

**MINUTES OF THE BLAYNEY SHIRE COUNCIL ORDINARY MEETING  
HELD IN THE CHAMBERS, BLAYNEY SHIRE COUNCIL COMMUNITY  
CENTRE, ON 21 MAY 2018, COMMENCING AT 6.00PM**

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

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 Executive Assistant to the General Manager (Mrs L Ferson)

**WELCOME TO COUNTRY AND PRESENTATION OF PAINTING**

Nyree Reynolds accompanied by local school students Dimity Parton, Caleb Atkin and Keanan Higgins presented Council with the Emu in the Sky Camp painting representing part of the night sky over Neville on 23 March 2017.

**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	16	91	Transfer of Lease for Visitor Information Centre Café	Related to Current Lessee

**CONFIRMATION OF MINUTES**

**MINUTES OF THE PREVIOUS MEETING HELD ON MONDAY  
16 APRIL 2018**

1805/001

**RESOLVED:**

That the Minutes of the Ordinary Council Meeting held on 16 April 2018, being minute numbers 1804/001 to 1804/018 be confirmed.

(Reynolds/Ewin)  
**CARRIED**

**MATTERS ARISING FROM THE MINUTES**

Nil

**EXECUTIVE SERVICES REPORTS**

**DEVELOPMENT COORDINATOR PROGRAM - FOUR  
VILLAGES AND CARMANHURST VILLAGES ASSOCIATIONS**

1805/002

**RESOLVED:**

That Council:

1. terminate the individual Funding Agreements between Council and both the Carmanhurst and Four Villages

Associations;

2. as at 1 July 2018 assume the responsibility of the management, control and oversight of the Development Coordinator role objectives for these villages.

(Kingham/Somervaille)

**CARRIED**

### **ORGANISATIONAL STRUCTURE**

1805/003

#### **RESOLVED:**

That Council, in determining that the General Manager is the only senior staff position within Council, approve the organisation structure as presented with the Directorates of Executive Services, Corporate Services, Infrastructure Services and Planning and Environmental Services.

(Reynolds/Ewin)

**CARRIED**

### **ARTS OUTWEST NEW CONSTITUTION**

1805/004

#### **RESOLVED:**

That Council invite interested community members to nominate as Blayney Shire Council representatives on the Arts OutWest Advisory Council and a report be brought to the June meeting to determine this appointment.

(Newstead/Reynolds)

**CARRIED**

### **BLAYNEY SHIRE COMMUNITY STRATEGIC PLAN 2018-2028**

1805/005

#### **RESOLVED:**

That Council endorse the Blayney Shire Community Strategic Plan 2018-2028, provide a copy of the plan on Council's website and notify the Office of Local Government.

(Ewin/Somervaille)

**CARRIED**

### **SERVICE NSW EASY TO DO BUSINESS**

1805/006

#### **RESOLVED:**

That Council delegates authority to the General Manager to enter into an agreement with Service NSW for Easy to do Business and any necessary documents be authorised for execution under the Common Seal of Council by the Mayor and General Manager.

(Kingham/Newstead)

**CARRIED**

- 1805/007**      **STRONGER COUNTRY COMMUNITIES FUND ROUND 2**  
**RESOLVED:**  
That Council endorse the Stronger Country Communities Fund Round 2 projects as submitted; and advocate for approval of projects as prioritised or additional funding be provided.  
(Kingham/Denton)  
**CARRIED**

- 1805/008**      **RESIDENTIAL DEVELOPMENT PROJECT BLAYNEY**  
**RESOLVED:**  
That Council;  
1. Undertakes the investigations for preparation of survey, design and plans for lodgement of a Development Application for a residential housing subdivision at Lot 1 DP 250822 (32 Plumb Street).  
2. Makes provision for a 10 year Principal and Fixed Interest Rate loan of \$1.32 million in the Operational Plan 2018/19 and Long Term Financial Plan 2018/2028 and undertakes statutory notification to TCorp and Office of Local Government of the proposed borrowing.  
3. Endorse the application of borrowings of \$1.32 million to fund the Plumb Street Residential Development Project as approved in Council's draft Operational Plan 2018/19 and 2018/22 Long Term Financial Plan.  
4. Submit an application to the NSW Government Low Cost Loan Initiative for a 50% interest subsidy for the 32 Plumb Street Residential Development Project for enabling infrastructure works and land purchase.  
(Newstead/Ewin)  
**CARRIED**

### **CORPORATE SERVICES REPORTS**

- 1805/009**      **REPORT OF COUNCIL INVESTMENTS AS AT 30 APRIL 2018**  
**RESOLVED:**  
1. That the report indicating Council's investment position as at 30 April 2018 be received.  
2. That the certification of the Responsible Accounting Officer be received and the report be adopted.  
(Kingham/Denton)  
**CARRIED**

- 1805/010**      **QUARTERLY BUDGET REVIEW STATEMENT – MARCH 2018**  
**RESOLVED:**  
1. That the Quarterly Budget Review Statement for the quarter ending 31 March 2018 be received.  
2. That the supplementary votes of (\$2,143k) proposed in the Quarterly Budget Review Statement be adopted resulting in a decrease to operating expenditure of \$114k, a decrease in operating income of \$821k and a decrease to Capital

Expenditure of \$2,810k offset by Capital Income variations of \$816k.

(Denton/Ewin)  
**CARRIED**

**1805/011**      **2018/2019 COUNCILLOR AND MAYORAL REMUNERATION**

**RESOLVED:**

1. That in accordance with the 2018 determination from the Local Government Remuneration Tribunal, the Councillor annual fee be increased by 2.5% to \$11,567 and the additional Mayoral annual fee be increased by 2.5% to \$24,247 for the 2018/19 financial year effective from 1 July 2018.
2. That the data allowance for up to 50% reimbursement of data charges associated with home internet and telephone be set at a maximum of \$50 per month for 2018/19.

(Reynolds/Newstead)  
**CARRIED**

**1805/012**      **ADOPTION OF 2018/19 - 2021/22 DELIVERY PROGRAM AND 2018/19 OPERATIONAL PLAN FOR EXHIBITION**

**RESOLVED:**

1. That Council endorses the draft 2018/19 - 2021/22 Delivery Program and 2018/19 Operational Plan; and
2. That the draft 2018/19 - 2021/22 Delivery Program and 2018/19 Operational Plan be placed on public exhibition for a period of 28 days.

(Ewin/Newstead)  
**CARRIED**

**1805/013**      **AMENDMENT TO BLAYNEY SHIRE COMMUNITY CENTRE TRUST**

**RESOLVED:**

1. That Council endorse the incorporation of the property located at 39 Church Street, Blayney (Lot 23 Section 14 DP 758121) known as Crown Reserve R590102 with the Blayney Shire Community Centre Trust, encompassing 41 Church Street, Blayney (Lot 24 Section 14 DP758121) known as Crown Reserve R1000284; and
2. That Council make application to Crown Lands to combine Reserves R590102 and R1000284 under the Blayney Shire Community Centre Trust.

(Newstead/Somerville)  
**CARRIED**

**REVIEW OF COUNCIL POLICIES**

1805/014

**RESOLVED:**

1. That the following policies be adopted as part of Council's policy review process and be included in Council's policy register:

No.	Policy Name
3G	Procurement of Goods and Services Policy
9A	Work Health and Safety Policy
9I	Community Banner Usage Policy
11C	Privacy Management Plan

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

No.	Policy Name
11B	Records Management Policy

(Newstead/Reynolds)

**CARRIED****MINUTES OF THE BLAYNEY SHIRE AUDIT, RISK AND IMPROVEMENT COMMITTEE MEETING HELD 27 APRIL 2018**

1805/015

**RESOLVED:**

That the minutes of the Blayney Shire Audit, Risk and Improvement Committee meeting held 27 April 2018 be received and noted.

(Somerville/Denton)

**CARRIED**

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

The Deputy Mayor, Cr Kingham, assumed the Chair.

**TRANSFER OF LEASE FOR VISITOR INFORMATION CENTRE CAFE**

1805/016

**RESOLVED:**

1. That Council approve transfer of the existing Lease Agreement of the Visitor Information Centre Café to the new proprietor.
2. That Council authorise the affixing of Council Seal and execution of the Visitor Information Centre lease and associated documentation by the Mayor and General Manager.

(Ewin/Denton)

**CARRIED**

Cr Ferguson returned to the meeting and assumed the Chair.

- 1805/017**      **ENDORSEMENT OF RESOURCING STRATEGY**  
**RESOLVED:**  
 That Council endorse the Resourcing Strategy which includes the following documents; Long Term Financial Plan 2018-2028, Workforce Management Plan 2018/2022 and Asset Management Plans 2018/2028; and place on Public Exhibition for a period of 28 days.  
 (Reynolds/Somerville)  
**CARRIED**

### **INFRASTRUCTURE SERVICES REPORTS**

- 1805/018**      **DIRECTOR INFRASTRUCTURE SERVICES MONTHLY REPORT**  
**RESOLVED:**  
 That the Director Infrastructure Services Monthly Report for May 2018 be received and noted.  
 (Somerville/Denton)  
**CARRIED**

- 1805/019**      **BLAYNEY SHIRE ASSET MANAGEMENT POLICY AND BLAYNEY SHIRE ASSET MANAGEMENT STRATEGY**  
**RESOLVED:**  
 That Council endorse and place on public exhibition the Draft Asset Management Policy and Asset Management Strategy for a period of 28 days.  
 (Ewin/Reynolds)  
**CARRIED**

### **CARCOAR ROAD BRIDGE - COWRIGA CREEK FUTURE OPTIONS** **MOTION:**

1. That Council approve the immediate demolition of the existing Carcoar Road Bridge.
2. That Council provision within the 2018/19 Operational Plan of \$40,000 for the undertaking of a Geotechnical Investigation, preparation of Review of Environmental Factors, and a Hydrological Study for a future bridge proposal.
3. That Council review all options provided within the Rare Innovation - Scoping Study for the Carcoar Road Bridge dated May 2018, for further consideration for funding in the Blayney Shire Council 2018/19 – 2021/22 Delivery Program and Long Term Financial Plan.  
 (Ewin/Somerville)

An **AMENDMENT** was moved by Cr Reynolds and seconded by Cr Kingham:

1. That Council approves the immediate demolition of the existing Carcoar Road Bridge.

2. That Council provisions within the 2018/19 Operational Plan \$40,000 for the undertaking of a Geotechnical Investigation, preparation of Review of Environmental Factors and a Hydrological Study for a future bridge proposal. The review, report and study be brought back to Council for consideration at the September 2018 Council meeting with proposed tender documents.
3. That Council review all options provided within the Rare Innovation – Scoping Study for the Carcoar Road Bridge dated May 2018 before the September 2018 meeting.
4. Funding in the Blayney Shire Council 2018/19 -2021/22 Delivery Program and Long Term Financial Plan of \$750,000 be made available in the 2018/19 Operational Plan and a loan of \$750,000 be included in the 2018/19 Operational Plan and the 2018/19 – 2021/22 Delivery Program and Long Term Financial Plan for the bridge construction and associated roadworks on Carcoar Road over Cowriga Creek.
5. Council staff present a recommendation on the successful tenderer by the December 2018 Council meeting.  
(Reynolds/Kingham)

The amendment became the substantive motion and was put.

**1805/020**

**RESOLVED:**

1. That Council approves the immediate demolition of the existing Carcoar Road Bridge.
2. That Council provisions within the 2018/19 Operational Plan \$40,000 for the undertaking of a Geotechnical Investigation, preparation of Review of Environmental Factors and a Hydrological Study for a future bridge proposal. The review, report and study be brought back to Council for consideration at the September 2018 Council meeting with proposed tender documents.
3. That Council review all options provided within the Rare Innovation – Scoping Study for the Carcoar Road Bridge dated May 2018 before the September 2018 meeting.
4. Funding in the Blayney Shire Council 2018/19 -2021/22 Delivery Program and Long Term Financial Plan of \$750,000 be made available in the 2018/19 Operational Plan and a loan of \$750,000 be included in the 2018/19 Operational Plan and the 2018/19 – 2021/22 Delivery Program and Long Term Financial Plan for the bridge construction and associated roadworks on Carcoar Road over Cowriga Creek.
5. Council staff present a recommendation on the successful tenderer by the December 2018 Council meeting.  
(Reynolds/Kingham)

**CARRIED**

- 1805/021**      **CENTROC - REGIONAL ROAD LINEMARKING CONTRACT**  
**RESOLVED:**  
 That Council agrees to participate in the Centroc Regional procurement for linemarking services, however recommends that the Centroc Contract Management Fee is replaced by an upfront Contract Management Fee that is determined by a transparent and accountable basis.  
 (Reynolds/Somerville)  
**CARRIED**

- 1805/022**      **MINUTES OF THE BLAYNEY TRAFFIC COMMITTEE**  
**MEETING HELD FRIDAY 20 APRIL 2018**  
**RESOLVED:**  
 That the minutes of the Blayney Traffic Committee, held on Friday 20 April 2018, be received and noted.  
 (Reynolds/Newstead)  
**CARRIED**

### **PLANNING AND ENVIRONMENTAL SERVICES REPORTS**

- 1805/023**      **REQUEST FOR VARIATION - WASTE COLLECTION AND PROCESSING CONTRACT**  
**RESOLVED:**
1. That Council delegate the Mayor and General Manager to approve by application of the Council Seal to vary the existing domestic waste and recycling contract between Blayney Shire council and JR & EG Richards Pty Ltd to pay for increased recycling processing costs by VISY Recycling up to \$60 (ex GST) per tonne.
  2. That Council submit an application under the Recycling Relief Fund and understands NetWaste is supporting the Councils affected by this increase in the form of Strategic Plan development and Legal costs as per the funding requirements of the EPA.
- (Somerville/Reynolds)  
**CARRIED**

### **CLOSED MEETING**

- 1805/024**      **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:

**LAND ACQUISITION FOR ROAD RE-ALIGNMENT**  
**SOUTHERN CADIA ACCESS ROUTE - KNOX**

*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.*

**LAND ACQUISITION FOR ROAD RE-ALIGNMENT  
SOUTHERN CADIA ACCESS ROUTE - CADIA HOLDING PTY  
LTD**

*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.*

**BROWNS CREEK ROAD BRIDGES - CONSTRUCTION  
CONTRACT**

*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.*

**TENDER NO 04/2018 CENTREPOINT SPORT AND LEISURE  
CENTRE POOL HALL MECHANICAL SERVICES -  
ADDENDUM**

*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.*

**GENERAL MANAGER'S ANNUAL PERFORMANCE REVIEW**

*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.*

(Kingham/Ewin)  
**CARRIED**

**CONFIDENTIAL MEETING REPORTS**

**LAND ACQUISITION FOR ROAD RE-ALIGNMENT  
SOUTHERN CADIA ACCESS ROUTE - KNOX**

**1805/025**

**RESOLVED:**

1. That Council approve the acquisition of land for the purpose of road re-alignment, being part of Lot 421 DP1084679 as required for road re-alignment safety improvements along the Southern Cadia Access Route and the land be classified as public road, as detailed in the report.
2. That Council authorise the Mayor and General Manager to affix the Council Seal to associated transfer documents required to facilitate the acquisition.

(Ewin/Somervaille)  
**CARRIED**

**LAND ACQUISITION FOR ROAD RE-ALIGNMENT**  
**SOUTHERN CADIA ACCESS ROUTE - CADIA HOLDING PTY**  
**LTD**

1805/026

**RESOLVED:**

1. That Council approve the acquisition of land for the purpose of road re-alignment, being part of Lot 3 DP 871086 and Lot 1 DP871851 as required for road re-alignment safety improvements along the Southern Cadia Access Route and the land be classified as public road, as detailed in the report.
2. That Council authorise the Mayor and General Manager to affix the Council Seal to associated transfer document required to facilitate the acquisition.

(Newstead/Reynolds)

**CARRIED**

**BROWNS CREEK ROAD BRIDGES - CONSTRUCTION**

**CONTRACT**

1805/027

**RESOLVED:**

That Council:

1. Accept that the designs proposed by VEC Civil Engineering valued at \$2,299,570 (exc. GST) represents the most effective design and the most efficient construction of the 2 bridges;
2. Approve delegation to the General Manager to execute a construction contract with VEC Civil Engineering to enable the construction of the Browns Creek Road bridges.

(Kingham/Ewin)

**CARRIED**

**TENDER NO 04/2018 CENTREPOINT SPORT AND LEISURE**  
**CENTRE POOL HALL MECHANICAL SERVICES -**  
**ADDENDUM**

1805/028

**RESOLVED:**

That Council accept the tender from Atlas Airconditioning Group for the CentrePoint Sport and Leisure Centre Pool Hall Mechanical Services, Tender No. 04/2018 for the value of \$247,510 ex GST subject to variations and authorise the General Manager to sign and execute contract documents.

(Kingham/Newstead)

**CARRIED**

**GENERAL MANAGER'S ANNUAL PERFORMANCE REVIEW**

1805/029

**RESOLVED:**

That the report of the General Manager's Review Panel be received and adopted by Council.

(Newstead/Ewin)

**CARRIED**

**1805/030 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/Ewin)  
**CARRIED**

**AT THE RE-OPENING OF THE MEETING TO THE PUBLIC, THE MAYOR ANNOUNCED THE OUTCOMES OF RESOLUTION NUMBERS 1805/025 TO 1805/029.**

There being no further business, the meeting concluded at 8.27pm.

The Minute Numbers 1805/001 to 1805/030 were confirmed on 25 June 2018 and are a full and accurate record of proceedings of the Ordinary Meeting held on 21 May 2018.



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Cr S Ferguson  
**MAYOR**



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Mrs R Ryan  
**GENERAL MANAGER**