

**MINUTES OF THE BLAYNEY SHIRE COUNCIL ORDINARY MEETING
HELD IN THE CHAMBERS, BLAYNEY SHIRE COUNCIL COMMUNITY
CENTRE, ON 21 MAY 2024, COMMENCING AT 6.00PM**

Present: Crs S Ferguson (Mayor), D Somervaille (Deputy Mayor), A Ewin, C Gosewisch, J Newstead 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

APOLOGIES

2405/001

RESOLVED:

That the apology, tendered on behalf of Cr Pryse Jones, be accepted.

(Gosewisch/Somervaille)

CARRIED

DISCLOSURES OF INTEREST

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

Councillor /Staff	Interest	Item	Pg	Report	Reason
Cr Newstead	Pecuniary	13	71	DA2023/29 – Boundary Adjustment and Addition to an Existing Centre-Based Childcare – 2 George Street and 56 Victoria Street, Millthorpe	Cr Newstead is related to the owner.

PUBLIC FORUM

Lyndall Harrison – Item 7 – Draft 2024/25 – 2027/28 Delivery Program and 2024/25 Operational Plan

Mark Logan – Item 13 – DA2023/29 – Boundary Adjustment and Addition to an Existing Centre-Based Childcare – 2 George Street and 56 Victoria Street, Millthorpe

CONFIRMATION OF MINUTES**MINUTES OF THE PREVIOUS COUNCIL MEETING HELD 16 APRIL 2024****2405/002 RESOLVED:**

That the Minutes of the Ordinary Council Meeting held on 16 April 2024, being minute numbers 2404/001 to 2404/018 be confirmed.

(Ewin/Reynolds)

CARRIED**MATTERS ARISING FROM THE MINUTES**

Cr Somervaille suggested it would be appropriate for a Councillor to be on the selection panel regarding the appointment of an Independent Member to the Audit, Risk and Improvement Committee.

Cr Reynolds asked if there was an update on the Church Hill Rotary Lookout. General Manager confirmed further information had been sought by Rotary and project was progressing.

Cr Gosewisch questioned whether the previous minutes should be signed by the Acting General Manager. General Manager confirmed he is able to sign.

EXECUTIVE SERVICES REPORTS**QUESTIONS TAKEN ON NOTICE AT THE PREVIOUS COUNCIL MEETING HELD 16 APRIL 2024****2405/003 RESOLVED:**

That the questions taken on notice at the Ordinary Council Meeting held on 16 April 2024 and subsequent response be received and noted.

(Gosewisch/Reynolds)

CARRIED**CENTRAL NSW JOINT ORGANISATION PLACEMAT REPORT****2405/004 RESOLVED:**

That Council note the Central NSW Joint Organisation PlaceMat report.

(Newstead/Somervaille)

CARRIED

ORANGE360 FUNDING AGREEMENT 2024 - 2026**MOTION:**

That Council:

1. Note the Orange 360 Annual Report.
 2. Approve the execution of a 2-year Funding Agreement between Council and TDO Limited trading as Orange360 for \$71,650.84 p.a. (CPI indexed annually).
 3. Endorse Cr Michelle Pryse Jones as the nominated Council representative and delegate on the Orange360 Board for the remaining term of Council (September 2024).
- (Newstead/Ewin)

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

That Council defer this item to the next Council meeting.
(Reynolds/Newstead)

The amendment became the substantive motion and was put.

2405/005 RESOLVED:

That Council defer this item to the next Council meeting.
(Reynolds/Newstead)
CARRIED

CORPORATE SERVICES REPORTS**REPORT OF COUNCIL INVESTMENTS AS AT 30 APRIL 2024****2405/006 RESOLVED:**

That Council;

1. Note the report indicating Council's investment position as at 30 April 2024.
2. Note the certification of the Responsible Accounting Officer.

(Reynolds/Gosewisch)
CARRIED

QUARTERLY BUDGET REVIEW STATEMENT - MARCH 2024**2405/007 RESOLVED:**

1. That the Quarterly Budget Review Statement for the quarter ending 31 March 2024 be received.
2. That the supplementary votes of \$78k nett proposed in the Quarterly Budget Review Statement be adopted, resulting in a decrease to capital expenditure of (\$35k), an increase to operating expenditure of \$953k and an increase in income of \$996k.

(Reynolds/Newstead)
CARRIED

DRAFT 2024/25 - 2027/28 DELIVERY PROGRAM AND 2024/25 OPERATIONAL PLAN**2405/008****RESOLVED:**

That Council:

1. Note on 14 May 2024 the NSW Independent Pricing and Regulatory Tribunal (IPART) approved the Blayney Shire Council application to implement a Special Variation.
2. Endorse the draft 2024/25 - 2027/28 Delivery Program and 2024/25 Operational Plan which includes 2 scenarios for the increase to general rate income;
 - a) Scenario 1 – Base Case being 5.7% rate peg, and
 - b) Scenario 2 – Sustainability SV 10% approved by IPART.
3. Place the draft 2024/25 - 2027/28 Delivery Program and 2024/25 Operational Plan on public exhibition for a period of 28 days.
4. Place the draft 2024/25 – 2033/34 Long Term Financial Plan on public exhibition for a period of 28 days.

(Somerville/Reynolds)

CARRIED**REVIEW OF RECORDS MANAGEMENT POLICY****2405/009****RESOLVED:**

That Council:

1. Endorse the Records Management Policy and it be placed on public exhibition for a period of not less than 28 days.
2. Note that should no submissions be received that it be adopted and updated to Council's Policy Register.

(Newstead/Ewin)

CARRIED**MINUTES OF THE DISABILITY INCLUSION WORKING GROUP MEETING HELD 9 MAY 2024****2405/010****RESOLVED:**

That Council receive the minutes of the Disability Inclusion Working Group meeting held 9 May 2024.

(Gosewisch/Reynolds)

CARRIED**INFRASTRUCTURE SERVICES REPORTS****INFRASTRUCTURE SERVICES MONTHLY REPORT****2405/011****RESOLVED:**

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

(Newstead/Ewin)

CARRIED

**LAND ACQUISITION ERROWANBANG ROAD -
MIDWESTERN HIGHWAY - DP1000547****2405/012****RESOLVED:**

That Council approve;

1. The compulsory acquisition of Lot 1 in DP 1000547 registered 10 June 1999; and
2. The making of an Application to the Minister for Local Government and the Governor for approval of such compulsory acquisition; and
3. Upon acquisition, the land to be classified as “operational land” under s.31 of the Local Government Act (1993); and
4. The execution by the Mayor and General Manager under Council seal, if required, on all documents associated with the compulsory acquisition for Lot 1 DP 1000547.

(Gosewisch/Ewin)

CARRIED**PROPOSED ROAD CLOSURE - LOT 4 DP 1238468****2405/013****RESOLVED:**

That Council:

1. Endorse the closure of the old Newbridge Road alignment being Lot 4 DP1238468, in accordance with s.38 Roads Act 1993.
2. Exhibit public notification of Council's intention to classify the land as operational land.
3. Have a further report presented to a future Council meeting to consider any submissions lodged during the notification period and to make a decision on approval for the proposal.

(Newstead/Gosewisch)

CARRIED

Cr Newstead, having declared an interest, left the Chambers.

PLANNING AND ENVIRONMENTAL SERVICES REPORTS**DA2023/29 - BOUNDARY ADJUSTMENT AND ADDITION TO
AN EXISTING CENTRE-BASED CHILDCARE - 2 GEORGE ST
& 56 VICTORIA ST MILLTHORPE****2405/014****RESOLVED:**

That Council consent to Development Application 29/2023 for a Boundary Adjustment and Addition to an Existing Centre-Based Childcare Facility at Lot 2 DP 1274914 and Lot 3 Section G DP 3361, 2 George Street and 56 Victoria Street, Millthorpe subject to the recommended conditions of consent.

(Gosewisch/Reynolds)

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

FOR	AGAINST
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Councillor Ewin
Councillor Ferguson
Councillor Somervaille
Councillor Reynolds
Councillor Gosewisch

Total (5)

Total (0)

CARRIED

Cr Newstead returned to the Chambers.

PLANNING PROPOSAL TO AMEND THE BLAYNEY LOCAL ENVIRONMENTAL PLAN 2012 - CLARKE STREET RECLASSIFICATION

2405/015

RESOLVED:

That Council

1. Submit the Planning Proposal to the Minister for Planning in accordance with Section 3.34(1) of the Environmental Planning and Assessment Act 1979, requesting a Gateway Determination, pursuant to Section 3.34(2) of the Environmental Planning and Assessment Act 1979.
2. Request delegation to finalise and make the draft Local Environmental Plan, pursuant to Section 3.36 of the Environmental Planning and Assessment Act 1979.
(Somervaille/Gosewisch)

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

FOR	AGAINST
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Councillor Ewin
Councillor Ferguson
Councillor Somervaille
Councillor Reynolds
Councillor Newstead
Councillor Gosewisch

Total (6)

Total (0)

CARRIED

CLOSED MEETING**2405/016 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 LAND GERTY STREET BLAYNEY

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.

(Somervaille/Reynolds)
CARRIED

CONFIDENTIAL MEETING REPORTS**SALE OF LAND GERTY STREET BLAYNEY****2405/017 RESOLVED:**

That Council:

1. Decline the lease offer made for lot 222 DP 1175708 being 31 Gerty Street Blayney.
2. Decline the purchase offer made for lot 222 DP 1175708 being 31 Gerty Street Blayney.
3. Delegate to the General Manager, authority to negotiate the sale price of lot 222 DP 1175708 being 31 Gerty Street Blayney, subject to Council approval.

(Newstead/Reynolds)
CARRIED

2405/018 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/Gosewisch)
CARRIED

AT THE RE-OPENING OF THE MEETING TO THE PUBLIC, THE MAYOR ANNOUNCED THE OUTCOME OF RESOLUTION NUMBER 2405/017.

There being no further business, the meeting concluded at 8.07pm

The Minute Numbers 2405/001 to 2405/018 were confirmed on 25 June 2024 and are a full and accurate record of proceedings of the Ordinary Meeting held on 21 May 2024.


Cr S Ferguson
MAYOR
Mr M Dicker
GENERAL MANAGER