

**MINUTES OF THE BLAYNEY SHIRE COUNCIL ORDINARY MEETING
HELD IN THE CHAMBERS, BLAYNEY SHIRE COUNCIL COMMUNITY
CENTRE, ON 21 NOVEMBER 2023, COMMENCING AT 6.00PM**

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

General Manager (Mr M Dicker), Director Corporate Services (Mr A Franze), Director Infrastructure Services (Mr J Hogan), Director Planning & Environmental Services (Mr A Muir) and Executive Assistant to the General Manager (Mrs L Ferson)

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 Ewin	Non-Pecuniary (less than significant)	3	11	Notice of Motion – Flyers Creek Area Weed Control	Cr Ewin is an employee of Cadia Mine, Newmont
Cr Pryse Jones	Pecuniary	13	48	Minutes of Financial Assistance Committee Meeting held 6 November 2023	Cr Pryse Jones is the applicant in the form of Administrator for Financial Assistance Program application number 7

MAYORAL MINUTE

**MAYORAL MINUTE - BIPARTISAN SUPPORT -
PARLIAMENTARY INQUIRY INTO CRIME, LAW AND ORDER
IN REGIONAL NSW**

2311/001

RESOLVED:

That Council endorse the following recommendations listed in the Country Mayors Association of NSW report into Crime, Law and Order and call on Local Member Paul Toole to support the establishment of a Parliamentary Inquiry with the suggested terms of reference in the document

1. That Council call on all members of the NSW Parliament to commit to bipartisan support to establish a Parliamentary Inquiry into and report on the rate of crime in all categories reported on by the Bureau of Crime Statistical and Research (BOCSAR) in Regional, Rural and Remote New South Wales, specifically focussing on the inequity between Metro and Regional Local Government areas.
2. That Council calls on all members of the NSW Parliament to commit to bipartisan support to increase spending on the

- NSW police force to increase front line policing numbers in Regional, Rural and Remote regions most at need.
3. That Council call on the NSW Government to commit to the minimum staffing agreements (known in the NSW Police Force as First Response Agreements) for non-24 hour police stations, all of which are located in Regional, Rural and Remote Local Government areas.
 4. That Council calls on the NSW Government to review the current formula used to assess staffing levels including the universally agreed outdated current model for those Local Government areas that do have a First Response Agreement in place.

(Ferguson/Newstead)
CARRIED

CONFIRMATION OF MINUTES

MINUTES OF THE PREVIOUS EXTRAORDINARY COUNCIL MEETING HELD 9 NOVEMBER 2023

2311/002

RESOLVED:

That the Minutes of the Extraordinary Council Meeting held on 9 November 2023, being minute numbers 2311/E001 to 2311/E002 be confirmed.

(Reynolds/Somerville)
CARRIED

MATTERS ARISING FROM THE MINUTES

Cr Reynolds asked if there was any update from IPART on the rate peg.

General Manager confirmed IPART have announced the 24/25 rate peg for Blayney as 5.7%

Cr Ewin, having declared an interest, left the meeting.

NOTICES OF MOTION

NOTICE OF MOTION - FLYERS CREEK AREA WEED CONTROL

2311/003

RESOLVED:

That Council provide \$10,000 annually for the next three financial years from the Community Benefit Fund section of the Flyers Creek Voluntary Planning Agreement to fund the control priority weeds along roadsides, including sticky nightshade in the Flyers Creek/Cadia area.

(Reynolds/Gosewisch)
CARRIED

Cr Ewin returned to the meeting.

EXECUTIVE SERVICES REPORTS**QUESTIONS TAKEN ON NOTICE AT THE OCTOBER COUNCIL MEETING****2311/004****RESOLVED:**

That the questions taken on notice at the Ordinary Council Meeting held 17 October 2023 and the subsequent response be received and noted.

(Gosewisch/Ewin)

CARRIED

SIDETRACK ARTS INCORPORATED SUB LICENCE AGREEMENT AND MOU**2311/005****RESOLVED:**

That Council;

1. Delegate authority to the General Manager to finalise the Licence agreement with Transport Asset Holding Entity and correlating Sub-Licence agreement with Sidetrack Arts Incorporated for the Blayney Railway Station 'Platform' space for a period of 3 years followed by a rolling month-to-month lease.
2. Delegate authority to the General Manager to sign and execute a Memorandum of Understanding between Council and Sidetrack Arts Incorporated for a period of 3 years.

(Newstead/Ewin)

CARRIED

SKILLSET**2311/006****RESOLVED:**

That Council:

1. Support the nomination of Cr Pryse Jones to the Skillset Ltd Board.
2. Delegate to Mr. Ian Tooke authority to attend and vote as Councils proxy at the Skillset Ltd Annual General Meeting.

(Somerville/Gosewisch)

CARRIED

DECEMBER COUNCIL MEETING**2311/007****RESOLVED:**

That Council move the December Council meeting to 6.00pm Wednesday 13 December 2023.

(Newstead/Reynolds)

CARRIED

CORPORATE SERVICES REPORTS**REPORT OF COUNCIL INVESTMENTS AS AT 31 OCTOBER 2023**

- 2311/008 **RESOLVED:**
That Council;
1. Note the report indicating Council's investment position as at 31 October 2023.
 2. Note the certification of the Responsible Accounting Officer.
(Gosewisch/Ewin)
- CARRIED**

QUARTERLY BUDGET REVIEW STATEMENT - SEPTEMBER 2023

- 2311/009 **RESOLVED:**
1. That the Quarterly Budget Review Statement for the quarter ending 30 September 2023 be received.
 2. That the supplementary votes of \$684k nett proposed in the Quarterly Budget Review Statement be adopted, resulting in an increase to capital expenditure of \$755k, an increase to operating expenditure of \$306k and an increase in income of \$377k (which includes an increase of \$701k in capital income).
- (Somerville/Reynolds)
- CARRIED**

2022/23 ANNUAL REPORT

- 2311/010 **RESOLVED:**
That the Council endorse the 2022/23 Annual Report for lodgement with the Office of Local Government.
- (Gosewisch/Reynolds)
- CARRIED**

CABONNE AFTER SCHOOL CARE

- 2311/011 **RESOLVED:**
That Council defer this item.
- (Ferguson/Reynolds)
- CARRIED**

Cr Pryse Jones, having declared an interest, left the meeting.

MINUTES OF THE FINANCIAL ASSISTANCE COMMITTEE MEETING HELD 6 NOVEMBER 2023

- 2311/012 **RESOLVED:**
That Council;
1. Receive the minutes of the meeting held 6 November 2023.
 2. Increase the Carcoar PA&H Society allocation by \$1,928 to \$6,928 as the project is considered specialist electrical work in which no in kind contribution can be made.
 3. Approve the recommendations for 2023/24 – Additional

Round 1A of the Community Financial Assistance Program by the Financial Assistance Committee, together with an additional \$1,928 for the Carcoar P A & H Society to the amount of \$94,723, represented by \$30,339 for 2023/24 Round 1A General funding and \$64,384 Flagship funding, per the funding schedule.

4. Approve the supplementary (budget) vote of \$52,650 in the 2023/24 Operational Plan from the unexpended Financial Assistance Program funds held from prior years in the Special variation rates – mining cash restriction.
5. Call for Financial Assistance Program applications for Round 2 of 2023/24 in early 2024, closing in March 2024, for consideration by Council no later than the April 2024 Council meeting.

(Somerville/Ewin)
CARRIED

Cr Pryse Jones returned to the meeting.

INFRASTRUCTURE SERVICES REPORTS

INFRASTRUCTURE SERVICES MONTHLY REPORT

2311/013

RESOLVED:

That Council note the Infrastructure Services Monthly Report for November 2023.

(Ewin/Newstead)
CARRIED

ROAD CLOSURE - GLENORIE ROAD

2311/014

RESOLVED:

That Council;

1. Take into consideration all submissions lodged during the notification period.
2. Approve the closure of part of Glenorie Road, Millthorpe being ~476m² adjacent to 59 Glenorie Road in accordance with s.38 Roads Act 1993.
3. Give public notice for a period of 28 days of Council's intention to classify the land as Operational Land.
4. Endorse the land be exchanged as compensation for other land acquired for the purposes of the Roads Act 1993.
5. Delegate to the Mayor and General Manager authority to execute signature and fixing of the Council Seal to facilitate the road closure and land transfer.

(Reynolds/Newstead)
CARRIED

ROAD CLOSURE - MID WESTERN HIGHWAY

2311/015

RESOLVED:

That Council;

1. Take into consideration all submissions lodged during the notification period.
2. Approve the closure of part of Mid Western Highway, Kings Plains being 2.613 ha adjacent to 3399 Mid Western Highway in accordance with s.38 Roads Act 1993.
3. Give public notice for a period of 28 days of Council's intention to classify the land as Operational Land.
4. Delegate to the Mayor and General Manager authority to execute signature and fixing of the Council Seal to facilitate the road closure and land transfer.

(Reynolds/Ewin)

CARRIED**MINUTES OF THE TRAFFIC COMMITTEE MEETING HELD 24 OCTOBER 2023**

2311/016

RESOLVED:

That Council;

1. Receive and note the minutes of the Blayney Traffic Committee Meeting, held on Tuesday 24 October 2023.
2. That Council endorse the Traffic Management Plan for the Millthorpe Market event, to be staged on 3 December 2023 on Redmond Oval as a Class 2 event, subject to the conditions detailed in the Director Infrastructure Services' Report.
3. That Council endorse the Traffic Guidance Scheme for the Orange Running Festival, to be held on 9 & 10 March 2024 on roads in the vicinity of Forest Reefs and Spring Terrace, in the Orange City LGA, as a Class 2 event, and subject to the conditions detailed in the Director Infrastructure Services' Report.
4. That Council note the traffic analysis of data captured at Marshalls Lane.
5. That Council:
 - a. Establish an axle-based Load Limit across a bridge on Barry Road located at Chainage 900 from Barry.
 - b. Install R6-17 signs with load limits as per recommendations of Council's structural engineer.
 - c. Perform immediate temporary works to reduce the bridge to single lane as per the Traffic Guidance Scheme.

(Gosewisch/Reynolds)

CARRIED

PRESENTATION

Presentation of Financial Statements – John Thompson
Intentus – Audit Provider for NSW Audit Office

2022/23 AUDITED FINANCIAL STATEMENTS

2311/017

RESOLVED:

That Council adopt the 2022/23 Financial Statements and accept the Auditor's Report, as submitted by the NSW Audit Office.

(Reynolds/Somerville)

CARRIED**CLOSED MEETING**

2311/018

RESOLVED:

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

SALE OF PART DUNGEON ROAD, KINGS PLAINS

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.

(Gosewisch/Newstead)

CARRIED**CONFIDENTIAL MEETING REPORTS****SALE OF PART DUNGEON ROAD, KINGS PLAINS**

2311/019

RESOLVED:

That Council:

1. Endorse the closure of part Dungeon Road, Kings Plains being ~6.49km of Dungeon Road starting ~560m from the Mid-Western Highway to Shire Boundary, in accordance with s.38 Roads Act 1993.
2. That a further report be presented to Council to consider any submissions lodged during the notification period and formally resolve a decision on the road closure.
3. Endorse the sale of the road to Regis Resources for the sum of the Written Down Value (WDV) at the date of sale, of the road and associated assets, subject to the applicant funding Council's road closure application fee and all associated costs, ensuring there is no financial loss to Council.
4. Delegate Authority to the General Manager to negotiate the terms of the road closure and execute any document necessary.
5. Confirms its resolution to establish an internal reserve and allocate the sale of Dungeon Road funds to those shire roads around the Walkom Road, Village Road, Guyong Road and Vittoria Road areas.

(Somerville/Reynolds)
CARRIED

2311/020 RESOLVED:

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

(Gosewisch/Reynolds)
CARRIED

AT THE RE-OPENING OF THE MEETING TO THE PUBLIC, THE MAYOR ANNOUNCED THE OUTCOME OF RESOLUTION NUMBER 2311/019.

There being no further business, the meeting concluded at 8.08pm.

The Minute Numbers 2311/001 to 2311/020 were confirmed on 13 December 2023 and are a full and accurate record of proceedings of the Ordinary Meeting held on 21 November 2023.



Cr S Ferguson
MAYOR



Mr M Dicker
GENERAL MANAGER