

**MINUTES OF THE BLAYNEY SHIRE COUNCIL ORDINARY MEETING
HELD IN THE CHAMBERS, BLAYNEY SHIRE COUNCIL COMMUNITY
CENTRE, ON 25 JUNE 2024, COMMENCING AT 6.00PM**

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

General Manager (Mr M Dicker), Director Corporate Services (Mr A Franze), Acting Director Infrastructure Services (Mr L Golding), 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

2406/001

RESOLVED:

That the apology, tendered on behalf of Cr Ewin, be accepted.
(Newstead/Reynolds)
CARRIED

DISCLOSURES OF INTEREST

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

Councillor /Staff	Interest	Item	Pg	Report	Reason
Mark Dicker	Non Pecuniary (Less Than Significant)	4	22	Richards Lane – Stage 1 Culvert and Approaches	Previously declared a non pecuniary interest to note the entrance to my private residence is approximately 820m from Richards Lane, Millthorpe.

CONFIRMATION OF MINUTES

**MINUTES OF THE PREVIOUS COUNCIL MEETING HELD 21
MAY 2024**

2406/002

RESOLVED:

That the Minutes of the Ordinary Council Meeting held on 21 May 2024, being minute numbers 2405/001 to 2405/018 be confirmed.

(Somerville/Gosewisch)
CARRIED

MATTERS ARISING FROM THE MINUTES

Nil

MINUTES OF THE PREVIOUS EXTRAORDINARY COUNCIL MEETING HELD 11 JUNE 2024**2406/003****RESOLVED:**

That the Minutes of the Extraordinary Council Meeting held on 11 June 2024, being minute numbers 2406/E001 to 2406 be confirmed.

(Gosewisch/Newstead)

CARRIED

MATTERS ARISING FROM THE MINUTES

Cr Reynolds asked if Cabonne had considered the Orange360 funding agreement. The General Manager advised to his knowledge it would be presented to their July meeting.

CORPORATE SERVICES REPORTS**2406/004****REPORT OF COUNCIL INVESTMENTS AS AT 31 MAY 2024****RESOLVED:**

That Council;

1. Note the report indicating Council's investment position as at 31 May 2024.
2. Note the certification of the Responsible Accounting Officer.

(Somerville/Reynolds)

CARRIED

RICHARDS LANE - STAGE 1 CULVERT AND APPROACHES**MOTION:**

That Council:

1. Note the report in relation to Richards Lane Stage 1 Project in particular the need for additional works to be undertaken and completed in 2023/24.
2. Approve the supplementary vote of expenditure for the Richards Lane Culvert Project of \$904,000 in 2023/24 (brought forward from 2024/25).
3. Reduce budgeted expenditure for in the 2024/25 Operational Plan by \$904,000.
4. Undertake a review regarding the Council processes that has resulted in the increase to expenditure in 2023/24 for the Richards Lane Stage 1 culvert and approaches project, and;
 - a) Refer the review to Council's Audit Risk and Improvement Committee, and
 - b) Report back to Council at or before the August 2024 Council meeting.

(Ferguson/Reynolds)

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

That Council:

1. Note the report in relation to Richards Lane Stage 1 Project in

particular the need for additional works to be undertaken and completed in 2023/24.

2. Approve the supplementary vote of expenditure for the Richards Lane Culvert Project of \$904,000 in 2023/24 (brought forward from 2024/25).
3. Reduce budgeted expenditure for in the 2024/25 Operational Plan by \$904,000.
4. Undertake a Councillor lead review, with the terms of reference to be determined by Councillors but to include the Council processes that have resulted in the increase to expenditure in 2023/24 for the Richards Lane Stage 1 culvert and approaches project, and;
 - a. Councillor Somervaille to chair the review panel with Councillors Ferguson and Reynolds to make up the review panel,
 - b. Refer the review panel findings to Council's Audit, Risk and Improvement Committee, and
 - c. Report back to Council the review panel findings at or before the August 2024 Council meeting.(Reynolds/Ferguson)

The **AMENDMENT** was put and carried, becoming the substantive motion.

Cr Ferguson confirmed as Chair he would put each part of the motion as individual motions.

2406/005 RESOLVED:

That Council:

1. Note the report in relation to Richards Lane Stage 1 Project in particular the need for additional works to be undertaken and completed in 2023/24.

(Somervaille/Newstead)

CARRIED

2406/006 RESOLVED:

That Council:

2. Undertake a Councillor lead review, with the terms of reference to be determined by Councillors but to include the Council processes that have resulted in the increase to expenditure in 2023/24 for the Richards Lane Stage 1 culvert and approaches project, and;
 - a. Councillor Somervaille to chair the review panel with Councillors Ferguson and Reynolds to make up the review panel,
 - b. Refer the review panel findings to Council's Audit, Risk and Improvement Committee, and
 - c. Report back to Council the review panel findings at or before the August 2024 Council meeting.

(Reynolds/Somervaille)

CARRIED

Cr Pryse Jones requested her name be recorded against this resolution.

2406/007 RESOLVED:

That Council:

3. Approve the supplementary vote of expenditure for the Richards Lane Culvert Project of \$904,000 in 2023/24 (brought forward from 2024/25).

(Somervaille/Newstead)
CARRIED

Cr Gosewisch and Cr Pryse Jones requested their name be recorded against this resolution.

2406/008 RESOLVED:

That Council:

4. Reduce budgeted expenditure for the project in the 2024/25 Operational Plan by \$904,000.

(Somervaille/Newstead)
CARRIED

Cr Pryse Jones requested her name be recorded against this resolution.

CABONNE AFTER SCHOOL CARE PROGRAM

2406/009 RESOLVED:

That Council;

1. Receive the report on the Cabonne After School Care program and acknowledge its importance to assist families within the Blayney township;
2. Continue with its commitment of a contribution of \$5,000 towards the After School Care in Blayney operated by Cabonne Council for a further 3 years; and
3. Would consider any future request from Cabonne Council for an increase to the contribution upon demonstration of business need.

(Newstead/Gosewisch)
CARRIED

ADOPTION OF 2024/25 - 2027/28 DELIVERY PROGRAM AND 2024/25 OPERATIONAL PLAN

MOTION:

That Council:

1. Pursuant to the requirements of the Local Government Act 1993, adopt the 2024/25 – 2027/28 Delivery Program and 2024/25 Operational Plan inclusive of the approved special variation as attached to this report.
2. Adopt the draft 2024/25 – 2033/34 Long Term Financial Plan.
3. Note the 2 community submissions received during the public exhibition period (summarised and attached to this report).

4. Adopt the Revenue Policy for 2024/25, as outlined in the 2024/25 Operational Plan.
5. Adopt the Statement of Rating Structure, inclusive of the approved special variation, and their respective short names as contained in the 2024/25 Operational Plan and make the Ordinary Rate and charges, including sewer charges and domestic waste management charges, pursuant to s.494 and s.496 of the Local Government Act 1993 and Waste Management Levy pursuant to s.501 of the Local Government Act 1993 detailed below:

Rating Structure for the 2024/25 Rating Year: SV Increase of 10%						
Name of Category/ Subcategory	No. of Assessments	Base Rate	Ad Valorem	Land Value	Total Yield	% Yield from Base Amount
Residential						
Ordinary Rate	1,194	\$405	0.00124281	\$407,747,000	\$990,322	48.83%
Blayney & Carcoar	1,468	\$405	0.00253536	\$246,694,700	\$1,220,000	48.73%
Millthorpe	351	\$405	0.00121112	\$119,811,500	\$287,261	49.49%
Business						
Ordinary Rate	142	\$523	0.00393601	\$32,407,670	\$201,823	36.80%
Blayney	173	\$523	0.00668638	\$25,109,000	\$258,367	35.02%
Millthorpe & Carcoar	56	\$523	0.00356320	\$14,756,900	\$81,870	35.77%
Farmland						
Ordinary Rate	707	\$660	0.00140135	\$1,515,829,430	\$2,590,828	18.01%
Mining						
Ordinary Rate	1	\$1,320	0.04066333	\$564,000	\$24,254	5.44%
Mining Gold		\$1,320	0.04793790			
Mining Gold / Copper Combined	1	\$1,320	0.04594300	\$116,400,000	\$5,349,086	0.02%
Total Yield	4,093			\$2,479,320,200	\$11,003,811	

2024/25 Waste Charges

Charge Category and Description	Annual Charge	No. of Properties
Waste Management Levy <i>This is waste management charge is applied to all properties funding waste disposal services for the Blayney Shire</i>	\$62	4,198
Domestic Waste Management		
Domestic Waste Management Service Charge <i>This is applied to properties that have a residence within the waste collection area.</i>	\$390	2,699
Domestic Waste Management Availability Charge <i>This charge is applied to properties within the waste collection area that do not have a service but is available - i.e. vacant land</i>	\$70	369
Commercial (Non-Domestic) Waste Management		
Non-Domestic Waste Management Service Charge <i>This is applied to properties for non-domestic properties within the waste collection area</i>	\$504	334

Non-Domestic Waste Management Availability Charge <i>This charge is applied to properties within the waste collection area that do not have a service but it is available i.e. vacant land</i>	\$70	92
Non-Domestic Waste Service Management Charge for Charity and Not Profit Organisations <i>This is applied to the above properties for non-domestic properties within the waste collection area</i>	\$138	15
Extra Services		
Additional Garbage Charge – per red bin	\$358	95
Additional Recycling Charge – per yellow bin	\$146	33
Total Yield	\$1,554,390	

2024/25 Non-Residential and Residential Sewer Charges

Residential			
	Access Charge	No. of Properties	Total Yield
Connected	\$832	1,564	\$1,301,248
Vacant (Unconnected)	\$428	185	\$79,180
Estimated Total Yield	\$1,380,428		

Non-Residential				
	Annual Charge (Prior to SDF Factor)	No. of Properties	Quarter Charge before SDF applied	Min. quarterly amount charged
20mm Water Service	\$696	162	\$ 174	\$208
25mm Water Service	\$1060	21	\$ 265	\$208
32mm Water Service	\$1,728	18	\$ 432	\$208
40mm Water Service	\$2,708	11	\$ 677	\$208
50mm Water Service	\$4,220	24	\$1,055	\$208
80mm Water Service	\$10,796	1	\$2,699	
100mm Water Service	\$16,924	6	\$4,231	
150mm Water Service	\$38,084	2	\$9,521	
Vacant/Unmetered	\$428	57		
Usage Charge (per kl)	\$1.78			
Estimated Total Yield	\$470,303			

Future Sewerage Infrastructure Subsidy Charge

	Access Charge	No of Properties	Total Yield
Connected - Residential	\$55	1534	\$84,370
Connected - Business	\$55	243	\$13,365
Vacant (Unconnected)	\$55	185	\$10,175
Estimated Total Yield	\$107,910		

2024/25 Trade Waste Charges

Commercial (Non-Residential)		
	Annual Fee	No. of Properties
Annual Trade Waste Fee	\$129	67
Annual Trade Waste Fee (Large Dischargers Category 3)	\$475	1
Liquid Trade Waste User Charges with Trade Waste Agreement (Category 1, Category 2/2s)	\$2.57	55
Liquid Trade Waste User Charges with No Trade Waste Agreement	\$25.70	12
Excess Mass Chargers for Category (3 Dischargers)	\$ As per the table in fees and charges	3
Water Testing Charges (if required)	\$333.00 per quarter	1
Estimated Total Yield		\$75,254

6. Adopt the following programs which financially assist others under s.356 Local Government Act (1993), including the Community Financial Assistance Program, Local Heritage Assistance Program, Youth Week Grants Program, Tourism Event Development Fund and Village Enhancement Program.
7. Adopt the schedule of financial assistance under the Community Financial Assistance Program, pursuant to s.356 Local Government Act.

(Ferguson/Gosewisch)

An **AMENDMENT** was moved by Cr Reynolds and seconded by Cr Gosewisch to include:

8. Extend the capital works program in 2024-25 to include a link from the new footpath along Trunkey Street in Newbridge, along the northern side of the tennis court through to the toilet block footpath, including the picnic tables and to include a concrete pad at each picnic table to make them wheel chair accessible. The Trunkey Street footpath is also to be extended to Toomey Street with a ramp to the new footpath. This is to be funded with 50% of Village Enhancement Program Funds and 50% from Unrestricted funds.

(Reynolds/Gosewisch)

The **AMENDMENT** was withdrawn and replaced with following **AMENDMENT** which was moved by Cr Somerville and seconded by Cr Reynolds to include:

8. That Council allocate \$10,000 from the Newbridge Village Enhancement Plan to scope, design and cost construction of a footpath from Three Brothers Road footpath to the accessible toilet block at Newbridge Showground.

(Somerville/Reynolds)

The **AMENDMENT** was put and carried becoming the substantive motion.

2406/010 RESOLVED:

That Council:

1. Pursuant to the requirements of the Local Government Act 1993, adopt the 2024/25 – 2027/28 Delivery Program and 2024/25 Operational Plan inclusive of the approved special variation as attached to this report.
2. Adopt the draft 2024/25 – 2033/34 Long Term Financial Plan.
3. Note the 2 community submissions received during the public exhibition period (summarised and attached to this report).
4. Adopt the Revenue Policy for 2024/25, as outlined in the 2024/25 Operational Plan.
5. Adopt the Statement of Rating Structure, inclusive of the approved special variation, and their respective short names as contained in the 2024/25 Operational Plan and make the Ordinary Rate and charges, including sewer charges and domestic waste management charges, pursuant to s.494 and s.496 of the Local Government Act 1993 and Waste Management Levy pursuant to s.501 of the Local Government Act 1993 detailed below:

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Excess Mass Chargers for Category (3 Dischargers)	\$ As per the table in fees and charges	3
Water Testing Charges (if required)	\$333.00 per quarter	1
Estimated Total Yield		\$75,254

6. Adopt the following programs which financially assist others under s.356 Local Government Act (1993), including the Community Financial Assistance Program, Local Heritage Assistance Program, Youth Week Grants Program, Tourism Event Development Fund and Village Enhancement Program.
7. Adopt the schedule of financial assistance under the Community Financial Assistance Program, pursuant to s.356 Local Government Act.
8. That Council allocate \$10,000 from the Newbridge Village Enhancement Plan to scope, design and cost construction of a footpath from Three Brothers Road footpath to the accessible toilet block at Newbridge Showground.

(Somerville/Reynolds)

CARRIED

**ADOPTION OF AUDIT, RISK AND IMPROVEMENT
COMMITTEE TERMS OF REFERENCE**

2406/011

RESOLVED:

That Council;

1. Adopt the Audit, Risk and Improvement Committee Terms of Reference document taking effect from 1 July 2024.
2. Appoint existing Audit, Risk and Improvement Committee delegate, Cr Somerville, as the non-voting Councillor member for the remainder of the term of Council (September 2024).
3. Formalise the appointment timeframes for the current Audit, Risk and Improvement Committee Independent Members as follows:

Name	Appointment Date for Current Term	Proposed Term End Date
Donna Rygate	17/01/2022	16/01/2026
Ron Gillard	21/03/2022	20/03/2026

4. Note the recruitment process for the 3rd Independent Member in progress to come to Council for endorsement at the July Council meeting.
5. Formalise the appointment of Donna Rygate as the Audit, Risk and Improvement Committee Chairperson.

(Somerville/Gosewisch)

CARRIED

DATA BREACH POLICY

2406/012

RESOLVED:

That Council:

1. Endorse the Data Breach 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.

(Pryse Jones/Reynolds)

CARRIED

INFRASTRUCTURE SERVICES REPORTS

INFRASTRUCTURE SERVICES MONTHLY REPORT

2406/013

RESOLVED:

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

(Reynolds/Newstead)

CARRIED

MINUTES OF THE TRAFFIC COMMITTEE MEETING HELD 7 JUNE 2024**2406/014 RESOLVED:**

That Council;

1. Receive and note the minutes of the Blayney Traffic Committee Meeting, held on Friday 7 June 2024.
2. Endorse the Traffic Guidance Scheme for the Millthorpe Winter Fire Festival Night Market, to be staged on 2 August 2024 on Pym Street Millthorpe as a Class 2 event, subject to the conditions detailed in the Director Infrastructure Services' Report.
3. Install signage Forest Reefs/Tallwood Intersection:
 - a) No Stopping signage on Long Swamp Road on north and south side for road safety purposes.
 - b) Relocate Give Way signage.
 - c) Bus zone signs in bus bay displaying bus times for pick up and drop off.
4. Investigate one-way for Adelaide Lane (Between Ogilvy & Church Streets, Blayney). Traffic counters to be installed and data provided to TfNSW for consideration of a speed zone review.

(Reynolds/Newstead)

CARRIED

DELEGATES REPORTS**REPORT OF THE CENTRAL NSW JOINT ORGANISATION BOARD MEETING HELD 23 MAY 2024****2406/015 RESOLVED:**

That Council note the report of the Central NSW Joint Organisation (CNSWJO) Board Meeting held 23 May 2024.

(Reynolds/Gosewisch)

CARRIED

CLOSED MEETING**2406/016 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:

CONTRACT S1 2024 FOR SUPPLY AND DELIVERY OF BITUMEN EMULSION

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.

(Newstead/Somervaille)

CARRIED

CONFIDENTIAL MEETING REPORTS

**CONTRACT S1 2024 FOR SUPPLY AND DELIVERY OF
BITUMEN EMULSION**

2406/017

RESOLVED:

That Council accept and enter into contract with Bitupave Ltd for the supply and delivery of bitumen emulsion.

(Reynolds/Newstead)

CARRIED

2406/018

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/Somerville)

CARRIED

**AT THE RE-OPENING OF THE MEETING TO THE PUBLIC, THE MAYOR
ANNOUNCED THE OUTCOMES OF RESOLUTION NUMBER 2406/017.**

There being no further business, the meeting concluded at 7.42pm.

The Minute Numbers 2406/001 to 2604/018 were confirmed on 23 July 2024 and are a full and accurate record of proceedings of the Ordinary Meeting held on 25 June 2024.



Cr D Somerville

CHAIR