

**MINUTES OF THE BLAYNEY SHIRE COUNCIL ORDINARY MEETING
HELD IN THE CHAMBERS, BLAYNEY SHIRE COUNCIL COMMUNITY
CENTRE, ON 17 DECEMBER 2018, COMMENCING AT 5.34PM**

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

General Manager (Mrs R Ryan), Director Corporate Services (Mr A Franze), Director Infrastructure Services (Mr G Baker), Acting Director Planning & Environmental Services (Mr D Drum), Executive Assistant to the General Manager (Mrs L Ferson), Administration Officer (Mrs N Smith) and Administration Officer – Projects (Mrs M Flynn).

ACKNOWLEDGEMENT OF COUNTRY

RECORDING OF MEETING STATEMENT

DISCLOSURES OF INTEREST

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

Councillor /Staff	Interest	Item	Pg	Report	Reason
Cr Ferguson	Pecuniary	20	123	CentrePoint Sports and Leisure Centre Upgrade	Contractor for a company that may tender for this project

MAYORAL MINUTE

**1812/001 SAVE OUR RECYCLING CAMPAIGN
RESOLVED:**

That Council endorse Local Government NSW's campaign, Save our Recycling, to realise the reinvestment of 100% of the Waste Levy collected each year by the NSW Government into waste minimisation, recycling and resource recovery.

(Ferguson/Ewin)
CARRIED

**1812/002 GENERAL MANAGER'S ANNUAL PERFORMANCE REVIEW
RESOLVED:**

That:

1. Council nominate Cr Newstead, along with the Mayor, Deputy 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 to the Performance Review Panel.
3. The Performance Review Panel members all undertake training in accordance with the Performance Review Guidelines.
4. The Mayor be delegated authority to finalise all arrangements for the Performance Review Panel to convene on 15

February 2019 and that all Councillors be provided with an opportunity for input and feedback.

(Ferguson/Kingham)
CARRIED

CONFIRMATION OF MINUTES

MINUTES OF THE PREVIOUS MEETING HELD ON MONDAY 19 NOVEMBER 2018

1812/003

RESOLVED:

That the Minutes of the Ordinary Council Meeting held on 19 November 2019, being minute numbers 1811/001 to 1811/017 be confirmed.

(Ewin/Somervaille)
CARRIED

MATTERS ARISING FROM THE MINUTES

Cr Reynolds noted the Mayor had declared a non-pecuniary less than significant interest at the November Workshop in relation to the Drought Communities Program Extension 2018, pertaining to the Millthorpe Museum. He asked the Mayor why that interest was not declared at the November Council Meeting. The Mayor advised he was unable to provide an answer, highlighted that the interest was non-pecuniary and thanked Cr Reynolds for the question.

Cr Reynolds asked the General Manager for an update on the Blayney Skate Park which the General Manager advised that Council had visited the Blayney High School to discuss the possibility of opening the Skate Park on Friday pending practical completion.

EXECUTIVE SERVICES REPORTS

APPLICATION FOR LEAVE OF ABSENCE

1812/004

RESOLVED:

That Council approve the Leave of Absence application submitted by Councillor Denton for the February and March 2019 Council meetings.

(Kingham/Somervaille)
CARRIED

SCCF ROUND 2 FUNDING DEED

1812/005

RESOLVED:

That Council;

1. Approves the execution of the Funding Deed for the NSW Government's Stronger Country Communities Fund Round 2 for \$ 1,249,486 with milestones as noted for the; Carcoar Sports and Recreation Ground Amenities Block, Blayney Sports Facilities Masterplan, CentrePoint Amenities Access

and Blayney and Villages Children's Playground Equipment Upgrade Projects.

2. Notes the \$56,069 of the Playground Equipment Upgrade budget may be funded from Council's Internal Restricted Asset Replacement Reserve - Parks and Recreation and will be reported to Council at the 31 March Quarterly Budget Review Statement (QBRS).
3. Approves the supplementary vote for \$611,571 income and associated CAPEX expenditure in the 2018/19 Operational Plan.
4. Includes \$637,915 income and associated CAPEX expenditure in the 2019/20 Operational Plan.

(Newstead/Ewin)

CARRIED

WASTE TO ENERGY FEASIBILITY STUDY TENTERFIELD SHIRE COUNCIL

1812/006

RESOLVED:

That Council respectfully thanks Tenterfield Shire Council for the opportunity to contribute \$15,000 towards a Waste to Energy Feasibility Study however declines the request.

(Ferguson/Newstead)

CARRIED

MUMS 4 REFUGEES

1812/007

RESOLVED:

That as a community which welcomes refugees and migrants who choose to call Blayney Shire home, Blayney Shire Council approves the signing of the Refugee Council of Australia Declaration to become a Refugee Welcome Zone.

(Reynolds/Kingham)

CARRIED

MINUTES OF THE BLAYNEY SHIRE TOURISM, TOWNS AND VILLAGES COMMITTEE MEETING HELD 27 NOVEMBER 2018

1812/008

RESOLVED:

That the minutes of the Blayney Shire Tourism, Towns and Villages Committee meeting, held on Tuesday 27 November 2018, be received and noted.

(Reynolds/Newstead)

CARRIED

CORPORATE SERVICES REPORTS**REPORT OF COUNCIL INVESTMENTS AS AT 30 NOVEMBER 2018**

1812/009

RESOLVED:

1. That the report indicating Council's investment position as at 30 November 2018 be received.
2. That the certification of the Responsible Accounting Officer be received and the report be adopted.

(Somerville/Denton)

CARRIED**COMMUNITY FINANCIAL ASSISTANCE POLICY AMENDMENT**

1812/010

RESOLVED:

That the Community Financial Assistance Policy, as amended, be adopted and included in Council's Policy Register.

(Somerville/Denton)

CARRIED**2018 BLAYNEY MUSIC SCHOLARSHIP PROGRAM RECIPIENTS**

1812/011

RESOLVED:

That the report on the 2018 Music Scholarship program recipients be received and noted.

(Newstead/Somerville)

CARRIED**CROWN LANDS PLAN OF MANAGEMENT FUNDING**

1812/012

RESOLVED:

That the report on the Crown Lands Plan of Management be received and noted.

(Reynolds/Somerville)

CARRIED**INFRASTRUCTURE SERVICES REPORTS****DIRECTOR INFRASTRUCTURE SERVICES MONTHLY REPORT**

1812/013

RESOLVED:

That the Director Infrastructure Services Monthly report for December 2018 be received and noted.

(Kingham/Reynolds)

CARRIED

**PROPOSED ROAD CLOSURE - PANUARA ROAD -
SOUTHERN CADIA ACCESS ROUTE**

1812/014

RESOLVED:

That Council

1. approve the Road Closure of part Panuara Road, Errowanbang (Lot 13 DP 1248618), and,
2. commence proceedings to close Lot 13 DP 1248618, and,
3. authorise the Mayor and General Manager to affix the Council Seal to associated transfer documents required to facilitate the closure and transfer.

(Newstead/Reynolds)

CARRIED

CENTRAL WEST LIVESTOCK AND EQUESTRIAN CENTRE

1812/015

RESOLVED:

That Council;

1. Endorse the execution of the Funding Deed for the NSW Government's Restart NSW Regional Growth Environment and Tourism Funding Agreement of \$1.5m for the Central West Livestock and Equestrian Centre Project.
2. Receives and notes the Capital Expenditure Review Report, and approve the Supplementary Vote for \$400k Drought Communities Program Funding Extension 2018 income and associated CAPEX expenditure for the 2018/19 Operational Plan.
3. Proceed to undertake the Central West Livestock and Equestrian Centre Project with the approved budget of \$1.9m as per agreed milestones.

(Kingham/Ewin)

CARRIED

Cr Reynolds recorded his name against this resolution.

PROPOSED BRIDGE NAMING

1812/016

RESOLVED:

That Council:-

1. endorse the proposal to name the following bridges:-
 - Pte. S.G. Tucker Bridge over Old School Creek in Coombing Street, Carcoar
 - Pte. C.R. Cheffins Bridge over Coombing Creek on Felltimber Road
 - Gnr. S. Ellery Bridge over Dirt Hole Creek on Errowanbang Road
 - The Greens Bridge over Felltimber Creek on Gallymont Road
 - Pte. G.C. Chittenden Bridge over Coombing Creek on Dowsetts Lane
 - Pte. W.W. Wilson Bridge over Evans Plains Creek on Newbridge Road
 - The Goodes Bridge over Cowriga Creek on Browns Creek Road

- Pte. F.W.B. Gainsford Bridge over Cowriga Creek on Forest Reefs Road, and,
2. make application to Roads and Maritime Services for the proposed names.

(Ewin/Denton)
CARRIED

**MINUTES OF THE BLAYNEY SHIRE SPORTS COUNCIL
MEETING HELD ON THURSDAY 15 NOVEMBER 2018**

1812/017

RESOLVED:

That the minutes of the Blayney Shire Sports Council Meeting, held on Thursday 15 November 2018, be received and noted.

(Kingham/Newstead)
CARRIED

**MINUTES OF THE TRAFFIC COMMITTEE MEETING HELD 7
DECEMBER 2018**

1812/018

RESOLVED:

1. That the minutes of the Blayney Traffic Committee Meeting, held on Friday 7 December 2018, be received and noted.
2. That Council endorse the Traffic Management Plan for the Newcrest Orange Challenge 2019 event. The event is to be classified as a Class 2 event, and approved subject to the conditions detailed in the Director Infrastructure Services' Report.
3. That Council endorse the Traffic Management Plan for the Carcoar Australia Day Fair, to be staged on 26th January 2019 on Naylor, Icely and Belubula Streets Carcoar as a Class 3 event, subject to the conditions detailed in the Director Infrastructure Services' Report and include additional conditions:
 - "All Traffic Control Plans (TCP) must be implemented by appropriately qualified persons."
 - The direction of traffic / traffic control duties may only be carried out by personnel holding a Roads and Maritime Services (RMS) authorised traffic controller's ticket.
 - The Event Organiser shall provide for physical separation between the public and the operations of the stage coach utilising such means as marshalls or fencing and to remove members of the public from the Naylor Street bridge when coach is crossing.
 - Council to amend condition (a) to include the contact email address for NSW Police (chifleyrms@police.nsw.gov.au).
4. That Council endorse the Traffic Management Plan for the Bathurst Cycling Classic (B2B) 2019 events. The events are to be classified as Class 1 events, and approved subject to the conditions detailed in the Director Infrastructure Services' Report.
5. a) That the existing Concealed Entrances sign on Spring Hill

Road be removed and replaced with a Caution (Curved Symbol) Driveways (w2-207-1R) sign, located sufficiently before the concealed entrances.

b) That an additional Caution (Curved Symbol) Driveways (w2-207-1L) be installed north of the concealed entrances to cater for traffic from Spring Hill.

6. That Council refuse the request for the installation of a convex mirror at 127 Myers Lane, Forest Reefs.

(Reynolds/Newstead)

CARRIED

PLANNING AND ENVIRONMENTAL SERVICES REPORTS

DEVELOPMENT APPLICATION 70/2018 - ERECTION OF A DWELLING - 7 OSMAN STREET, BLAYNEY

1812/019

RESOLVED:

That Council consents to Development Application DA70/2018 for the construction of a Dwelling at Lot 1 DP538785 - 7 Osman Street, Blayney subject to the recommended conditions of consent.

(Reynolds/Ewin)

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

FOR	AGAINST
Councillor Ewin	
Councillor Ferguson	
Councillor Kingham	
Councillor Somervaille	
Councillor Reynolds	
Councillor Newstead	
Councillor Denton	
Total (7)	Total (0)

CARRIED

Cr Ferguson having declared a pecuniary interest departed the Chair and left the Chambers.

The Deputy Mayor, Cr Kingham, assumed the Chair.

CENTREPOINT SPORTS AND LEISURE CENTRE UPGRADE

1812/020

RESOLVED:

That Council;

1. Endorse the execution of the Funding Deed for the Federal Government's Building Better Regions Infrastructure Projects Stream Round 2 of \$1,900,000 for the Blayney CentrePoint Sports and Leisure Centre upgrade.
2. Receives and notes the Capital Expenditure Review Report.
3. Proceed to undertake the Blayney CentrePoint Sports and

Leisure Centre upgrade with a forecast budget of \$3,890,000.
(Ewin/Newstead)
CARRIED

Cr Ferguson returned to the meeting and assumed the Chair.

DELEGATES REPORTS

**REPORT OF THE CENTROC ANNUAL GENERAL MEETING,
CENTROC BOARD MEETING AND CENTRAL NSW JOINT
ORGANISATION MEETING HELD 22 NOVEMBER 2018**

1812/021

RESOLVED:

That the Mayoral Report from the Centroc Annual General Meeting, Centroc Board and Central NSW Joint Organisation Meeting held 22 November 2018 in Oberon be received and noted.

(Somerville/Ewin)
CARRIED

SKILLSET DELEGATE'S PRESENTATION – IAN TOOKE

1812/022

SKILLSET LTD

RESOLVED:

That the Delegate's Report on Skillset Ltd be received and noted.
(Denton/Somerville)

CARRIED

CLOSED MEETING

1812/023

RESOLVED:

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

**REQUEST TO AMEND NAME ON AGREEMENT AND LEASE
BY YINGLI SOLAR**

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.

**BLAYNEY RESIDENTIAL DEVELOPMENT PROJECT
UPDATE**

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.

(Somerville/Reynolds)
CARRIED

CONFIDENTIAL MEETING REPORTS**REQUEST TO AMEND NAME ON AGREEMENT AND LEASE
BY YINGLI SOLAR****1812/024****RESOLVED:**

That Council defer the execution of a lease of agreement and lease documentation for Lot 222 DP1175708 and Lot 3 DP1103517 being 31 and 33 Gerty Street, Blayney to Yingli Solar (Solure (Blayney) Pty Ltd) and consideration of the request for the change of name to Verde Generation Developments, until a report is brought back to Council.

(Somerville/Denton)

CARRIED**BLAYNEY RESIDENTIAL DEVELOPMENT PROJECT
UPDATE****1812/025****RESOLVED:**

1. That the report on the Blayney Residential Development update be received and noted.
2. That the General Manager be authorised to enter into sales agreements with Real Estate Agents based in Blayney on a fixed fee arrangement of 3.3%.
3. That the General Manager be authorised to list properties based on Urban Greenfields Sensitivity 7 pricing and negotiate sales.
4. That Council appoint Arden Law as solicitors to act for Council with execution of land sales.
5. That the General Manager be authorised to negotiate sales of land parcels with licenced builders for sales of land with deferred settlement terms with a report to Council to endorse any such arrangement.

(Reynolds/Newstead)

CARRIED**1812/026****RESOLVED:**

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

(Somerville/Reynolds)

CARRIED

**AT THE RE-OPENING OF THE MEETING TO THE PUBLIC, THE MAYOR
ANNOUNCED THE OUTCOMES OF RESOLUTION NUMBERS 1812/024
TO 1812/025.**

There being no further business, the meeting concluded at 7.24pm.

The Minute Numbers 1812/001 to 1812/026 were confirmed on 18 February 2019 and are a full and accurate record of proceedings of the Ordinary Meeting held on 17 December 2018.



Cr S Ferguson
MAYOR



Mrs R Ryan
GENERAL MANAGER