dog walkers) • Spectators 	Low to Medium	<ul style="list-style-type: none"> • BIO- Active Roundup • spot spray fungicide • broadscale herbicides • broadscale insecticides
Road & laneway verges	<ul style="list-style-type: none"> • Council maintenance staff • Adjoining landholders & residents • General users (dog walkers, cyclists & joggers) 	Low to Medium	<ul style="list-style-type: none"> • BIO- Active Roundup • broadscale herbicides • broadscale insecticides
Pathways	<ul style="list-style-type: none"> • Council maintenance staff • General users (joggers, dog walkers, & cyclists) 	Medium to High	<ul style="list-style-type: none"> • BIO- Active Roundup
Bush/regeneration reserves	<ul style="list-style-type: none"> • Landcare/Bushcare Groups • Council maintenance staff • General recreational users (joggers, dog walkers) • School groups • Animals 	Low to Medium	<ul style="list-style-type: none"> • BIO- Active Roundup

Public places owned or controlled by Council	Regular user groups	Level of use of public place	Type of pesticide use
Drains, wetlands and waterways	<ul style="list-style-type: none"> • Council maintenance staff • Local residents living adjacent to a drain or waterway • School groups • General users (joggers and dog walkers) 	Low to High	<ul style="list-style-type: none"> • BIO- Active Roundup
Camping areas	<ul style="list-style-type: none"> • Council maintenance staff • Young families and children • Elderly people • General recreational users (joggers, dog walkers) • Holiday makers • Animals 	High to Very High (frequent use by multiple users)	<ul style="list-style-type: none"> • BIO- Active Roundup
Showgrounds	<ul style="list-style-type: none"> • Council maintenance staff • sporting and equestrian clubs • show societies • families • Animals 	Low to Medium	<ul style="list-style-type: none"> • BIO- Active Roundup
Swimming pool buildings and grounds	<ul style="list-style-type: none"> • Council maintenance staff • Young families and children • School groups • Holiday makers 	Low to High	<ul style="list-style-type: none"> • BIO- Active Roundup
Cemeteries	<ul style="list-style-type: none"> • Council maintenance staff • Elderly people • Young families and children • Animals 	Low to Medium	<ul style="list-style-type: none"> • BIO- Active Roundup • broadscale herbicides • vermin control (baiting rabbits etc)

Public places owned or controlled by Council	Regular user groups	Level of use of public place	Type of pesticide use
Waste water treatment plant & other facilities Pump stations and deodorising beds	<ul style="list-style-type: none"> • Council maintenance staff • Couriers • School groups • Maintenance contractors 	Low to Medium	<ul style="list-style-type: none"> • BIO- Active Roundup • Brush-Off woody weed herbicide • broadscale selective herbicides
Exteriors and interiors of Council buildings	<ul style="list-style-type: none"> • Council Staff • Couriers • Customers • Elderly people • Young families and children • General members of the public • School groups 	Low to High	<ul style="list-style-type: none"> • Mortien spray insecticide
Blayney Waste Management Facility	<ul style="list-style-type: none"> • Council Staff maintenance staff • General Public Contractors 	Low to Med	<ul style="list-style-type: none"> • BIO- Active Roundup • Mortien spray insecticide • Feral Animal control

4. Notification Arrangements

This section of the plan describes how and when Blayney Shire Council will provide notice of pesticide use in public places, including special measures for sensitive places that are adjacent to public places, arrangements for emergency pesticide applications and circumstances where notice will not be given.

These notification requirements are based on Blayney Shire Council's, assessment of:

- The level of usage of public places where pesticides may be used.
- The extent to which members of the public who are most likely to be sensitive to pesticides and are likely to use these areas regularly.
- The extent to which activities generally undertaken in these areas could lead to some contact with pesticides (such as picnic areas, sporting or other recreational activities that result in contact with the ground).
- Type of pesticides used.

5. How and When Information Will Be Provided

Notification will be as follows;

Public parks, garden areas and playgrounds

For public parks & garden areas, no notice will be provided unless specifically requested. Staff or contractors are not to allow public to enter treated areas until spray has dried. Staff and contractors will adopt best management practices taking into account the particular conditions of each site requiring the application of pesticide.

Application of pesticides include;

- Bio-active Roundup (garden beds, gravel paths, broadleaf weeds etc).
- Mortien spray insecticide (Spiders etc).
- Spot spray fungicide (applied to plants and tubers etc).
- Broadscale herbicide (broadleaf weeds etc).
- Broadscale insecticide (turf eating insects like African Black Beetle etc).

Sporting fields and ovals

For sports fields and ovals, no notice will be provided unless specifically requested. Staff or contractors are not to allow public to enter treated areas until spray has dried. Staff and contractors will adopt best management practices taking into account the particular conditions of each site requiring the application of pesticide.

Application of pesticides include;

- Bio-active Roundup (garden beds, gravel paths, broadleaf weeds etc).
- Mortien spray insecticide (Spiders etc).
- Spot spray fungicide (applied to turf areas etc).
- Broadscale herbicide (broadleaf weeds etc).
- Broadscale insecticide (turf eating insects like African Black Beetle etc).

Road and laneway verges

For road verges and reserves, no notice will be provided unless specifically requested. Staff or contractors are not to allow public to enter treated areas until spray has dried. Staff and contractors will adopt best management practices taking into account the particular conditions of each site requiring the application of pesticide. Areas adjacent to sensitive areas such as outside schools, preschools, hospitals etc will be treated early in the morning and outside school hours. Herbicide treatment adjacent to vineyards and orchards will be carried out prior to bud swell or after the fruit has finished avoiding non-target spray drift damage.

Application of pesticides include;

- Bio-active Roundup (noxious weeds, tree sites & nuisance weeds etc).
- Mortien spray insecticide (Spiders etc).
- Boom spraying (vegetation growth on road shoulders).

Pathways

In pathways, no notice will be provided unless specifically requested. Pathways adjacent sensitive area such as schools, preschools, hospitals etc will be treated early in the morning and outside school hours. Staff or contractors are not to allow public to enter treated areas until spray has dried. Staff and contractors will adopt best management practices taking into account the particular conditions of each site requiring the application of pesticide.

Application of pesticides include;

- Bio-active Roundup (noxious weeds & nuisance weeds etc).
- Mortien spray insecticide (European Wasps etc).

Bush/regeneration Reserves

In reserves, no notice will be provided unless specifically requested. Staff or contractors are not to allow public to enter treated areas until spray has dried. Herbicide treatment adjacent to vineyards and orchards will be carried out prior to bud swell or after the fruit has finished avoiding non-target spray drift damage. Staff and contractors will adopt best management practices taking into account the particular conditions of each site requiring the application of pesticide.

Application of pesticides include;

- Bio-active Roundup (noxious weeds, tree sites & nuisance weeds etc)
- Mortien spray insecticide (European Wasps etc).

Drains, wetlands and waterways

In drains and other easements, no notice will be provided unless specifically requested. Staff or contractors are not to allow public to enter treated areas until spray has dried. Staff and contractors will adopt best management practices taking into account the particular conditions of each site requiring the application of pesticide.

At the Blayney Wetlands, no notice will be provided unless specifically requested. Staff or contractors are not to allow public to enter treated areas until spray has dried. Staff and contractors will adopt best management practices taking into account the particular conditions of each site requiring the application of pesticide.

When baiting of vermin such as rabbits, staff and contractors will adhere to all conditions (including signage) for that particular pesticide.

Application of pesticides include;

- Bio-active Roundup (noxious weeds, tree sites & nuisance weeds etc)
- Mortien spray insecticide (European Wasps etc)
- Boom spraying (broadleaf weeds).
- Baiting vermin.

Camping areas

At camping areas, no notice will be provided unless specifically requested. Staff or contractors are not to allow public to enter treated areas until spray has dried. Staff and

contractors will adopt best management practices taking into account the particular conditions of each site requiring the application of pesticide.

Application of pesticides include;

- Bio-active Roundup (fence lines, tree sites & nuisance weeds etc)
- Mortien spray insecticide (European Wasps etc)

Showgrounds

In the showgrounds, no notice will be provided unless specifically requested. Staff or contractors are not to allow public to enter treated areas until spray has dried. Staff and contractors will adopt best management practices taking into account the particular conditions of each site requiring the application of pesticide.

Application of pesticides include;

- Bio-active Roundup (noxious weeds, paths, tree sites & nuisance weeds etc)
- Broadscale herbicide (broadleaf weeds etc)
- Mortien spray insecticide (European Wasps etc)

Swimming pool buildings and grounds

At the swimming pool, no notice will be provided unless specifically requested. Staff or contractors are not to allow public to enter treated areas until spray has dried (spray during hours of closure). Staff and contractors will adopt best management practices taking into account the particular conditions of each site requiring the application of pesticide.

Application of pesticides include;

- Bio-active Roundup (fence lines, tree sites & nuisance weeds etc).
- Mortien spray insecticide (Spiders etc).

Cemeteries

At the cemeteries, no notice will be provided unless specifically requested. Staff or contractors are not to allow public to enter treated areas until spray has dried. Staff and contractors will adopt best management practices taking into account the particular conditions of each site requiring the application of pesticide. When baiting of vermin such as rabbits, staff and contractors will adhere to all conditions (including signage) for that particular pesticide.

Application of pesticides include;

- Bio-active Roundup (noxious weeds, tree sites & nuisance weeds etc).
- Mortien spray insecticide (European Wasps etc).
- Baiting vermin.

Wastewater treatment plant and other facilities

At the sewerage treatment plant, due to its remote location and restricted access to the public, no notice will be provided unless specifically requested.

Other wastewater facilities shall be considered in the context of their surrounding environment, and those provisions as outlined above shall be used.

Staff or contractors are not to allow public to enter treated areas until spray has dried. Staff and contractors will adopt best management practices taking into account the particular conditions of each spray site requiring the application of pesticide.

Application of pesticides include;

- Bio-active Roundup (nuisance weeds etc).
- Mortein spray insecticide (European wasps etc).

Council buildings

At all Council buildings, no notice will be provided unless specifically requested. Staff or Contractors are not to allow staff or the public to enter treated areas until spray has dried. Staff and contractors will adopt best management practices taking into account the particular conditions of each spray site requiring the application of pesticide.

Application of pesticides include;

- Bio-active Roundup (nuisance weeds etc).
- Mortein spray insecticide.

Note:-

Where certain pesticide applications occur outside or next door to an adjoining Sensitive Place, notice is to be provided with at least 5 working days' notification prior to targeted application.

Sensitive Places

No notification will be provided unless specifically requested, or the pesticide requires special notification measures to be taken. Kerb and gutters adjacent to a Sensitive Place such as schools, preschools, hospitals and nursing homes will be notified one week prior to work being carried out, and will be treated when the least amount of foot traffic occurs, where possible. Staff and contractors will adopt best management practices taking into account the particular conditions of each site requiring the application of pesticide.

Sensitive places in the Blayney Shire Council Local Government Area are listed in **Annexure A**.

Notification of emergency pesticide applications

In cases where emergency pesticide applications in public places are required to deal with biting or dangerous pests such as wasps, bees, venomous spiders, fleas, bird mites or rodents (that pose an immediate health hazard), Blayney Shire Council or its contractor will, where possible, provide notice by posting signs nearby or other notification as stated by the pesticide product label, at the time of application. Signs (where erected) will remain in place until the application has been completed or as per product label requirements.

If no such notice exists on the product label, Blayney Shire Council will door-knock in that sensitive place and advise people of Council's actions.

Pesticide contractors and lessees of public places

Where Blayney Shire Council uses contractors to apply pesticides on its behalf, Council will ensure that notification is made in accordance with the notification requirements of this plan.

Where persons or organisations hold an existing lease on Blayney Shire Council land that remains a public place and if they use pesticides in this area, Council will still require notification in accordance with the requirements of this plan.

6. What Information Will Be Provided

In accordance with clause 41 (h) of the Pesticides Regulation 2017, notice of pesticides use will include the following information:

- the full product name of the pesticide to be used, and
- the purpose of the use, clearly setting out what pest or pests are being treated, and
- the proposed date/s or date range of the pesticide use, and
- the places where the pesticide is to be used, and
- contact telephone number and email address of the Council officer who people can contact to discuss the notice.

A Notification shall be provided utilising the form at **Annexure B**.

7. How The Community Will Be Informed Of This Plan

Blayney Shire Council will advise residents of this plan and its contents by:

- making a copy of the plan available for viewing, free of charge, at its main office at, Blayney Shire Council, 91 Adelaide St, Blayney.
- placing a copy of the plan on the Blayney Shire Council web site www.blayney.nsw.gov.au.

8. Future Reviews Of The Plan

The notification plan will be reviewed every 5 years or when circumstances require a review of the plan. The review will include:

- a report on progress of implementing the plan,
- placing the plan on public exhibition, with any proposed changes and calling for public submissions,
- in the light of public submissions, make recommendations for alterations (if applicable) to the plan.

9. Record Keeping

Record details will be kept of pesticide applications within 24 hours of using it and an electronic copy will be kept of this record for 3 years.

The specific circumstances of an emergency pesticide application will be kept in records.

10. Contact Details

Anyone wishing to contact Blayney Shire Council to discuss the notification plan or to obtain details of pesticide applications in public places should contact:

Blayney Shire Council
91 Adelaide Street
BLAYNEY NSW 2799
Phone (02) 63682104
www.blayney.nsw.gov.au

End

	Date	Resp. Officer
Created:		DIS
Lasted Reviewed:		
Next Reviewed:		

Annexure A – Sensitive Places List

Name	Type	Address	Telephone
Blayney Public School	Primary School	Lindsay Street, Blayney	6368 2154
Blayney High School	High School	Water Street, Blayney	6368 2100
St Josephs Primary School	Primary School	Adelaide Street, Blayney	6368 2243
Blayney Pre School	Pre School	17 Lindsay Street, Blayney	6368 2601
Blayney Early Learners	Pre School	84 Adelaide Street, Blayney	6368 2401
Millthorpe Little Learning Centre	Pre School	2 George Street, Millthorpe	5301 3117
Carcoar Public School	Primary School	13 Icely Street, Carcoar	6367 3032
Lyndhurst Public School	Primary School	8 Russart Street, Lyndhurst	6367 5016
Mandurama Public School	Primary School	48 Loquat Street, Mandurama	6367 5103
Millthorpe Public School	Primary School	32 Park Street, Millthorpe	6366 3104
Neville Public School	Primary School	8 Crouch Street, Neville	6368 8488
Uralba Retirement Village	Aged Care Facility	5 Eulamore Street, Carcoar	6367 3000
Christ Church Retirement Village	Aged Care Facility	Cnr Church & Henry Streets, Blayney	6368 2065
Lee Hostel Retirement Village	Aged Care Facility	1 Queen Street, Blayney	6368 3388
Blayney District Hospital	Hospital (Public)	Osman Street, Blayney	6368 9000

Annexure B – Notification



Notice of intended pesticide application

To be used when giving prior notice

Date or dates of pesticide use:*

.....
(*A range of dates may be used to cover short-term postponements)

Full name of pesticide product(s):

.....
The pest(s) to be treated are:

.....
Where the pesticide(s) will be applied:

.....
Re-entry period restrictions (if any):

.....
The pesticide will be applied by:

.....
Pest controller contact number(s):

About this notice:

Under the Pesticides Regulation 2017, at least five working days' notice must be provided before a licensed pest management technician (pest controller) uses:

- pesticides to treat any common areas of a multiple-occupancy property
- spray or liquid pesticides adjacent to a sensitive place. See the NSW Environment Protection Authority (EPA) website for more information.

You may request a copy of a safety data sheet for the pesticide(s) from the pest controller.

Date of this notice:

20) BLAYNEY MAINSTREET MASTER PLAN**Department:** Infrastructure Services**Author:** Director Infrastructure Services**CSP Link:** 1. Public Infrastructure and Services**File No:** RP.PL.3

Recommendation:

1. That Council endorse the draft Blayney Mainstreet Master Plan and it be placed on public exhibition for a period of at least 28 days.
2. That a further report, detailing any submissions received, be presented to Council following the conclusion of the exhibition period.

Reason for Report:

For Council to endorse the draft Blayney Mainstreet Masterplan, for public exhibition.

Report:Background

The draft Blayney Mainstreet Master Plan expands upon the Blayney 2020 Master Plan and Implementation Strategy (2016), looking at a number of the proposed projects along the main street and surrounding town centre.

The original 2020 Master Plan was a strategic document, which aimed to “deliver strategies that enhance the economic viability, growth and marketability of Blayney, based on the findings of research into Blayney’s current economic situation and its potential for future growth”.

The Mainstreet Master Plan, looks to implement the previously identified opportunities, and includes overall design strategies, proposed vehicle and pedestrian circulation and connections, material and planting palettes, parking strategies, etc of the town centre of Blayney.

Community Engagement

Council engaged Place Design Group in February 2021.

An initial meeting was held with the Blayney Town Association, Transport for NSW (TfNSW) officers, Councillors and Council staff in attendance in late February 2021, and provided the opportunity for Place Design to undertake a detailed walk through of the project area.

Following preparation of the initial draft concept, and early feedback from Council and TfNSW, Place Design undertook modifications, and a virtual Community Consultation session was delivered on 14 September 2021.

Place Design delivered a presentation on their investigations, thoughts and ideas, with attendees provided with an opportunity to ask questions, express their thoughts and provide alternate options to those presented in the initial draft.

The community engagement session was well attended by Councillors and members of the community. The event was recorded and made available via Council's website for those unable to attend. The Blayney Chronicle also ran an article, including the use of its Facebook page, generating community input.

Following the consultation session, the community was provided the opportunity to provide their thoughts in writing or provide a response to Council's online survey, which closed at the end of November.

Public submissions and survey results were then provided to Place Design Group, and a summary of the positive aspects aligned into the themes of movement and place, which are key focuses of Transport for NSW (TfNSW) and important to ensuring TfNSW remain engaged in the process, and any future outcomes as they relate to speed zones, notably Adelaide Street, and potentially adjoining streets.

Upon finalising the summary sheet, this was provided to the Blayney Town Association, as well as a community Project Update.

Council has now received the final concept documentation. Due to the large size, only the key plans have been included as attachments. The full document can be made available upon request.

As part of Council's commitment to transparency and openness, it is therefore recommended that Council endorse the draft concept Blayney Mainstreet Master Plan for Blayney, and it be placed on public exhibition for 28 days.

Risk/Policy/Legislation Considerations:

Asset Management

Council owns and manages all of the roads included within the project scope area, with the exception of the Blayney Railway Station carpark, and Adelaide Street (travelling lanes from 1m outside the edge lines are maintained by Transport for NSW).

Policy

The Town Centre Master Plan has been developed in consultation with the community and Transport for NSW, and provides Council with clear direction on what the community seeks in the town centre and immediately surrounding streets. It provides evidence for well-developed projects that can be considered shovel ready for grant applications, and where to target future expenditure of funds.

High Pedestrian Activity Area

As the agency in charge of speed zones. TfNSW have independently investigated and determined a suitable extent for a High Pedestrian activity Area (HPAA) 40km/h zone on Adelaide Street, and made contributions toward the consideration of both shared zones and other HPAA (less than 40) on adjoining streets for council to consider.

Budget Implications:

The Masterplan was funded under the NSW Government's Resources for Regions Program, Round 7; which also funded the Blayney Library Stage 2 Plans to DA lodgement stage. Council currently has no funding allocated to the delivery of infrastructure works associated with the Masterplan.

Transport for NSW has provided Council with a funding agreement to undertake the installation of a HPAA 40 zone along Adelaide Street from just north of the railway crossing extending to just South of the Water Street intersection. However further information is being sought on the scope of this work.

Enclosures (following report)

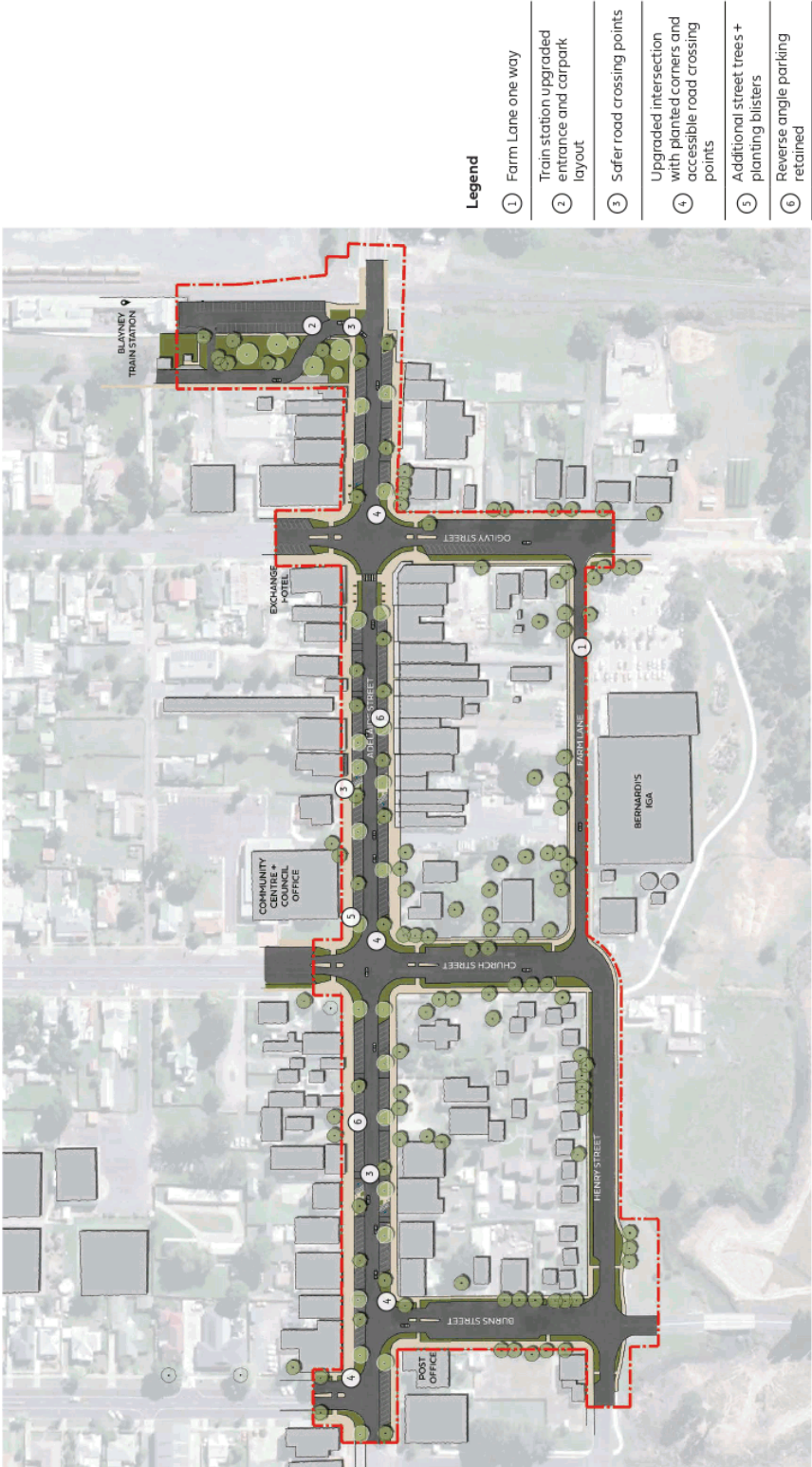
1 Blayney Mainstreet Masterplan

5 Pages

Attachments (separate document)

Nil

Overall Masterplan

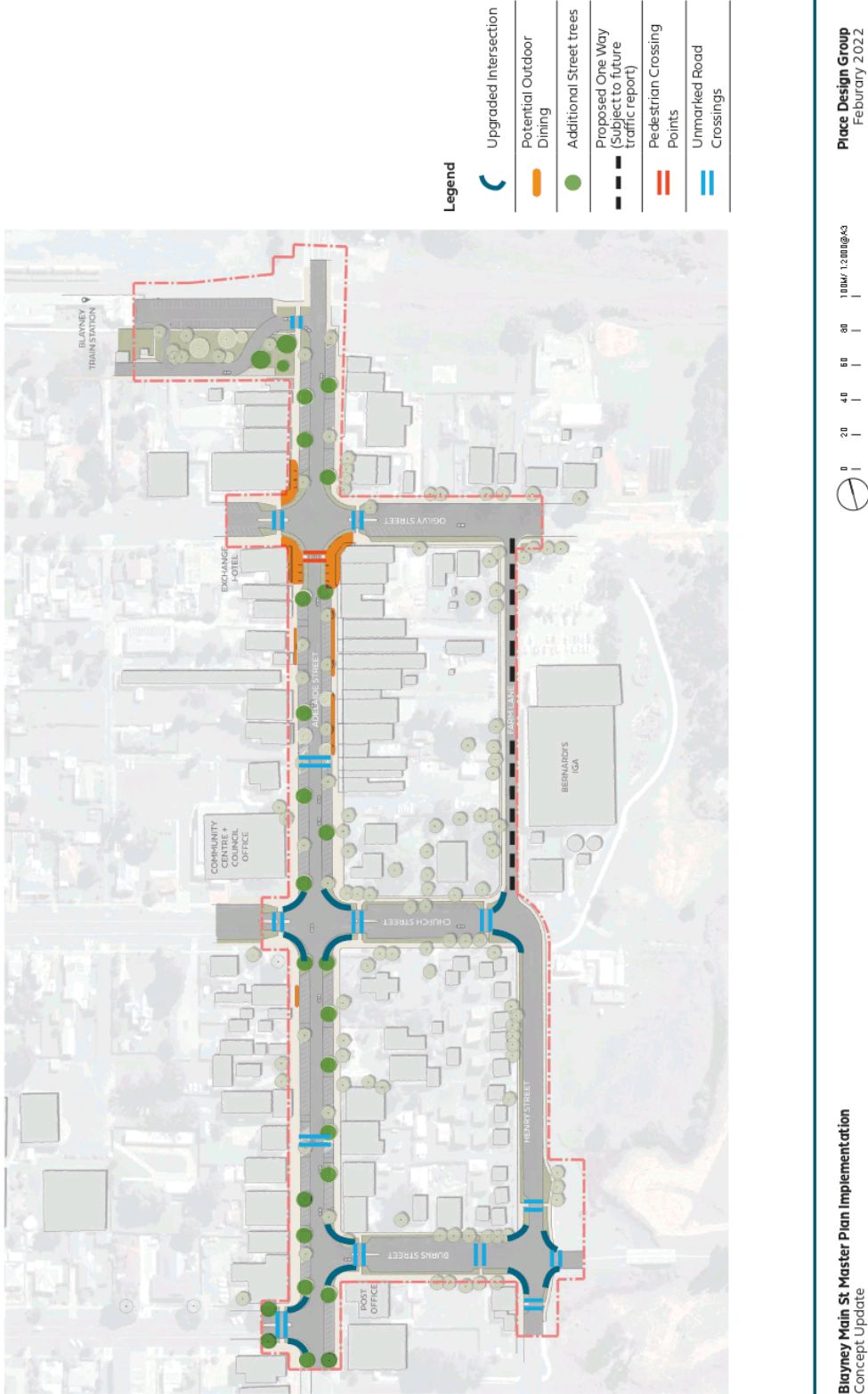


Blayney Main St Master Plan Implementation
Concept Update



Place Design Group
February 2022

Streetscape Improvements: Upgraded Intersections, Additional Street Trees, Outdoor Dining Locations, Accessible Parking, Speed Limit Reduction



Intersection Upgrade



Current Layout



Proposed Layout

- Legend**
- 1 Safer road crossing point incorporating planting + street trees
 - 2 Disabled car parking spot with accessible pram ramp
 - 3 Existing street trees to be retained and planter bed size increased
 - 4 Existing reverse angled parking to be retained
 - 5 Wide planted intersection corners still allowing for large trucks to turn
 - 6 Road crossing point moved away from intersection - improving safety and accessible levels
 - 7 Introduction of a 40km/hr high pedestrian zone

Blayney Main St. Master Plan Implementation
Concept Update



Place Design Group
February 2022

Road Crossing Point



Current Layout



Proposed Layout

Legend

1

safer pedestrian crossing point incorporating planting + street trees

2

Disable car parking spot with accessible pram ramp

3

Existing street trees to be retained and planter bed size increased

4

Existing reverse angled parking to be retained

5

Proposed street trees + planting to supplement existing

L

Render view angle (refer to following page)

Train Station Entrance + Parking



Current Layout



Proposed Layout

Legend

- 1 Safer road crossing point incorporating planting
 - 2 Railway Lane reconfigured (2-way)
 - 3 Tran station carpark layout formalised with linemarking
 - 4 Existing reverse angled parking to be retained
 - 5 Existing street trees to be retained and planter bed size increased
 - 6 Proposed street trees
 - 7 2x Electrical vehicle charging points in carpark
 - 8 Loading bay
- Render view angle (refer to following page)



Place Design Group
February 2022

Blayney Main St. Master Plan Implementation
Concept Update

21) REVISED RECYCLED WATER POLICY**Department:** Infrastructure Services**Author:** Director Infrastructure Services**CSP Link:** 1. Public Infrastructure and Services**File No:** GP.PO.1

Recommendation:

That Council place the revised Recycled Water policy on public exhibition for a period of at least 28 days.

Reason for Report:

To seek Council approval for the revised Recycled Water Policy for public exhibition.

Report:

Council is required to have a policy on recycled water that details the requirements for managing recycled water systems. This policy only relates to recycled water systems which discharge water from the Council Sewerage Treatment Plant to various end users. These systems are required to obtain s60 approval from the NSW Department of Primary Industries.

The Recycled Water Policy was adopted by Council in June 2020.

The original policy supported and promoted the responsible use of recycled water and the application of a management approach that consistently meets the National Guidelines on Water Recycling, as well as recycled water user and regulatory requirements.

Given the risks to public health when water is not treated or recycled properly, it is of paramount importance that preventative risk management systems are developed and implemented to ensure the protection of human and environmental health.

The revised policy expands upon the original policy to also incorporate additional governance matters, including how assets will be recognised, the pricing of recycled water and split between the Sewer Business and General Fund.

As the policy has now been expanded to consider more than just water quality, the title has been amended to omit the word, quality.

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

Risk/Policy/Legislation Considerations:

The policy continues to ensure Council's compliance with Section 60 of the Local Government Act 1993, and the Australian Guidelines for Water Recycling 2006.

Budget Implications:

The Recycled Water Charge has previously been adopted by Council for inclusion in the annual Fees and Charges.

Enclosures (following report)

1 Draft Recycled Water Policy

4 Pages

Attachments (separate document)

Nil



Blayney

Recycled Water Policy

Policy	27E
Officer Responsible	Manager Urban Services and Projects
Last Review Date	22/06/2020

Strategic Policy

BACKGROUND

The use of recycled water is a nationally accepted approach to responsible water and environmental management, and forms part of Council's commitment to water conservation.

Council supports the responsible use of recycled water and is committed to developing and implementing preventive risk management systems to ensure the protection of human and environmental health.

Council is the owner and operator of a wastewater utility business (the sewer fund) comprising pipelines, pump stations and a sewer treatment plant.

As a local water utility, Council is required to comply with the NSW government's Best Practice Management of Water and Sewerage Guidelines, issued under section 409(6) of the Local Government Act 1993, incorporating the pricing principles for recycled water contained in the guidelines under the National Water Initiative (principle 7 - Cost Recovery) (the Guidelines), which provides that prices should recover efficient direct costs, including capital costs.

Compliance with the Guidelines enables Council to achieve sustainable water supply and sewerage businesses and comply with the Australian Government's National Competition Policy and National Water Initiative.

Recycled water is used for unrestricted municipal irrigation, as defined in the Australian Guidelines for Water Recycling in the Town of Blayney and for road construction purposes including dust suppression, and hydro-jetting operations; street sweeping and street tree watering. It is also supplied to commercial customers by agreement.

This policy details the requirements for managing Council's recycled water system. This policy only relates to systems that are using recycled water from Council's Sewerage Treatment Plant and that require a Section 60 approval from the NSW Department of Primary Industries.

DEFINITIONS

In this policy the following definitions apply:

Point of Supply	The truck filling point at the Sewerage Treatment Plant, or the Stop Valve at which the delivery line diverges from the recycled water trunk main.
Recycled Water	water supplied by Council from the RWS, being water from the RWTP.

OWNERSHIP OF RECYCLED WATER ASSETS

The Sewer Fund is the owner of the following assets used in connection with the Recycled Water Scheme (RWS):

- the Recycled Water Treatment Plant (RWTP),
- the 140 KL holding tank;
- the access road, standpipe and water truck filling facilities;
- the recycled water trunk main up to the Point of Supply.

Pipelines and water infrastructure upstream of the Point of Supply will be owned by the General Fund.

The income generated by the Recycled Water Business is hypothecated for Sewer Fund purposes pursuant to section 409(3) of the Local Government Act 1993.

PRICING OF RECYCLED WATER

Under the pricing principles set out in the Guidelines, when setting water supply tariffs, Council is required to levy an appropriate cost reflective water usage charge per kL based on the long-run marginal cost of water supply.

The Treated Recycled Water Charge at the Point of Supply will be calculated in accordance with the pricing principles contained in the Guidelines, by Council's Chief Financial Officer, and published in Councils Schedule of Fees and Charges on an annual basis.

POLICY

Council will implement and maintain recycled water management systems consistent with the Australian Guidelines for Water Recycling to effectively manage the risks to public and environmental health.

To achieve this Council will:-

- a. Ensure that protection of public and environmental health is recognised as being of paramount importance.
- b. Maintain communication and partnerships with all relevant agencies involved in the management of water resources, including NSW Health, the NSW Department of Primary Industries – Water (DPI Water) and the NSW Office of Environment and Heritage.
- c. Engage users of recycled water to ensure that responsibilities are identified and understood.
- d. Operate and maintain recycled water irrigation sites and infrastructure in accordance with the relevant site management plan.
- e. Develop and implement Recycled Water Management Plans that address the key elements of the Australian Guidelines for Water Recycling.
- f. Ensure that Council's sewerage treatment plant operators are appropriately trained and experienced, and that they are conversant with the requirements of relevant recycled water management plans.
- g. Ensure all staff who perform works or duties that involves working with recycled water are adequately trained and have undertaken the Recycled Water Induction.
- h. Induct all contractors undertaking works that involve potential exposure to Recycled Water using the relevant SWMS's under the BSC WHS Management System;
- i. Follow appropriate safety protocols in relation to working with Recycled Water as outlined in Councils Pollution Incident Response Management Plan and Work Health and Safety Policy
- j. Inform users of Council facilities supplied with Recycled Water of its use, and the risks associated with exposure to Recycled Water.

- k. Manage Recycled Water quality at all points along the delivery chain from source (RWTP) to the Point of Supply (recycled water user).
- l. Use a risk-based approach in which potential threats to recycled water quality are identified and controlled.
- m. Establish regular monitoring of control measures and recycled water quality, including at the Point of Supply, and establish effective reporting mechanisms to provide relevant and timely information, and promote confidence in the recycled water supply and its management.
- n. Develop appropriate contingency planning and incident response capability.
- o. Continually improve practices by assessing performance against corporate commitments and stakeholder expectations.
- p. Erect and maintain appropriate signage at all irrigation sites in accordance with AS/NZS 3500.1:2021 Plumbing and Drainage Water services and AS 1319:1994 Safety Signs for the Occupational Environment.

The quality of recycled water shall meet the water quality objectives in the Operational Verification Monitoring Plan.

Council may reduce, interrupt or discontinue supply if: -

- a. the Recycled Water fails to meet quality standards;
- b. any component of Council infrastructure is damaged or breaks down.
- c. maintenance or repairs to any component of Council infrastructure are to be carried out;
- d. an Authority directs that Recycled Water not be supplied; or
- e. the above circumstances are likely to occur if service is not reduced/interrupted/discontinued.

RELATED LEGISLATION, POLICIES AND GUIDELINES

This Policy has been developed with reference to a number of key pieces of Legislation and associated Regulations and Guidelines, including but not limited to: -

Local Government Act 1993
 Local Government (General) Regulation 2005
 Work Health and Safety Act 2011 (NSW)
 Work Health and Safety Regulation 2017 (NSW)
 Australian Guidelines for Water Recycling
 Pollution Incident Response Management Plan
 Work Health and Safety Policy

	Date	Minute No.
Adopted:	22/06/2020	2006/009
Last Reviewed:		
Next Review:		

22) DRAFT CENTRAL WEST AND ORANA REGIONAL PLAN 2041 SUBMISSION

Department: Planning and Environmental Services

Author: Director Planning and Environmental Services

CSP Link: 5. The Natural Environment

File No: GO.ME.1

Recommendation:

That Council note the submission to the NSW Department of Planning and Environment regarding the 2041 Draft Central West and Orana Regional Plan.

Reason for Report:

To advise Council on the submission regarding the 2041 Draft Central West and Orana Regional Plan.

Report:

The current Central West and Orana Regional Plan 2036 is undergoing its first 5-year review to reset its priorities and extend its reach to 2041.

Information regarding the 2041 Draft Central West and Orana Regional Plan can be obtained from visiting

<https://www.planning.nsw.gov.au/Plans-for-your-area/Regional-Plans/Central-West-and-Orana>

The 2041 Draft Central West and Orana Regional Plan was placed on public exhibition between 22 November 2021 and 18 February 2022.

Council's 6-page submission follows this report for Council's information.

Risk/Policy/Legislation Considerations:

Information report only.

Budget Implications:

Information report only.

Enclosures (following report)

1 DPE - CWORP 2041 Submission

6 Pages

Attachments (separate document)

Nil



Blayney Shire Council

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 Web www.blayney.nsw.gov.au
 ABN 47 619 651 511

15 February 2022

Mr Garry Hopkins
 Director Western Region
 Department, Planning & Environment

Lodged through NSW Planning Portal

Dear Garry,

Draft Central West and Orana Regional Plan 2041

Council refers to the recent information session and Councils opportunity to provide a written submission to the NSW Department of Planning and Environment (DPE) regarding the Draft Central West and Orana Plan 2041 (the draft plan).

Blayney Shire Council would like to make the following comments for consideration.

1. Preparation of the Draft Plan

Council would like to raise its disappointment regarding the process of how the draft plan was prepared.

The steering committee which comprised mainly of NSW Government Agencies, 1 member from each respective Joint Organisation and specific Council representatives from Lithgow, Dubbo and Coonamble (due to not being in a Joint Organisation (JO) is not considered adequate cross-regional representation that provided a platform for co-design of such an important regional plan.

The Central NSW Joint Organisation (CNSWJO) Planners Group is a significantly active and proud group, which formed to provide input into the current Central West and Orana Regional Plan 2036 (CWORP). The draft plan appears to reflect NSW Government desired direction for the region rather than a collaborative plan developed in conjunction with the CNSWJO.

2. Current Central West and Orana Regional Plan

Council would like request and end of period report for the current 2036 CWORP. There is a number of actions within that plan that were not undertaken for various reasons, this needs to be explained, acknowledged and reported on, preferably to the Regional Leadership Executive.

3. About the Region

For the purpose of a regional plan, DPE have grouped 2 respective Joint Organisations; Central West and Orana. Whilst this is acknowledged for the purposes of the plan, the Central West and Orana are 2 significantly individual and different regions. The grouping of 2 JO's needs to be identified and acknowledged in greater detail at the start of the plan.

4. Updates in the draft plan

The updates in the draft plan seem to be significantly environmentally focused. Whilst an environmental focus is acknowledged as being critically important, the current 2036 plan has a greater regional economic focus, which appears to have been watered down in the draft 2041 plan.

Goal 1 in the current CWORP is "the most diverse regional economy in NSW". It is acknowledged Part 3 of the draft 2041 plan "Prosperity, productivity and innovation" is a specific part of the draft plan, however the regional economy does not seem to have the same level of importance as it does within the current 2036 CWORP.

The draft plan needs ensure the importance of regional economy is of equal importance to environmental considerations.

5. Aboriginal knowledge, culture and engagement

The draft plan references 'Aboriginal knowledge, culture and engagement' repeatedly throughout the plan. It is suggested a singular dedicated section to cover the importance of Aboriginal knowledge and culture, rather than repetition throughout the plan.

In regards to Aboriginal engagement, Council seeks clarification to the multiple references to Aboriginal engagement and input into planning and design. How has the Aboriginal community been engaged to confirm reference's and terminology?

Engagement with the Aboriginal communities has been historically frustratingly hard for all stakeholders; Councils, Local Aboriginal Land Councils, other Aboriginal persons and development proponents.

The current draft plan appears to provide multiple high-level statements, but no clear and tangible recommendations that will provide clarity to all stakeholders on how, who and when Aboriginal communities will be engaged for input.

6. Regional cities focus

Council is concerned with the repeated focus and reference within the draft plan on '*growth of regional cities and strategic centres*' (mainly Bathurst, Dubbo and Orange).

Objective 6 *“network of healthy and prosperous centres”* and the sentence *“Regional cities and strategic centres will be the focus of growing populations and service provision for the region”* in the text of Objective 7 is an example of this focus.

Council acknowledges the significance and importance these 3 regional cities will provide to the wider region, however all towns and villages within the region are as equally important and should have their own specific objective to ensure they provided with the same opportunity to be equally prosperous as the 3 regional cities.

Council also seeks clarification on legend used to identify the regional hierarchy in the map on page 42 of the draft plan. Are Bathurst, Dubbo and Orange metropolitan cities or regional cities? The map in current CWORP on pages 10 and 11 is considered to be a more appropriate regional hierarchy, which has previously been agreed to by all stakeholders.

7. Sub Regional consideration of housing supply needs

Council acknowledges Action 4 on page 46, seeking to undertake sub-regional considerations of housing supply needs.

Blayney, Cabonne and Orange Councils (BCO) currently have a Sub-Regional, Rural and Industrial Land Use Strategy. Council acknowledges the desire of DPE to consider housing on a sub-regional basis.

Councils experience on sub-regional strategic planning work is it is resource intensive (financial, staff, Councillor and community time) and often significantly drawn out. The BCO sub regional rural and industrial land use strategy is now into its 3rd year of review and still not finalised.

Council would like to advise DPE, if it wants to progress with undertaking sub-regional housing strategies Council should not be required to contribute financially to any such project should be 100% funded by the NSW Government.

8. NetWaste

Council notes the reference to NetWaste in particular regarding *“opportunities for circular economy initiatives at a regional and precinct scale should be coordinated through NetWaste”*.

In Councils opinion (as a member of NetWaste) NetWaste does not have the scale or capacity to coordinate regional circular economic initiatives. NetWaste needs to be a key stakeholder, providing input but not the coordinator.

9. Freight catchment

Council seeks confirmation that collaboration 9 on page 65 will include identification of the catchment for freight to the Parkes SAP. Additionally, how will freight outside that catchment area but still within the Central West and Orana connect to its destination?

Council highlights the risk of a 'no man's land' being created particularly in the Eastern end of the Central West (Bathurst, Blayney, Oberon and Lithgow) where preferred freight routes and inefficiency is created through no clear business case to connect to Parkes and/or Sydney.

10. Accommodation options for temporary workers

Blayney Shire Council is preparing for 3 State Significant Development (SSD) Projects to potentially commence and be concurrently undertaken in 2022;

1. Cadia Valley Gold Mine expansion (underway),
2. Flyers Creek Wind Farm (commencing in March 2022), and
3. Proposed McPhillamys Gold Project (in final stages of DPE assessment).

These 3 projects will culminate in approximately 1,750 construction workers concurrently in the Blayney Shire and wider region.

There is a case study opportunity for inclusion in the draft plan to highlight the "Orange 360 accommodation model" used for the Cadia Valley Gold Mine expansion which in Councils' opinion has been a successful model.

Council has subsequently recommended the model to the Flyers Creek Wind Farm and within its submission to DPE for the proposed McPhillamys Gold Project.

In regards to Strategy 10.1 on page 53, it is recommended due to the time taken to complete local housing strategies; simple addendums could be undertaken to permit temporary worker accommodation and identify preferred locations. Additionally, strategy 10.1, should also include the requirement that sites used for temporary accommodation, are designed to enable easy adaption upon completion to more permanent residential accommodation (seniors living etc).

Consideration needs to be given to the ability for a streamlined assessment process for temporary worker accommodation, where they are seeking to coincide with tight major project timelines.

11. Population projections

Council does not agree with the forecast population figures included in the draft plan which are considered extremely conservative.

There are many examples where the NSW Government population data has been proven to be extremely conservative and inaccurate to what is being experienced on the ground by Councils.

The plan needs to be more aspirational in relation to population forecasts to grow the region above the extremely conservative figures currently included in the draft plan.

Council is aware the Western Research Institute have recently undertaken an analysis report forecasting over 60,000 jobs in the region over the next 5 years. Population projections need to include significant contributors such as this in the draft plan.

12. Renewable Energy

Blayney Shire currently has 1 wind farm (Carcoar), another (Flyers Creek) commencing construction in March 2022 and other renewable energy opportunities that may be undertaken.

Council seeks further explanation in the plan on the Central West and Orana Renewable Energy Zone (REZ), in particular;

Why is no part of the Central West included in the REZ?

- If no part of the Central West is included in the REZ, why is Central West included in the name?

13. Implementation and Governance

Composition of any Monitoring Committee must include representatives from both Joint Organisations and preference should not be given to Councils not a member of a Joint Organisation.

Councils preference would be for an independent chair of any Monitoring Committee to ensure accountability and that number of recommendations in the plan including; strategies, actions and collaborations activities are undertaken. Alternatively, Council would also support a DPE chair with regular reporting to the Central West and Orana Regional Leadership Executive.

14. Funding and Resourcing

It is noted a number of recommendations including strategies, actions and collaboration activities are currently proposed within the draft plan.

Council highlights the significant resource implications the draft plan may have for both Council staff and DPE Western Region staff. Council would like to highlight to DPE it is essential the DPE Western Region is adequately resourced to not only deliver recommendations within the regional plan but also ensure operational duties are completed.

Current heightened workloads of all Council staff are acknowledged throughout the region. The priority of recommendations for the regional plan needs to be carefully considered to ensure staff can continue undertake

operational duties and strategic planning commitments at their respective Councils.

Council would like to advise it has no specific budget allocation within its Long Term Financial Plan to contribute financially to the delivery of any recommendation within the regional plan.

Should you require further information regarding this matter please contact me on [REDACTED]

Yours faithfully

[REDACTED]

Mark Dicker
Director Planning & Environmental Services

23) CENTREPOINT MANAGEMENT AGREEMENT EXTENSION

Department: Planning and Environmental Services

Author: Director Planning and Environmental Services

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

File No: GO.ME.1

Recommendation:

That Council

1. Due to extenuating circumstances, being impacts preventing continual operations from COVID19 NSW public health orders and the stage 2 roof project, Council will not proceed to invite tenders for the operational management of CentrePoint Sport and Leisure Centre Blayney because a satisfactory result would not be achieved.
2. Extend the current Management Agreement with YMCA for a period of 2 years until 30 June 2024, to provide the operational management of CentrePoint Sport and Leisure Centre Blayney.
3. Authorise the General Manager to negotiate and execute the Management Agreement extension and associated documentation with YMCA for the operational management of CentrePoint Sport and Leisure Centre Blayney.

Reason for Report:

To seek Council resolution to delay inviting of tenders for the operational management of CentrePoint Sport and Leisure Centre Blayney due to extenuating circumstances and subsequently extend the current Operational Management Agreement with YMCA for CentrePoint Sport and Leisure Centre Blayney.

Report:

At the June 2020 meeting in considering the CentrePoint Operational Review, Council resolved (**Resolution No 2006/002**) to;

- “1. Note the findings of the CentrePoint Operational Review conducted by Council during the period the facility was closed for renovations.*
- 2. Proceed to issue YMCA with an Agreement, for up to 2 years, to provide the operational management of CentrePoint Sport and Leisure Centre Blayney in 2020/21.*
- 3. Authorise the General Manager to negotiate and execute the Management Agreement and associated documentation with YMCA for the operational management of CentrePoint Sport and Leisure Centre Blayney in financial year 2020/21.*
- 4. Notes that a further report will be brought back to Council, prior to the September QBRS to vote the required supplementary funds to the 2020/21 Operational Plan following acceptance of the Management Agreement.”*

It was intended to commence a tender process for the long-term operational management of CentrePoint in February 2022.

On 11 February 2022, Council received correspondence from YMCA, seeking a 24-month contract extension due to extenuating circumstances under section 55(3)(i) of the Local Government Act 1993. This correspondence is enclosed to this report.

On 1 March, Senior staff from both Council and YMCA met to discuss the contract including potential extension.

Risk/Policy/Legislation Considerations:

It is Council's decision under s55(3)(i) of the Local Government Act 1993 if by resolution it decides;

“because of extenuating circumstances, remoteness of locality or the unavailability of competitive or reliable tenderers, a council decides by resolution (which states the reasons for the decision) that a satisfactory result would not be achieved by inviting tenders,

Originally, the Agreement was entered into for a period of up to 2 years and not required to go to tender pursuant to s55(3)(a) and (e) of the Local Government Act.

The management fee cost is less than \$250,000 per annum and the proposed Management Agreement is on community land and to be issued to a not-for-profit organisation for a period of less than 5 years.

The up to 2-year period was nominated and preferred because Council had just undertaken the \$5M Stage 1 aquatic upgrade (which CentrePoint pool hall was subsequently closed for 12 months). Council needed to ascertain how a new CentrePoint would operate, in particular income and expenditure.

In June 2020, it was not envisaged the global COVID19 pandemic would be ongoing for the length of time it has, nor was it envisaged Council would be successful so quickly in securing funding for the stage 2 roof and utility efficiency improvements project.

The combined impact of these two matters has been significant on the continual operation of CentrePoint, in that CentrePoint has not had a continual operational period of 12 months since YMCA commenced operational management.

Critically, Council does not have the desired continual operational data and financial information to enable the most open and equitable tender process which would ensure optimum value and return for Council, community or tenderers in any long term management contract.

An extension to the current Management Agreement with YMCA is supported which will allow for operational data to be collected and correlated for the first time since undertaking both stage 1 and 2 upgrades and whilst operating under an external management provider.

Budget Implications:

Allocation has been made for an external provider to operationally manage CentrePoint within the 2021/22 and 2022/23 Operational Plans.

Enclosures (following report)

1 Letter to Blayney Shire Council

2 Pages

Attachments (separate document)

Nil



We believe in the power of
inspired young people

11/02/2022

Mr Mark Dicker

Director Planning and Environmental Services

MDicker@blayney.nsw.gov.au

Dear Mark Dicker,

We refer to our Facility Management Agreement between YMCA NSW and Blayney Shire Council in respect of the Centrepont Sport and Leisure Centre. The Y NSW has worked in close partnership with Blayney Shire Council to manage Centrepont Sport and Leisure Centre, with our contract to manage this centre due to expire in June 2022.

The Y has had success in providing programs and services to the Blayney community in our capacity of providing management services at the facility. During this period, the Y has strengthened its partnership working alongside Council to deliver on positive community outcomes and strong financial performance of the facilities on behalf of Council. Our achievements over this period, demonstrating our strong commitment and value to the local community include:

- Establishment of functional fitness area (back gym) to effectively utilise the dry court area and incorporate functional training including classes at Centrepont.
- Royal life audit in 2021 achieving a high safety score
- Facilitating RFID access to the front gym to allow for extended operating hours.
- Success in key areas such as fitness membership and swimming lessons.
- Adapting with the changing environment as a result of the covid 19 pandemic and operating Covid safe programs and services.
- Effective navigation of the roof refurbishment including partial closures and alternative program offerings including keeping local staff engaged in meaningful work.

The Y mission and purpose is underpinned by our commitment to positively impacting the communities in which we operate, central to this is supporting young people to reach their potential. In the Blayney community, the Y has delivered a range of community initiatives which are provided in addition to the obligations outlined in the contract to provide programs and services to the leisure sites, these include:

- MS mega swim fundraiser generating over \$37,000 for MS
- Free access to HSC students during exam periods
- Partnerships with local schools and training organisations
- Successful pryme movers (seniors) programing
- Implementing the Royal lifesaving changes to the "keep watch at public pools" policy to help keep kids safe over Summer.

As you are well aware, the COVID-19 pandemic has presented extenuating circumstances to all operators in the recreation, leisure and aquatic sector. Public Health Orders, infection rate



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inspired young people

increases in staff and customers, and low customer confidence has had a sustained impact across the sector for the past two years.

We understand that the Local Government Act 1993, section 55 (3)(i) has provision for council to decide by resolution not to go to competitive tender, due to extenuating circumstances, if a satisfactory result would not be achieved by inviting tenders. We believe the context of the coronavirus and significant public health issues would qualify for consideration of these conditions to be activated by the Council, due to the continued volatility in the market over the past 2 years.

We are seeking a 24-month contract extension in accordance with section 55 (3) (i) of the Local Government Act 1993, extending the term of the existing contract at Centrepont Sport and Leisure Centre.

The Y NSW very much wants to continue to work with Council to ensure a consistent and seamless transition from managing the centre in the midst of a pandemic, to resuming regular programming. Considering the significant disruption to service the pandemic has caused for customers and members of the community, it would be a terrific opportunity to ensure stability and continuity of care for the facility and users at this time.

I would welcome the opportunity to discuss this with you in further detail.

Yours Sincerely,

Calum Eastwood
General Manager, Recreation Y NSW

24) DA2021/35 - FIFTEEN (15) LOT SUBDIVISION - 238 FOREST REEFS ROAD MILLTHORPE

Department: Planning and Environmental Services

Author: Manager Planning

CSP Link: 5. The Natural Environment

File No: DB.AB.1616

Recommendation:

That Council consents to Development Application DA2021/35 for a fifteen lot subdivision of 238 Forest Reefs Road, Millthorpe, being Lot 3 DP546309, subject to the recommended conditions of consent.

Reason for Report:

The applicant is seeking a variation from the requirements of F7.2 Surrounding Road Pattern and Access of the Blayney DCP 2018.

Specifically, the applicant would prefer not to provide public road access to the adjoining property at 280 Forest Reefs Road, Millthorpe, with the proposed road to terminate as a cul de sac. This matter is addressed in detail in the body of this report.

Council's Senior Planning staff recommend that Council does not approve the variation and that it supports the recommended condition of consent which would require that the proposed road reserve be extended to 280 Forest Reefs Road.

Executive Summary

The proposed development will create fifteen regularly and irregularly shaped lots in the order of 2 – 3ha. The proposed lots would be accessed from an internal public road with the exception of proposed Lot 14 and Lot 15 which would share a direct access to Forest Reefs Road.

The subject property has historically been used for broad scale agriculture, including cropping and grazing. Infrastructure associated with the historic and current agricultural use is general confined to the central portion of the site, including a dwelling, shearing shed and other agricultural implements.

The subject property is otherwise generally devoid of significant features, with the exception of some mature native and non-native trees.

The subject property forms part of the R5 Large lot residential zone, which extends for 7km (approx.) to the west of Millthorpe along Forest Reefs Road.

The northern and eastern boundaries of the subject property adjoin three operational farms, being 9 Showground Lane, 507 Spring Hill Road and 280 Forest Reefs Road. Notably, 9 Showground Lane and 507 Spring Hill Road

are zoned R5 Large lot residential while 208 Forest Reefs Road is zoned RU1 Primary production.

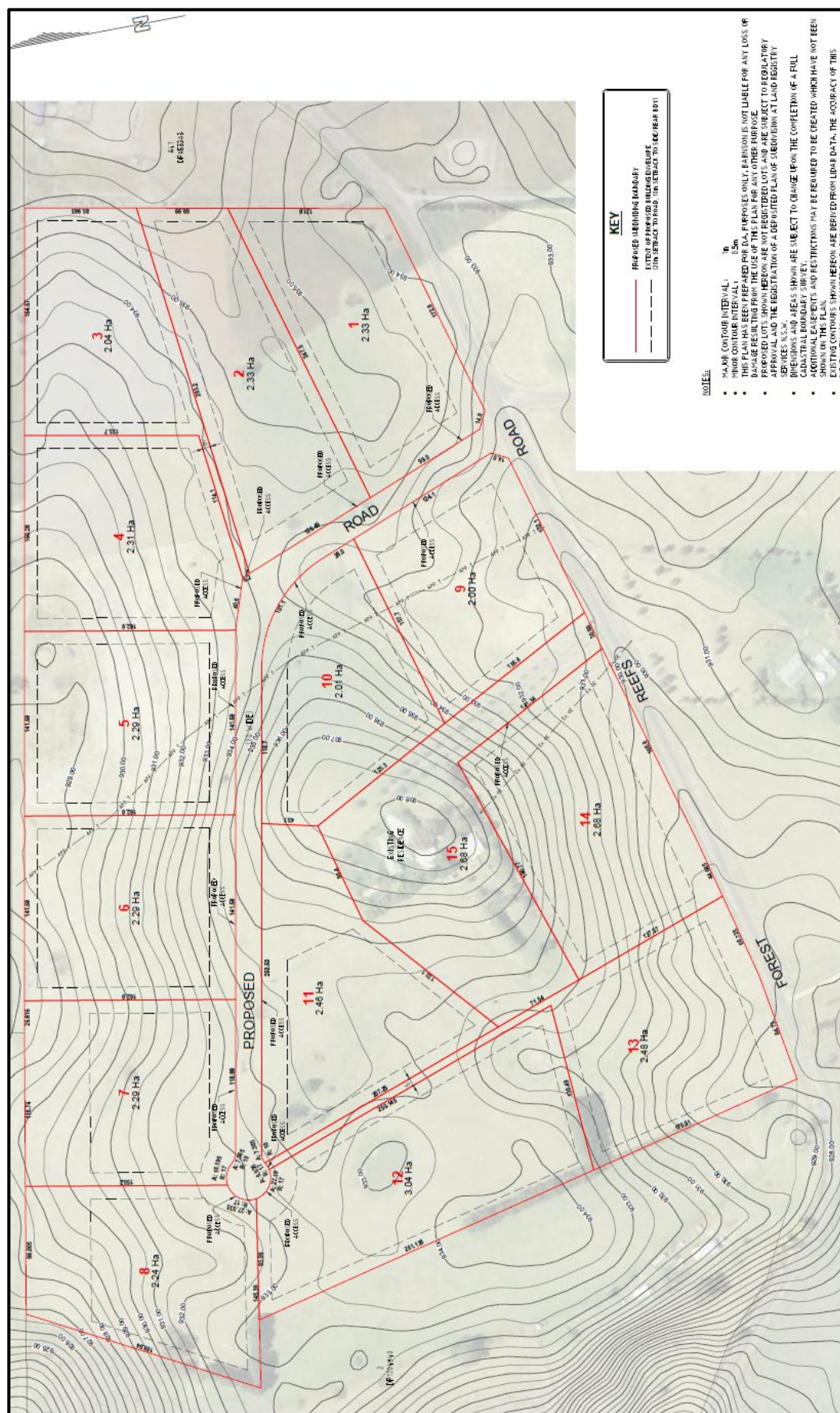
Land to the immediately south of the subject property generally forms part of the Charles Booth Way large lot residential estate.

Given that the proposed development would create more than five lots, the Development Application was notified to the adjoining and proximate land owners in accordance with Council's Community Participation Plan. Following the notification period, two submissions were received. The matters raised in the submissions are addressed in detail in the body of this report.

In summary, it is considered that the proposed development is generally consistent with the aims, objectives and performance criteria of the Blayney Local Environmental Plan 2012 (BLEP 2012) and Blayney Development Control Plan 2018 (Blayney DCP 2018).

PROPOSED DEVELOPMENT

Council's consent is sought for a fifteen lot subdivision of the subject property. The proposed development is illustrated in Figure 1, over leaf.



Precinct Plan

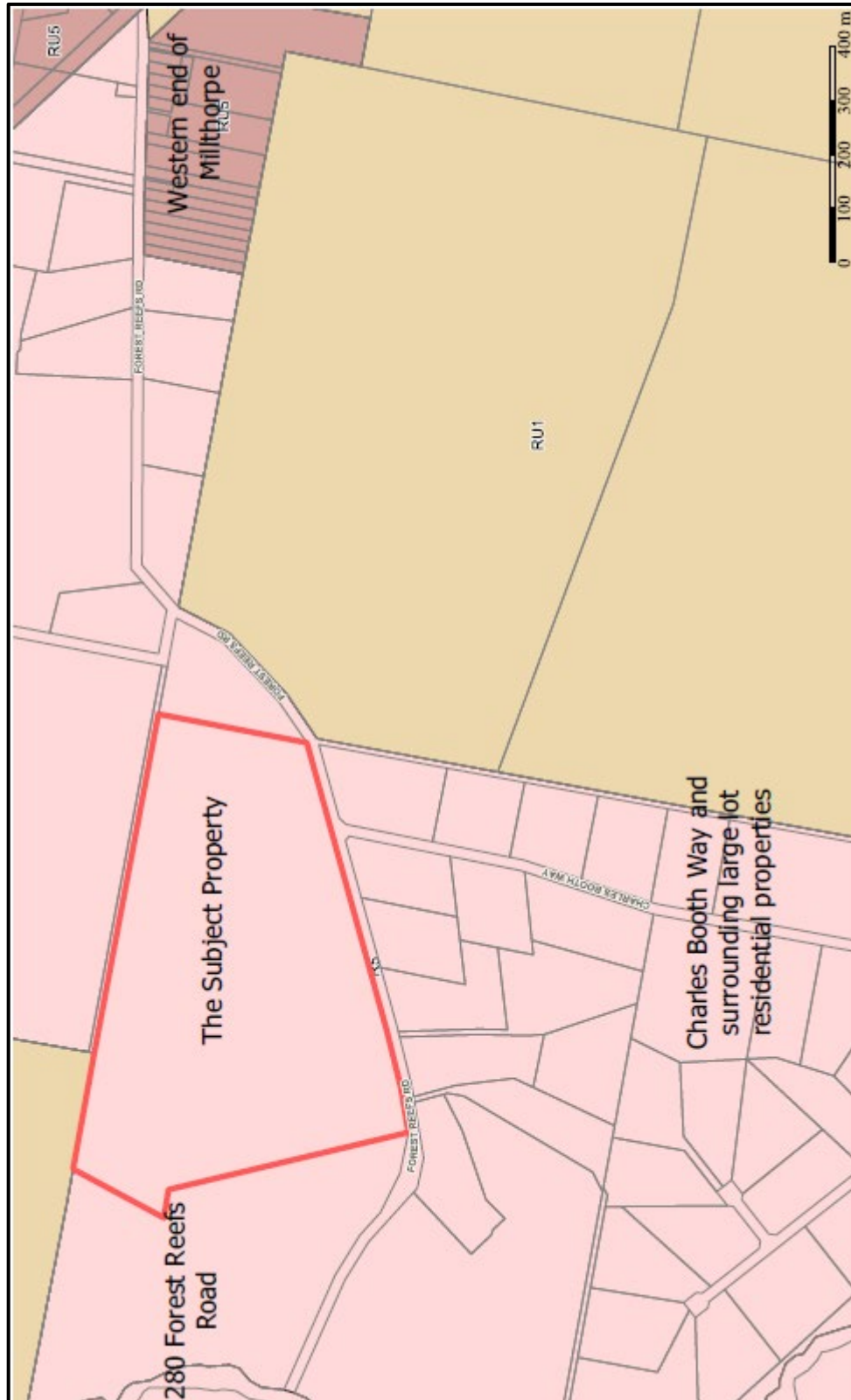


Figure 2: Precinct Plan (North to left of page)

Report:**RECOMMENDATION**

That Council consents to Development Application 35/2021 for a fifteen lot subdivision of Lot 3 DP546309, being 238 Forest Reefs Road, Millthorpe, subject to the recommended conditions of consent.

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

Clause 1.7 Maps

Land zoning:	R5 Large Lot Residential
Lot size:	2ha
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 (Figure 3).

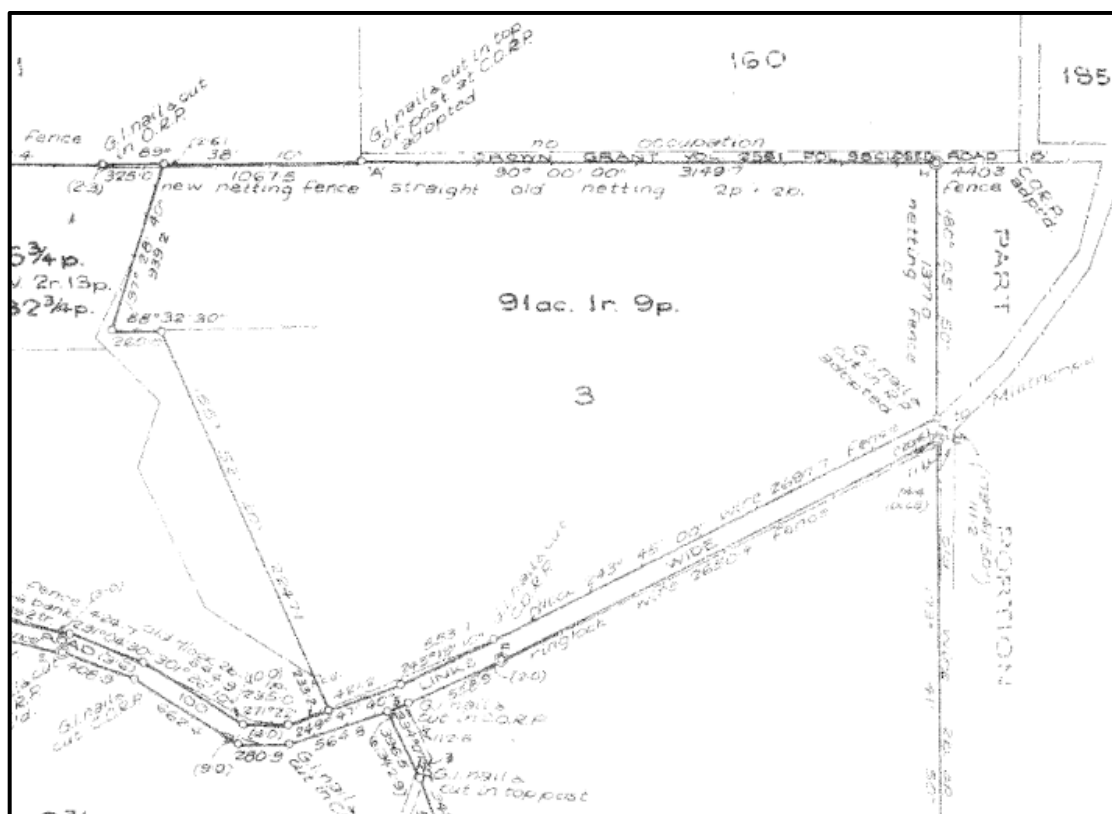


Figure 3: Extract of DP546309 – Subject property identified as Lot 3

Part 2 – Permitted or prohibited development

Clause 2.6 Subdivision – consent requirements

Clause 2.6 identifies that land to which BLEP 2012 applies may be subdivided, but only with development consent.

Part 4 – Principal development standards**Clause 4.1 Minimum subdivision lot size**

Clause 4.1 seeks to minimise the cost to the community of fragmented and isolated development of rural land, and providing, extending and maintaining public amenities and services; ensure that the character and landscape setting of an area is protected and enhanced by any development; to ensure that development is undertaken on appropriately sized parcels of land commensurate with available services (including any associated sewerage system) and responds to any topographic, physical or environmental constraints; and to protect drinking water catchments from over-development that may impact on water quality and quantity in the catchment and drinking water systems.

Clause 4.1 applies to a subdivision of any land shown on the Lot Size Map that requires development consent and that is carried out after the commencement of this Plan. The size of any lot resulting from a subdivision of land to which this clause applies is not to be less than the minimum size shown on the Lot Size Map in relation to that land.

The subject property is affected by a Minimum Lot Size of 2ha. In this regard, it is noted that the proposed subdivision will comprise lots of 2.01 – 3.01ha

Part 5 – Miscellaneous Provisions**Clause 5.16 Subdivision of, or dwellings on, land in certain rural, residential or environmental protection zones**

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

The following matters must be taken into consideration in determining whether to grant development consent for subdivision:

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

With regard to the foregoing matters, it is considered that the proposed development is unlikely to cause significant land use conflict with surrounding rural properties.

In particular, it is noted that the proposed subdivision has been designed to incorporate building envelopes with a minimum setback of 50m from the adjoining rural property at 507 Spring Hill Road. A 50m setback is consistent

with the requirements of the Blayney Development Control Plan 2018 (Blayney DCP 2018) for a dwelling in the RU1 Primary production zone. It is considered unnecessary to apply a similar requirement to the adjoining properties at 9 Showground Lane and 280 Forest Reefs Road as they are both zoned R5 Large lot residential and likely to developed for a residential purpose similar to the proposed development.

Further, it is noted that the proposed development is similar to many other large lot residential developments that have occurred within the area zoned R5 Large lot residential between Millthorpe and Forest Reefs.

Part 6 – Additional local provisions

Clause 6.8 Essential services

Clause 6.4 Groundwater

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

Given that the subject property is located in an area identified as being subject to groundwater vulnerability, Council staff requested that an effluent management report be prepared for each vacant residential lot in accordance with Australian Standard AS1547, the Environmental Health Protection Guidelines – On-Site Sewage Management for Single Households (1998 - as amended) and any relevant NSW Government policy.

An additional report was requested for the existing system to demonstrate that it complied with the same standards.

The applicant subsequently provided geotechnical report for each vacant residential lot. However, a report was not provided for the existing system. Notwithstanding, given the information provided it is accepted that each lot would be capable of supporting an appropriate on-site effluent management system. It is recommended that any minor outstanding matters be addressed as a condition of consent.

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.

Council's Infrastructure Services Department and Senior Building Surveyor have recommended that conditions of consent be applied to ensure that the subject property is serviced by all relevant essential services.

It is noted that services such as the supply of water and disposal and management of sewage will be dealt with specifically at the time an application is lodged for the construction of a dwelling.

State Environmental Planning Policy 55 – Remediation of Land

State Environmental Planning Policy 55 – Remediation of Land (SEPP55) requires that a consent authority must not consent to the carrying out of development of land unless it has considered whether the land is contaminated; is satisfied that the land is suitable in its contaminated state for the development that is proposed, and if the land requires remediation to be made suitable for the proposed development it is satisfied that the land will be remediated before the land is used for that purpose.

Furthermore, SEPP 55 requires that before determining an application to carry out development that would involve a change of use of land (specified in subclause 4 of the SEPP), the consent authority must consider a preliminary investigation of the land concerned.

While the subject property was historically used for the purpose of extensive agriculture, no evidence of contamination or a potentially contaminating land use was identified within the 14 vacant lots.

Proposed Lot 15 contains the existing dwelling, shearing shed and other farming infrastructure. While it is accepted that Lot 15 may be subject to contamination associated with historical and current agricultural uses, it is noted that its use does not fundamentally change. As such, it is considered unnecessary to undertake a detailed contamination assessment of proposed Lot 15.

State Environmental Planning Policy (Infrastructure) 2007

The proposed development was referred to Essential Energy under Clause 45 of the *State Environmental Planning Policy (Infrastructure) 2007*.

Essential Energy provided the following comments:

Strictly based on the documents submitted, Essential Energy has no comments to make as to potential safety risks arising from the proposed development.

Essential Energy makes the following general comments:

- 1. As part of the subdivision/s, easement/s are to be created for any existing or new electrical infrastructure, using Essential Energy's standard easement terms current at the time of registration of the plan/s of subdivision. Essential Energy has existing overhead powerlines located on the property. The proposed subdivision plan/s provided indicate that proposed Lot 14 will be in the location of these existing powerlines. Refer to Essential Energy's Contestable Works team for requirements via contestableworks@essentialenergy.com.au.*

2. *If the proposed development changes, there may be potential safety risks and it is recommended that Essential Energy is consulted for further comment.*
3. *Any existing encumbrances in favour of Essential Energy (or its predecessors) noted on the title of the above property should be complied with.*
4. *Council should ensure that a Notification of Arrangement (confirming satisfactory arrangements have been made for the provision of power) is issued by Essential Energy with respect to all proposed lots which will form part of the subdivision, prior to Council releasing the Subdivision Certificate. It is the Applicant's responsibility to make the appropriate application with Essential Energy for the supply of electricity to the subdivision, which may include the payment of fees and contributions. Despite Essential Energy not having any safety concerns, there may be issues with respect to the subdivision layout, which will require Essential Energy's approval. Refer Essential Energy's Contestable Works Team for requirements via email contestableworks@essentialenergy.com.au.*
5. *In addition, Essential Energy's records indicate there is electricity infrastructure located within close proximity to the property. Any activities within this location must be undertaken in accordance with the latest industry guideline currently known as ISSC 20 Guideline for the Management of Activities within Electricity Easements and Close to Infrastructure. Approval may be required from Essential Energy should activities within the property encroach on the electricity infrastructure.*
6. *Prior to carrying out any works, a "Dial Before You Dig" enquiry should be undertaken in accordance with the requirements of Part 5E (Protection of Underground Electricity Power Lines) of the Electricity Supply Act 1995 (NSW).*
7. *Given there is electricity infrastructure in the area, it is the responsibility of the person/s completing any works around powerlines to understand their safety responsibilities. SafeWork NSW (www.safework.nsw.gov.au) has publications that provide guidance when working close to electricity infrastructure. These include the Code of Practice – Work near Overhead Power Lines and Code of Practice – Work near Underground Assets.*

It is considered that the foregoing matters should be addressed as conditions of consent and advisory notes, as relevant.

State Environmental Planning Policy – Koala Habitat Protection

State Environmental Planning Policy – Koala Habitat Protection applies to the subject property.

Given that the subject property is substantially cleared and that the proposed development will not result in the loss of any native tree species, it is considered that there will be no impact on koala habitat.

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 F: Subdivision & Roads

Part F2 Site Planning & General Subdivision

Site planning is important for all development but particularly so for subdivision as it sets many of the key parameters for any later use. Careful consideration of the site constraints and opportunities must be demonstrated to justify a proposed subdivision design and ensure it can accommodate a range of permissible future uses in the relevant zone.

F2.1 Site Planning

F2.1 identifies that any Plan of Subdivision must be supported by a detailed Site Plan that demonstrates how the proposed subdivision (and building envelopes for vacant land subdivision) responds to and addresses site context (opportunities and constraints) to:

- a) Respond to the topography and drainage characteristics of the site;
- b) Minimise impacts on the natural environment and protect environmentally sensitive areas;
- c) Avoid or minimise the impacts of natural hazards and stormwater/drainage;
- d) Avoid or minimise land use conflicts and provide suitable setbacks (and/or buffers) to adjacent or nearby sensitive land uses;
- e) Create a legible road and pedestrian/cycle network and connection to surrounding networks;
- f) Create building envelopes that are free of constraints with suitable access for each lot;
- g) Integrate with the existing and/or desired subdivision pattern of the area.

Applicants must address Part G – Environmental Management & Hazards (where relevant).

The Development Application included detailed site analysis upon which the proposed subdivision was based.

Based on the analysis provided and a detailed site inspection by the assessing officer, it is considered that the foregoing matters have been appropriately addressed.

F2.2 Topography & Earthworks

F2.2 sets out the objectives with regard to ensuring the subdivision & road design responds to the site opportunities & constraints by minimising cut and

fill and to ensure that earthworks will not have a detrimental impact on nearby watercourses or stormwater systems or neighbouring uses.

Information submitted with the Development Application indicates that cut and fill will be minimal and restricted to road construction. Further, it is considered that any potential off-site impact can be adequately managed through sediment and erosion control measures.

The proposed development is considered to be consistent with the acceptable solutions.

F2.3 Lot Size and Arrangement

F2.3 sets out the objectives to enable the size and dimensions of lots to respond to the site constraints and proposed land use requirements.

Specifically, F2.3 seeks to provide lot sizes and dimensions that respond to the site constraints and proposed land use requirements and avoid or minimise / mitigate against existing and future land use conflicts.

Based on the information provided with the Development Application and a detailed site inspection by the assessing officer, it is considered that the proposed subdivision has been appropriately designed with regard to lot size and shape.

F2.4 On-Site Effluent Management

F2.4 seeks to ensure that on-site effluent management can be accommodated on any proposed lot without affecting adjacent properties or the natural environment.

As previously noted, Council staff requested that an effluent management report be prepared for each vacant residential lot in accordance with Australian Standard AS1547, the Environmental Health Protection Guidelines – On-Site Sewage Management for Single Households (1998 - as amended) and any relevant NSW Government policy.

An additional report was requested for the existing system to demonstrate that it complied with the same standards.

The applicant subsequently provided geotechnical report for each vacant residential lot. However, a report was not provided for the existing system. Notwithstanding, given the information provided it is accepted that each lot would be capable of supporting an appropriate on-site effluent management system. It is recommended that any minor outstanding matters be addressed as a condition of consent.

F2.5 Access & Entrances

F2.5 seeks to provide all lots with safe, legal and practical vehicle access and manoeuvring.

A Traffic Impact Assessment was submitted with the Development Application.

During the assessment process Council's Infrastructure Services Department identified an issue with the design of the proposed intersection at Forest Reefs Road. Specifically, Council staff identified that the proposed intersection should not directly meet the existing intersection of Forest Reefs Road and Charles Booth Way.

Council staff subsequently requested that the proposed subdivision plan be amended to relocate the proposed intersection to be located no closer than fifteen metres to the south west of Charles Booth Way.

Further, Council's Infrastructure Services Department has recommended additional conditions of consent to ensure that the design of the proposed intersection is adequate.

F2.6 Access – Rights of Way and Battle Axe Lots

F2.6 seeks to minimise the number of lots created that do not have a substantial frontage to a public road and ensure any access ways are of sufficient width and driveway construction to minimise impacts on neighbouring lots and provide suitable vehicle access.

The Development Application proposes to three lots which are either a battle axe lot or rely on a Right of Way for access.

Notably, F2.6 provides that Council will only permit battle-axe lots or lots in the following circumstances:

- 1) No public road access is adjacent to any proposed lot;
- 2) A maximum of:
 - a) Three (3) lots will utilise any easement or battle-axe handle;
 - b) Two (2) allotments are behind any allotment which has direct frontage to a public road;
 - c) Where three (3) or more lots are created) ten percent (10%) of lots in the subdivision are 'battle-axe' or right-of-way lots;
- 3) There is written approval from the affected lot owner (easement only); and
- 4) Such easement or battle-axe handle is a minimum width and driveway construction as set out in the relevant zone/land use section in this Part below.

Four lots rely on either a battle axe handle or easement, being proposed Lots 3, 13, 14 and 15.

Having regard to the objectives of F2.6, it is noted that both proposed Lot 13 and proposed Lot 14 both have a substantial frontage to Forest Reefs Road and driveway widths.

While Lot 15 is a battle-axe shape, it is considered that a 30m wide access which includes an avenue of trees would amount to a substantial frontage and is not inconsistent with objectives of F2.6.

As such, it is considered that proposed Lot 3 is the only lot which is a genuine battle-axe lot and which does not have substantial frontage to a public road. Given that the proposed subdivision only involves one such lot, this outcome is considered to be consistent with the acceptable solutions.

F2.7 Utilities / Easements

F2.7 seeks to provide all essential utilities to the boundary of any new allotment suitable for the proposed use; ensure appropriate access to and safe operation of utilities; address any connection requirements of the relevant utility authorities; minimise the visual impact of any new utilities by undergrounding connections and integrating into the design (where possible).

Council's Infrastructure Services Department has recommended conditions of consent to require that all relevant essential services are provided to each proposed lot.

Further, it is noted that Essential Energy has required that as part of the subdivision, easement/s are to be created for any existing electrical infrastructure, using Essential Energy's standard easement terms current at the time of registration of the plan/s of subdivision.

Further, it is recommended that a condition of consent be applied to provide that high voltage electrical power from existing overhead lines to poles on the proposed new public road may be overhead. However, all low voltage power from these poles to each lot must be located underground.

F2.8 Staging

F2.8 states that larger subdivisions must consider staged subdivision release and ensure each stage is capable of being developed independently of later stages and has appropriate access and utilities.

Information submitted during the assessment process confirms that the proposed subdivision will be constructed in three stages. Generally, Stage 1 would comprise Lots 1 - 5, 9 and 10; Stage 2 would comprise Lots 6 – 8, 11 and 12 and Stage 3 would comprise Lots 13 – 15.

As such it is recommended that a condition of consent be applied to require that a detailed staging plan be submitted prior to the issue of a Subdivision Works Certificate. The staging plan would need to demonstrate:

- Suitable access to each successive stage of the subdivision;
- Provision of infrastructure to demonstrate how each stage of the subdivision could operate independently in the absence of each successive stage;
- Access to essential infrastructure / utilities, roads and pedestrian connections, and incorporate landscaping where required; and
- Provide a fully formed cul-de-sac (see Council's Guidelines for Engineering Works (as amended)) for any temporary terminating roads (that will later

become through roads) so that the maximum sized design vehicle is only required to do a maximum three-point turn to exit the cul-de-sac. Given the subject property is in single ownership and that staging follows a logical sequence in terms of servicing and access, it is considered that there is no impediment to the subdivision be constructed in three stages.

F4.1 Access and Road Design and F4.2 Access to Battle-Axe Lots

F4.1 seeks to provide safe and efficient access points to/from proposed lots to rural roads.

F4.2 seeks to ensure battle-axe lots have sufficient access widths to cater for the intended traffic and minimise impacts on adjacent lots.

As previously noted, Councils Infrastructure Services Department has recommended specific conditions of consent regarding the proposed public road and access to each proposed lot.

Part F7 New or Upgraded Public Roads

F7.1 Engineering Guidelines

F7.1 seeks to ensure any road design comply with relevant road and access guidelines adopted by Council.

During the assessment process Council's Infrastructure Services Department identified an issue with the design of the proposed intersection at Forest Reefs Road. Specifically, Council staff identified that the proposed intersection should not directly meet the existing intersection of Forest Reefs Road and Charles Booth Way.

Council staff subsequently requested that the proposed subdivision plan be amended to show to relocate the proposed subdivision to be located no closer than fifteen metres to the south west of Charles Booth Way.

Councils Infrastructure Services Department has recommended specific conditions of consent regarding the proposed public road and access to each proposed lot.

F7.2 Surrounding Road Pattern and Access & F7.3 Road Hierarchy and Design

F7.2 identifies that any subdivision design that includes new public road(s) must integrate with the surrounding road network and other pedestrian/bicycle and open space connections and be sympathetic to settlements with strong grid pattern road systems, and provide a subdivision pattern and road layout that enables adjacent lands to be developed as urban growth occurs.

F7.3 seeks to provide a logical road pattern / clear hierarchy of roads, and suitable vehicle, pedestrian and cycle connections and navigation to key services and attractions (suited to the size and density of the subdivision and surrounding network/connections).

The proposed public road has been assessed by Council's Infrastructure Services Department. No issues have been raised regarding the suitability of the proposed road with regard to the surrounding road pattern. However, it is noted that the acceptable solutions of F7.2 state:

“New roads should seek to provide ‘through road’ connections between surrounding roads and road heads where they exist adjacent to the proposed subdivision.”

And

*“Where a subdivision is adjacent to land that has additional development potential (or is likely to in the future) and that adjacent land has limited access or only single road frontage then Council **may** require the subdivision to provide an easement for future road access to the adjacent land.”*

Based on this, Council staff have requested that the applicant amend the proposed subdivision to provide for the road reserve from the proposed cul de sac to be extended through to the adjoining property, being 280 Forest Reefs Road, Millthorpe Lot 2 DP1204940.

Specifically, the purpose of this requirement is to facilitate the future development of 280 Forest Reefs Road to the immediate west. In particular, it is noted that 280 Forest Reefs Road is a 23ha property which is physically constrained by the presence of the Cowriga Creek on its western boundary and steep topography which rises up to the east.

Given that the applicant is seeking a variation from an acceptable solution, they have submitted a written request having regard to A1.11 Variation to Controls of the Blayney DCP 2018, which states:

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

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

A copy of the applicants written request is attached.

It is considered that the applicant's written request adequately addresses the matters outlined in A1.11 and that it is open to the Council to allow for the proposed variation.

It is acknowledged that the majority, if not all, of existing large lot residential subdivisions between Millthorpe Road and Forest Reefs have been designed based on private land ownership pattern and generally include a road which terminates with a cul de sac. Examples of this include Charles Booth Way, Clover Ridge Road and Buesnel Lane.

It is considered that the overall layout, efficiency and ease of navigation of some of these subdivisions could have been improved had they allowed for through road connections.

However, these subdivisions were constructed prior to the introduction of the Blayney Development Control Plan 2018 and there was little emphasis on the importance of looking beyond property boundaries in order to improve the planning outcomes in large lot residential subdivisions.

As such, Council's Senior Planning staff recommend that Council does not approve the variation and that it supports the recommended condition of consent which would require that the proposed road reserve be extended to 280 Forest Reefs Road.

F7.4 Terminating Roads (cul-de-sac)

F7.4 seeks to minimise the use of cul-de-sacs, their length and number of lots serviced and ensure they cater for waste collection services.

Not applicable the provision only applies where proposed lots are below 1ha.

F7.5 Crown Roads

F7.5 seeks to ensure that Crown roads are appropriately dedicated and upgraded to service new development.

Not applicable.

F7.6 Safety & Surveillance

F7.6 seeks to ensure significant new roads consider Safety by Design principles.

The proposed public road has been assessed by Council's Infrastructure Services Department. No issues have been raised regarding safety and surveillance.

F7.7 Public Domain, Landscaping & Trees

F7.7. requires that new urban subdivisions must have street tree planting provided to soften the proposed future buildings and streetscape whilst accommodating required vehicle and pedestrian access and movement.

In this instance, Council does not require street tree planting.

F7.8 Naming of New Roads

F7.8 states that the naming of new roads is addressed in Council Policy entitled Guidelines for the naming of public roads and streets (2010 as amended).

Completion of the road naming process, including gazettal of the new road names in the NSW Government Gazette, is the responsibility of the relevant roads authority (Council for local roads / Roads & Maritime Services for classified roads).

Council will need to make a resolution for the decision to rename and/or the determination of a new name after community consultation (see the Development Guide). The procedures for naming roads is regulated by Clause 162 of the Roads Act 1993 and Part 2, Division 2 of the Roads Regulation 2008 and also requires consideration by the Geographical Names Board.

Section 7.11 Contributions

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 2013.

The contributions to be paid are currently \$6,615.50 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 prior to the issue of the Subdivision Certificate.

Water Headworks

The applicant shall contribute towards water head works to Central Tablelands Water (CTW) pursuant to Section 305 of the Water Management Act, 2000, and the Development Servicing Plan (Section 64), before the Subdivision Certificate is issued.

The amount applicable will be dependent upon the date on which payment is made and will be as per CTW's adopted fees and charges for the financial year in which payment is made.

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

Not applicable.

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

- **In the case of a development application for the demolition of a building, the provisions of AS 2601 (Clause 92)**
Not applicable.
- **In the case of a development application for the carrying out of development on land that is subject to a subdivision order made**

under Schedule 7 to the Act, the provisions of that order and of any development plan prepared for the land by a relevant authority under that Schedule (Clause 92)

Not applicable.

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

Not applicable.

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

Not applicable.

- **BASIX Commitments (Clause 97A)**

Not applicable.

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

The likely impacts of the proposed subdivision are addressed in the body of this report.

Further, having regard to the Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales it is considered that proposed development has a low probability of impacting on any Aboriginal objects.

Notwithstanding, it recommended that a condition of consent be imposed in the event that there is an unexpected find during construction.

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

Two submissions were received following notification of the proposed development. The relevant matters are addressed below.

Submission1

The first submission was received from an adjoining land owner. While the submission did not object to the proposed development, it highlighted specific issues that should be addressed at the 'planning stage', including the following:

- Establishing a suitable building envelope to address the above mentioned issues. I believe 10 metres isn't a suitable distance to have a building from the boundary considering it's a 2.5 ha block;
- Developing a suitable fencing standard over and above rural fencing standards because the lots represent residential / life style not rural / farming; and

- The impacts of this and other potential developments if not managed, will impact the viability and the value of my property as farming land.

The following is noted with regard to the foregoing issues:

- The proposed subdivision has been amended in response to Submission 1 to incorporate building envelopes with a minimum setback of 50m from land zoned RU1 Primary Production (i.e. Proposed Lots 7 and 8 only). However, it is recommended that a condition of consent be applied to require that the building envelope of Lot 6 also achieves a minimum setback of 50m;
- A condition of consent will be applied to require perimeter landscaping on the boundary of proposed Lot 7 and 8); and
- It is recommended that a condition of consent be applied requiring that all boundary fencing comprise two top barbed wires and 3 plain “tie easy” or high tensile wires with rabbit netting, hinge joint or ring lock of “sheep and lamb” pattern that provides a sufficient stock proof barrier, unless otherwise agreed by Council’s Department of Planning and Environmental Services.

It is considered that the foregoing requirements will be adequate to address this issues raised in the submission that these requirements are consistent with other recent subdivision approvals, such as the 14 lot subdivision approved at 741 Forest Reefs Road, Forest Reefs in November 2020.

Submission 2

The second submission objected to proposed development on the basis that the trajectory of car lights from the proposed new road would impact on the enjoyment of their dwelling.

The objecting submission was subsequently withdrawn once the proposed subdivision plan was amended to relocate the proposed intersection 15m further to the west.

Summary / Conclusion

The proposal is permissible with consent of Council. The proposed development complies with the relevant aims, objectives and provisions of BLEP 2012 and Blayney DCP 2018 with the exception of the proposed variation. A Section 4.15 assessment of the development indicates that the development is acceptable in this instance.

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

Risk/Policy/Legislation Considerations:

The proposal is permissible with consent of Council. The proposed development complies with the relevant aims, objectives and provisions of BLEP 2012. A Section 4.15 assessment of the development indicates that the proposed modification is acceptable and recommended in this instance.

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

Budget Implications:

Nil

Enclosures (following report)

- | | | |
|----------|---------------------|----------|
| 1 | Proposed Conditions | 15 Pages |
|----------|---------------------|----------|

Attachments (separate document)

- | | | |
|----------|---|----------|
| 2 | Letter from Applicant | 2 Pages |
| 3 | Statement of Environmental Effets | 43 Pages |
| 4 | Additional Information | 16 Pages |
| 5 | Submission 1 | 3 Pages |
| | <i>This matter is considered to be confidential under Section 10A(2) (a) of the Local Government Act, as it deals with personnel matters concerning particular individuals.</i> | |
| 6 | Submission 2 | 2 Pages |
| | <i>This matter is considered to be confidential under Section 10A(2) (a) of the Local Government Act, as it deals with personnel matters concerning particular individuals.</i> | |

Reasons for Conditions

The conditions have been imposed for the following reasons:

- To ensure compliance with the terms of the relevant Planning Instruments
- To ensure no injury is caused to the existing and likely future amenity of the neighbourhood.
- Due to the circumstances of the case and the public interest.
- To ensure the protection of the health and safety of the occupants of the development.
- To protect the environment.
- To prevent, minimise, and/or offset adverse environmental impacts.
- To ensure there is no unacceptable impact on the water quality.
- To ensure adequate soil conservation and protect against movement of soil and sediments.

Approved Plans

1. Development In Accordance with Approved Plans & Documentation

Development is to take place in accordance with:

Plan/Doc No.	Plan/Doc Title	Prepared by	Issue	Date
32726-PR01_A	Statement of Environmental Effects	Barnson		04/03/2021
32726-PL01_B	Additional Information	Barnson		24/09/2021
	Proposed Subdivision	Barnson	D	24/09/2021

as amended in accordance with any conditions of this consent.

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

Prescribed Conditions

1. Signage

A sign must be erected in a prominent position on any site on which building work, subdivision work or demolition work is being carried out—

- showing the name, address and telephone number of the principal certifier for the work, and
- showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours, and
- stating that unauthorised entry to the work site is prohibited.

Any such sign is to be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work has been completed.

Prior to Issue of an Engineering Construction Certificate

2. Amended Subdivision Plan

An amended subdivision plan must be submitted to the satisfaction of the Blayney Shire Council Department of Planning and Environmental Services.

The amended subdivision plan must show a 20m wide road reserve to 280 Forest Reefs (Lot 2 DP1204940).

The amended plan must show a minimum setback of 50m from the building envelope of proposed Lot 6 to 507 Spring Hill Road, Millthorpe (Lot 1 DP750384).

3. Effluent Management Report

An Effluent Management Report must be prepared for the existing system within proposed Lot 15 to the satisfaction of the Blayney Shire Council.

The Effluent Management Report must demonstrate that the existing system meets the requirements of Australian Standard AS1547, the Environmental Health Protection Guidelines – On-Site Sewage Management for Single Households (1998 - as amended) and any relevant NSW Government policy.

4. Amended Effluent Management Report

An amended Effluent Management Report must be prepared to the satisfaction of the Blayney Shire Council Department of Planning and Environmental Services.

The amended Effluent Management Report must clarify which lots are affected by the high water table (i.e. and 3 and 4 or 4 and 5) and confirm which system is recommended for each lot.

5. Vegetation Buffer Plan

A vegetation buffer plan must be submitted to the satisfaction of the Blayney Shire Council Department of Planning and Environmental Services.

The plan must show a vegetation buffer along the full extent of northern boundaries of proposed Lot 7 and 8, and north western corner of Lot 6.

The buffer must comprise three rows of trees and shrubs with a spacing of 3 metres between each row and 4 metres between each tree / shrub.

The species, composition and maturity of trees / shrubs must be determined in association with Councils Supervisor Parks and Gardens.

6. Subdivision Staging Plan

A detailed staging plan be submitted to the satisfaction of the Blayney Shire Council Department of Infrastructure Services. The staging plan must demonstrate:

- Suitable access to each successive stage of the subdivision;
- Provision of infrastructure to demonstrate how each stage of the subdivision could operate independently in the absence of each successive stage;
- Access to essential infrastructure / utilities, roads and pedestrian connections, and incorporate landscaping where required; and
- Provide a fully formed cul-de-sac (see Council's Guidelines for Engineering Works (as amended)) for any temporary terminating roads (that will later become through roads) so that the maximum sized design vehicle is only required to do a maximum three-point turn to exit the cul-de-sac.

7. Engineering Plans

The applicant is to submit three (3) copies of engineering plans, specifications and calculations in relation to Condition(s) 8, 9, 13, 14, 15, 16, 18, 37, 38, 40, 56, 57, 58 and 60. Further, the works are to comply with WBC Guidelines for Engineering Works.

8. Traffic And Pedestrian Management Plan

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

9. Soil & Water Management Plan

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

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

The measures detailed in the plan are to remain in place until all landscaping is completed.

Prior to Works Commencing

10. Subdivision Works Certificate

Unless the development is deemed as exempt, the applicant is to obtain a Subdivision Works Certificate pursuant to Section 6.13 of the Environmental Planning and Assessment Act 1979, as amended from either Council or an accredited certifying authority, which complements the detail provided in the development consent, that the proposed works are in accordance with WBC Guidelines for Engineering Works, prior to any subdivision works commencing.

Note 1: No building, engineering or excavation work is to be carried out in relation to this development until the necessary Subdivision Works Certificate or certificates have been obtained.

Note 2: You must not commence work until you have received the subdivision works certificate, even if you made an application for a Subdivision Works Certificate at the same time as you lodged this development application.

Note 3: It is the responsibility of the applicant to ensure that the development complies with the provisions of the Building Code of Australia in the case of building work and the applicable Council Engineering Standards in the case of subdivision works. This may entail alterations to the proposal so that it complies with these standards.

11. Public Liability Insurance

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

Stage 1 Lots 1 – 5, 9 and 10

During Construction

12. Engineering Inspections

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

	COLUMN 1	COLUMN 2
A	Road Construction	<ul style="list-style-type: none"> * Following site regrading, and prior to installation of footway services; * Excavation and trimming of subgrade; * After compaction of sub-base; * After compaction of base, and prior to sealing; * Establishment of line and level for kerb and gutter placement; * Subsoil Drainage; * Road pavement surfacing; * Pavement test results (compaction, strength).
B	Drainage	<ul style="list-style-type: none"> * After laying of pipes and prior to backfill; * Pits after rendering openings and installation of step irons.
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
G	Erosion and Sediment Control	<ul style="list-style-type: none"> * Prior to the installation of erosion measures.
H	All Development & or Subdivision Works	<ul style="list-style-type: none"> * Practical completion.
I	Road Openings	<ul style="list-style-type: none"> * Upon completion of works.

13. Design New Road to Engineering Standard

The proposed Street/Road. is to be designed in accordance with WBC Guidelines for Engineering Works as a rural local access road.

14. Intersection Improvements

The intersection of the Proposed Road and Forest Reefs Road is to be reconstructed, to include:

- a) B.A.R / B.A.L Intersection treatment as per Austroads Standard.
- b) Manoeuvring clearances to accommodate semi-trailer turning without encroachment into opposing lanes:
- c) The intersection is to be constructed no closer than fifteen metres to the south west of Charles Booth Way.

Works are to be carried out in accordance with the provisions of WBC Guidelines for Engineering Works. Full details of proposed works are to be submitted to and approved by Council prior to issue of the Subdivision Works Certificate.

15. Access Driveway – Battleaxe lots

The construction is to occur, within and for the full length of the access handle of the hatchet shaped lots, of a purpose built stabilized gravel driveway a minimum of 4m in width, providing the following issues are addressed:

- a) The gravel source must be tested by a NATA qualified Geotechnical Office to recommend the type and percentage of additive to obtain an Unconfined Compressive Strength of 3-5Mpa. The pavement design must have final Council approval.
- b) If the gravel has a higher Plasticity Index than 6% the additive should be lime based. If it is less than 6% it should be cement based.
- c) The placement of the stabilized gravel is to be undertaken by a competent contractor who shall follow the "Austab Guidelines for Small Stabilization Jobs" when constructing the driveway.

- d) A Relative Dry Density Compaction test must exceed 100% Standard M.D.D.
- e) The gravel depth is to be 150mm minimum.
- f) The stabilized driveway is to start from the property boundary. The verge or footpath area is to be bitumen sealed as per Council's specification.
- g) Prior to final approval the driveway will need to be inspected by Council.

16. New Gate – Rural

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

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

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

17. Site Management

The site shall be managed so that:

- a) No additional filling shall be placed on the land which may impede the flow of flood waters;
- b) Any clearing or drainage activities shall not alter the drainage patterns across the site;
- c) No landscaping or similar type structures shall be installed which will inhibit the flow of flood waters;
- d) Any plant or goods stored upon the site shall be stored in a manner which will not allow pollution of the flood waters;
- e) All actions shall be taken upon the site which will minimise the effect of the property upon the flood waters.

18. Road and Interallotment Drainage

All road and inter allotment drainage is to be conveyed to a legal point of discharge, in accordance with WBC Guidelines for Engineering Works.

19. Relocate Utility Services

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

20. Clearance from Power Lines

Clearance from power lines is to be provided during and after construction. Minimum distances from powerlines are to be maintained.

21. Electrical and Telecommunications Authorities – Subdivision

The developer is to furnish Council with documentary evidence that arrangements have been made, satisfactory to the appropriate electrical authority and the appropriate telecommunications authority, for the provision of street and pathway lighting and/or for the provision of underground electrical power and/or telephone lines, respectively, to serve each lot.

(High voltage electrical power from existing overhead lines to poles on the proposed new public road may be overhead. However, all low voltage power from these poles to each lot must be located underground).

22. Fence all Lots

All boundary fencing must comprise two top barbed wires and 3 plain “tie easy” or high tensile wires with rabbit netting, hinge joint or ring lock of “sheep and lamb” pattern that provides a sufficient stock proof barrier, unless otherwise agreed by Council’s Department of Planning and Environmental Services.

23. Hours for Construction Works

Construction works can only be carried out between 7.00 am and 6.00 pm on Monday to Friday, and 8am to 1pm on Saturdays. No construction 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.

24. Unexpected Finds

If Aboriginal objects, relics or other historical items or the like are located during development works, all works in the area of the identified object, relic or item shall cease and the NSW Office of Environmental Heritage (OEH), and representatives from the Local Aboriginal Land Council shall be notified. Where required, further archaeological investigation shall be undertaken. Development works in the area of the find(s) may recommence if and when outlined by the management strategy, developed in consultation with and approved by the OEH.

Prior to Issue of a Subdivision Certificate – Stage 1
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25. Works as Executed Plan

The applicant is to submit to Council an electronic copy of the works as executed plans for the works required by Conditions 13, 14, 15, 16 and 18 in AutoCAD 2000 format. Further, the works are to comply with WBC Guidelines for Engineering Works.

Additionally, installation and material costs for the works required by Conditions 13 and 14 are to be provided to council alongside the Works as Executed Plan.

26. Creation of an Easement

The development will require the creation of an easement under Section 88B of the Conveyancing Act 1919, to address stormwater drainage. The easement will be in favour of Council over all affected lots and will have a minimum width of:

- 2.5 metres over piped drains;
- Surface width of 1% AEP flow + 500mm freeboard + 1m (horizontally) over open channel drains and be centrally located over drains.

27. Section 7.11 Contributions (Type A - Residential)

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 2013 (see Council’s web site). The contributions to be paid are currently \$6,615.50 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 Certifying Authority prior to the issue of the Construction/Subdivision Certificate.

28. Water Headworks

The applicant shall contribute towards water head works to Central Tablelands Water (CTW) pursuant to Section 305 of the Water Management Act, 2000, and the Development Servicing Plan (Section 64),

before the Subdivision Certificate is issued. The amount applicable will be dependent upon the date on which payment is made and will be as per CTW's adopted fees and charges for the financial year in which payment is made.

29. Road Inspection Fee

Payment of \$35 per lineal metre is to be made for the inspection of the road during construction. The amount applicable will be dependent upon the date on which payment is made and will be as per Council's adopted fees and charges for the financial year in which payment is made.

30. Dedication of Road Widening

The dedication as public road is required of that part of the subject land so indicated on the approved plans.

31. Road Construction Bond

The developer is to lodge a bond with Council equal to 5% of the total subdivision civil construction costs at practical completion, to be held by Council for a minimum period of twelve (12) months. The bond must be lodged with Council prior to the issue of the Subdivision Certificate.

32. Street Signs

The developer is to make a payment to Council for the provision of each street sign. The amount applicable will be dependent upon the date on which payment is made and will be as per Council's adopted fees and charges for the financial year in which payment is made.

33. Rural Address Number

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.

34. Provision of Rural Address Number(S)

The location of each eligible entrance shall be established and a number allocated, based upon measurements taken by the Principal Certifying Authority, which will be in accordance with Standard AS/NZS 4819:2003.

35. Electrical and Telecommunications Authorities - Subdivision

The developer is to furnish Council with documentary evidence that arrangements have been made, satisfactory to the appropriate electrical authority and the appropriate telecommunications authority, for the provision of underground electrical power and telecommunications infrastructure, respectively, to serve each lot.

(High voltage electrical power from existing overhead lines to poles on the proposed new public road may be overhead. However, all low voltage power from these poles to each lot must be located underground).

Stage 2 Lots 6 – 8, 11 and 12

During Construction

36. Engineering Inspections

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

	COLUMN 1	COLUMN 2
A	Road Construction	<ul style="list-style-type: none"> * Following site regrading, and prior to installation of footway services; * Excavation and trimming of subgrade; * After compaction of sub-base; * After compaction of base, and prior to sealing; * Establishment of line and level for kerb and gutter placement; * Subsoil Drainage; * Road pavement surfacing; * Pavement test results (compaction, strength).
B	Drainage	<ul style="list-style-type: none"> * After laying of pipes and prior to backfill; * Pits after rendering openings and installation of step irons.
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
G	Erosion and Sediment Control	<ul style="list-style-type: none"> * Prior to the installation of erosion measures.
H	All Development & or Subdivision Works	<ul style="list-style-type: none"> * Practical completion.
I	Road Openings	<ul style="list-style-type: none"> * Upon completion of works.

37. Design New Road to Engineering Standard

The proposed Street/Road. is to be designed in accordance with WBC Guidelines for Engineering Works as a rural local access road.

38. New Gate – Rural

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

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

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

39. Site Management

The site shall be managed so that:

- a) No additional filling shall be placed on the land which may impede the flow of flood waters;
- b) Any clearing or drainage activities shall not alter the drainage patterns across the site;
- c) No landscaping or similar type structures shall be installed which will inhibit the flow of flood waters;
- d) Any plant or goods stored upon the site shall be stored in a manner which will not allow pollution of the flood waters;
- e) All actions shall be taken upon the site which will minimise the effect of the property upon the flood waters.

40. Road and Interallotment Drainage

All road and inter allotment drainage is to be conveyed to a legal point of discharge, in accordance with WBC Guidelines for Engineering Works.

41. Relocate Utility Services

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

42. Clearance from Power Lines

Clearance from power lines is to be provided during and after construction. Minimum distances from powerlines are to be maintained.

Prior to Issue of a Subdivision Certificate
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43. Works as Executed Plan

The applicant is to submit to Council an electronic copy of the works as executed plans for the works required by Conditions 37, 38 and 40 in AutoCAD 2000 format. Further, the works are to comply with WBC Guidelines for Engineering Works.

Additionally, installation and material costs for the works required by Condition 37 and 40 are to be provided to council alongside the Works as Executed Plan.

44. Creation of an Easement

The development will require the creation of an easement under Section 88B of the Conveyancing Act 1919, to address stormwater drainage. The easement will be in favour of Council over all affected lots and will have a minimum width of:

- 2.5 metres over piped drains;
- Surface width of 1% AEP flow + 500mm freeboard + 1m (horizontally) over open channel drains and be centrally located over drains.

45. Section 7.11 Contributions (Type A - Residential)

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 2013 (see Council's web site). The contributions to be paid are currently \$6,615.50 per new lot created. 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 Certifying Authority prior to the issue of the Construction/Subdivision Certificate.

46. Water Headworks

The applicant shall contribute towards water head works to Central Tablelands Water (CTW) pursuant to Section 305 of the Water Management Act, 2000, and the Development Servicing Plan (Section 64), before the Subdivision Certificate is issued. The amount applicable will be dependent upon the date on which payment is made and will be as per CTW's adopted fees and charges for the financial year in which payment is made.

47. Road Inspection Fee

Payment of \$35 per lineal metre is to be made for the inspection of the road during construction. The amount applicable will be dependent upon the date on which payment is made and will be as per Council's adopted fees and charges for the financial year in which payment is made.

48. Dedication of Road Widening

The dedication as public road is required of that part of the subject land so indicated on the approved plans.

49. Road Construction Bond

The developer is to lodge a bond with Council equal to 5% of the total subdivision civil construction costs at practical completion, to be held by Council for a minimum period of twelve (12) months. The bond must be lodged with Council prior to the issue of the Subdivision Certificate.

50. Street Signs

The developer is to make a payment to Council for the provision of each street sign. The amount applicable will be dependent upon the date on which payment is made and will be as per Council's adopted fees and charges for the financial year in which payment is made.

51. Rural Address Number

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.

52. Provision of Rural Address Number(S)

The location of each eligible entrance shall be established and a number allocated, based upon measurements taken by the Principal Certifying Authority, which will be in accordance with Standard AS/NZS 4819:2003.

53. Vegetation Buffer

Prior to the issue of a Subdivision Certificate, the vegetation buffer required under Condition 3 must be established to the satisfaction of Council's Supervisor Parks and Gardens.

54. Electrical and Telecommunications Authorities - Subdivision

The developer is to furnish Council with documentary evidence that arrangements have been made, satisfactory to the appropriate electrical authority and the appropriate telecommunications authority, for the provision of underground electrical power and telecommunications infrastructure, respectively, to serve each lot.

(High voltage electrical power from existing overhead lines to poles on the proposed new public road may be overhead. However, all low voltage power from these poles to each lot must be located underground).

Stage 3 Lots 13 – 15

During Construction

55. Engineering Inspections

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

	COLUMN 1	COLUMN 2
A	Road Construction	<ul style="list-style-type: none"> * Following site regrading, and prior to installation of footway services; * Excavation and trimming of subgrade; * After compaction of sub-base; * After compaction of base, and prior to sealing;

		<ul style="list-style-type: none"> * Establishment of line and level for kerb and gutter placement; * Subsoil Drainage; * Road pavement surfacing; * Pavement test results (compaction, strength).
B	Drainage	<ul style="list-style-type: none"> * After laying of pipes and prior to backfill; * Pits after rendering openings and installation of step irons.
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
G	Erosion and Sediment Control	<ul style="list-style-type: none"> * Prior to the installation of erosion measures.
H	All Development & or Subdivision Works	<ul style="list-style-type: none"> * Practical completion.
I	Road Openings	<ul style="list-style-type: none"> * Upon completion of works.

56. Design New Road to Engineering Standard

The proposed Street/Road. is to be designed in accordance with WBC Guidelines for Engineering Works as a rural local access road.

57. Access Driveway – Battleaxe lots

The construction is to occur, within and for the full length of the access handle of the hatchet shaped lots, of a purpose built stabilized gravel driveway a minimum of 4m in width, providing the following issues are addressed:

- h) The gravel source must be tested by a NATA qualified Geotechnical Office to recommend the type and percentage of additive to obtain an Unconfined Compressive Strength of 3-5Mpa. The pavement design must have final Council approval.
- i) If the gravel has a higher Plasticity Index than 6% the additive should be lime based. If it is less than 6% it should be cement based.
- j) The placement of the stabilized gravel is to be undertaken by a competent contractor who shall follow the "Austab Guidelines for Small Stabilization Jobs" when constructing the driveway.
- k) A Relative Dry Density Compaction test must exceed 100% Standard M.D.D.
- l) The gravel depth is to be 150mm minimum.
- m) The stabilized driveway is to start from the property boundary. The verge or footpath area is to be bitumen sealed as per Council's specification.
- n) Prior to final approval the driveway will need to be inspected by Council.

58. New Gate – Rural

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

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

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

59. Site Management

The site shall be managed so that:

- a) No additional filling shall be placed on the land which may impede the flow of flood waters;
- b) Any clearing or drainage activities shall not alter the drainage patterns across the site;
- c) No landscaping or similar type structures shall be installed which will inhibit the flow of flood waters;
- d) Any plant or goods stored upon the site shall be stored in a manner which will not allow pollution of the flood waters;
- e) All actions shall be taken upon the site which will minimise the effect of the property upon the flood waters.

60. Road And Interallotment Drainage

All road and inter allotment drainage is to be conveyed to a legal point of discharge, in accordance with WBC Guidelines for Engineering Works.

61. Relocate Utility Services

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

62. Clearance From Power Lines

Clearance from power lines is to be provided during and after construction. Minimum distances from powerlines are to be maintained.

Prior to Issue of a Subdivision Certificate
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63. Electrical and Telecommunications Authorities – Subdivision

The developer is to furnish Council with documentary evidence that arrangements have been made, satisfactory to the appropriate electrical authority and the appropriate telecommunications authority, for the provision of street and pathway lighting and/or for the provision of underground electrical power and/or telephone lines, respectively, to serve each lot.

Note: This information must be submitted before Council will issue the Subdivision Certificate relating to this development.

64. Works as Executed Plan

The applicant is to submit to Council an electronic copy of the works as executed plans for the works required by Conditions 56, 57, 58 and 60 in AutoCAD 2000 format. Further, the works are to comply with WBC Guidelines for Engineering Works.

Additionally, installation and material costs for the works required by Condition 56 and 60 are to be provided to council alongside the Works as Executed Plan.

65. Creation of an Easement

The development will require the creation of an easement under Section 88B of the Conveyancing Act 1919, to address stormwater drainage. The easement will be in favour of Council over all affected lots and will have a minimum width of:

- 2.5 metres over piped drains;
- Surface width of 1% AEP flow + 500mm freeboard + 1m (horizontally) over open channel drains and be centrally located over drains.

66. Easement Required – Adjacent Land

The creation and registration of an easement over the adjoining land is required for a right of carriageway 10 metres wide within Lot 15 and in favour of Lot 14.

67. Section 7.11 Contributions (Type A - Residential)

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 2013 (see Council's web site). The contributions to be paid are currently \$6,615.50. per new lot created. 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 Certifying Authority prior to the issue of the Construction/Subdivision Certificate.

68. Water Headworks

The applicant shall contribute towards water head works to Central Tablelands Water (CTW) pursuant to Section 305 of the Water Management Act, 2000, and the Development Servicing Plan (Section 64), before the Subdivision Certificate is issued. The amount applicable will be dependent upon the date on which payment is made and will be as per CTW's adopted fees and charges for the financial year in which payment is made.

69. Road Inspection Fee

Payment of \$35 per lineal metre is to be made for the inspection of the road during construction. The amount applicable will be dependent upon the date on which payment is made and will be as per Council's adopted fees and charges for the financial year in which payment is made.

70. Dedication of Road Widening

The dedication as public road is required of that part of the subject land so indicated on the approved plans.

71. Road Construction Bond

The developer is to lodge a bond with Council equal to 5% of the total subdivision civil construction costs at practical completion, to be held by Council for a minimum period of twelve (12) months. The bond must be lodged with Council prior to the issue of the Subdivision Certificate.

72. Street Signs

The developer is to make a payment to Council for the provision of each street sign. The amount applicable will be dependent upon the date on which payment is made and will be as per Council's adopted fees and charges for the financial year in which payment is made.

73. Rural Address Number

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.

74. Provision of Rural Address Number(s)

The location of each eligible entrance shall be established and a number allocated, based upon measurements taken by the Principal Certifying Authority, which will be in accordance with Standard AS/NZS 4819:2003.

75. Vegetation Buffer

Prior to the issue of a Subdivision Certificate, the vegetation buffer required under Condition 3 must be established to the satisfaction of Council's Supervisor Parks and Gardens.

76. Electrical and Telecommunications Authorities - Subdivision

The developer is to furnish Council with documentary evidence that arrangements have been made, satisfactory to the appropriate electrical authority and the appropriate telecommunications authority, for the provision of underground electrical power and telecommunications infrastructure, respectively, to serve each lot.

(High voltage electrical power from existing overhead lines to poles on the proposed new public road may be overhead. However, all low voltage power from these poles to each lot must be located underground).

Essential Energy Requirements

As part of the subdivision/s, easement/s are to be created for any existing or new electrical infrastructure, using Essential Energy's standard easement terms current at the time of registration of the plan/s of subdivision. Essential Energy has existing overhead powerlines located on the property. The proposed subdivision plan/s provided indicate that proposed Lot 14 will be in the location of these existing powerlines. Refer to Essential Energy's Contestable Works team for requirements via contestableworks@essentialenergy.com.au.

If the proposed development changes, there may be potential safety risks and it is recommended that Essential Energy is consulted for further comment.

Any existing encumbrances in favour of Essential Energy (or its predecessors) noted on the title of the above property should be complied with.

Council should ensure that a Notification of Arrangement (confirming satisfactory arrangements have been made for the provision of power) is issued by Essential Energy with respect to all proposed lots which will form part of the subdivision, prior to Council releasing the Subdivision Certificate. It is the Applicant's responsibility to make the appropriate application with Essential Energy for the supply of electricity to the subdivision, which may include the payment of fees and contributions. Despite Essential Energy not having any safety concerns, there may be issues with respect to the subdivision layout, which will require Essential Energy's approval. Refer Essential Energy's Contestable Works Team for requirements via email contestableworks@essentialenergy.com.au.

In addition, Essential Energy's records indicate there is electricity infrastructure located within close proximity to the property. Any activities within this location must be undertaken in accordance with the latest industry guideline currently known as ISSC 20 Guideline for the Management of Activities within Electricity Easements and Close to Infrastructure. Approval may be required from Essential Energy should activities within the property encroach on the electricity infrastructure.

Prior to carrying out any works, a "Dial Before You Dig" enquiry should be undertaken in accordance with the requirements of Part 5E (Protection of Underground Electricity Power Lines) of the Electricity Supply Act 1995 (NSW).

Given there is electricity infrastructure in the area, it is the responsibility of the person/s completing any works around powerlines to understand their safety responsibilities. SafeWork NSW (www.safework.nsw.gov.au) has publications that provide guidance when working close to electricity

infrastructure. These include the Code of Practice – Work near Overhead Power Lines and Code of Practice – Work near Underground Assets.

Advisory Notes

Earthworks

Any earthworks undertaken should be in accordance with the exempt development provisions set out at *Subdivision 15 Earthworks, retaining walls and structural support of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*.

Separate development consent is required for any earthworks not in accordance with the forgoing provisions.

25) REPORT OF THE CENTRAL NSW JOINT ORGANISATION MEETING HELD 24 FEBRUARY 2022

Department: Executive Services

Author: Councillor Ferguson

CSP Link: 2. Local Governance and Finance

File No: GR.LR.3

Recommendation:

That Council note the report from the recent Central NSW Joint Organisation Board meeting.

Reason for Report:

To provide Council with the Mayor's delegate report on the Central NSW Joint Organisation (CNSW JO) meeting.

Report:

Mayor Scott Ferguson attended the CNSW JO Board meeting on Thursday 24 February 2022 in Canowindra.

The Board elected a new Chair Cr Kevin Beatty Mayor of Cabonne and Deputy Chair, Cr Mark Kellam Mayor of Oberon.

The business paper and minutes are published on the CNSW JO website <https://www.centraljo.nsw.gov.au/business-papers-agendas/>. The minutes of the meeting are attached under separate cover to this report.

Review of the CNSWJO Strategy

Like Council, CNSW JO must review its strategy each term. The mandated Statement of Strategic Regional Priority is due in December 2022.

Regional Submissions

Members have forwarded requests for the JO to lodge submissions, where all advice provided is within existing policy. All are available on the CNSWJO website at <https://www.centraljo.nsw.gov.au/submissions/>. The Board has approved submissions be lodged for the

- a. DPE Draft Central West and Orana Regional Plan
- b. TfNSW Draft Central West and Orana Regional Transport Plan
- c. AER Framework and Approach Consultation;
- d. NSW Public Lighting Code Review; and
- e. AEMC Review of Regulatory Framework for Metering Services
- f. IPART Review of Electricity Network Operators' Licenses

Risk/Policy/Legislation Considerations:

Nil

Budget Implications:

Nil

Enclosures (following report)

Nil

Attachments (separate document)

- | | | |
|---|--|---------|
| 1 | Central NSW Joint Organisation Board Meeting
Minutes - 24/02/2022 | 6 Pages |
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Matters to be dealt with in closed committee

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

26) ELECTRICITY PROCUREMENT - CENTRAL NSW JOINT ORGANISATION

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

27) LEGAL MATTER

This matter is considered to be confidential under Section 10A(2) (g) of the Local Government Act, as it deals with advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.

28) LAND ACQUISITION FOR ROAD RE-ALIGNMENT AT 143 FOREST REEFS ROAD - DP1280817

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

29) LAND ACQUISITION FOR ROAD RE-ALIGNMENT AT 133 AND 150 CARBINE ROAD

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