

**MINUTES OF THE BLAYNEY SHIRE COUNCIL ORDINARY MEETING
HELD IN THE CHAMBERS, BLAYNEY SHIRE COUNCIL COMMUNITY
CENTRE, ON 27 AUGUST 2024, 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 form had been submitted:

Councillor /Staff	Interest	Item	Pg	Report	Reason
Cr Reynolds	Non-Pecuniary (Less than Significant) Cr Reynolds will judge the application and business item within its merits.	9	52	Minutes of the Financial Assistance Committee Meeting held 12 August 2024	Regarding item 3 of the recommendation. Cr Reynold's wife is friends with the applicant's mother.

PUBLIC FORUM

Michael Edwards – Item 15 – DA6/2024 - 12 Naylor Street, Carcoar - Alterations and Additions to the Existing Tourist and Visitor Accommodation, Construction of Three (3) Tourist and Visitor Accommodation Buildings, Construction of a Dwelling House, Inground Swimming Pool and Spa House, Change of Use from an Outbuilding (Shed) to a Commercial Premises, associated Carparking, Stormwater and Landscaping

Edwina Bartholomew – Item 15 – DA6/2024 - 12 Naylor Street, Carcoar - Alterations and Additions to the Existing Tourist and Visitor Accommodation, Construction of Three (3) Tourist and Visitor Accommodation Buildings, Construction of a Dwelling House, Inground Swimming Pool and Spa House, Change of Use from an Outbuilding (Shed) to a Commercial Premises, associated Carparking, Stormwater and Landscaping

Ian Gillings – Item 13 – Millthorpe Village Centre Community Consultation

CONFIRMATION OF MINUTES**MINUTES OF THE PREVIOUS COUNCIL MEETING HELD 23 JULY 2024****2408/001****RESOLVED:**

That the Minutes of the Ordinary Council Meeting held on 23 July 2024, being minute numbers 2407/001 to 2407/018 be confirmed.

(Ewin/Gosewisch)

CARRIED

MATTERS ARISING FROM THE MINUTES

Nil

The Mayor asked if there was any objection to bringing items 13 and 15 forward for consideration, being the topics of the public forum. There was no objection.

MILLTHORPE VILLAGE CENTRE COMMUNITY CONSULTATION**2408/002****RESOLVED:**

That Council;

1. Note the community consultation undertaken, 48 survey responses and 8 submissions received.
2. Note following completion of a positive community consultation process, 7 improvements to the design are now proposed.
3. Be presented with a further report upon finalisation of the scope and budget estimates for works to be completed in 2024/25, prior to those construction works commencing.

(Newstead/Ewin)

CARRIED

DEVELOPMENT APPLICATION 6/2024 – 12 NAYLOR STREET, CARCOAR - ALTERATIONS AND ADDITIONS TO THE EXISTING TOURIST AND VISITOR ACCOMMODATION, CONSTRUCTION OF THREE (3) TOURIST AND VISITOR ACCOMMODATION BUILDINGS, CONSTRUCTION OF A DWELLING HOUSE, INGROUND SWIMMING POOL AND SPA HOUSE, CHANGE OF USE FROM AN OUTBUILDING (SHED) TO A COMMERCIAL PREMISES, ASSOCIATED CARPARKING, STORMWATER AND LANDSCAPING**2408/003****RESOLVED:**

That Council:

1. Note the section 4.15 development assessment report, including the consideration of issues raised in submissions, in relation to Development Application 6/2024 for alterations and additions to the existing tourist and visitor accommodation, construction of three cabins for tourist and visitor accommodation, construction of one dwelling house,

installation of a swimming pool and construction of a spa house, change of use to a commercial premise, associated carparking, stormwater and landscaping at Lot 442 DP 706264, 12 Naylor Street Carcoar.

2. Note the next Council meeting will not be until October 2024 and delegate to the General Manager authority;
 - a. to approve Development Application 6/2024 subject to the recommended conditions attached to this report; and
 - b. having regard to any further response from the NSW Heritage Office and to the comments received today from a heritage expert:
 - i. to alter any conditions of consent outlined in the recommended conditions; and/or
 - ii. to include any reasonable new or additional conditions of consent.

(Reynolds/Pryse Jones)

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

FOR

AGAINST

Councillor Ewin
 Councillor Ferguson
 Councillor Somervaille
 Councillor Reynolds
 Councillor Newstead
 Councillor Pryse Jones
 Councillor Gosewisch

Total (7)

Total (0)

CARRIED

NOTICES OF MOTION

NOTICE OF MOTION - RETIRING COUNCILLORS

2408/004

RESOLVED:

That Council acknowledge and thank the three retiring Councillors, Mayor Scott Ferguson, Deputy Mayor David Somervaille and Councillor Allan Ewin for their service and contribution to the Blayney community during their respective terms on Council.

(Reynolds/Gosewisch)

CARRIED

EXECUTIVE SERVICES REPORTS**QUESTIONS TAKEN ON NOTICE AT THE PREVIOUS COUNCIL MEETING HELD 23 JULY 2024****2408/005****RESOLVED:**

That the questions taken on notice at the Ordinary Council Meeting held on 23 July 2024 and subsequent response be received and noted.

(Gosewisch/Pryse Jones)
CARRIED

2024 LGNSW ANNUAL CONFERENCE MOTION - MINING IMPACTED COMMUNITIES**2408/006****RESOLVED:**

That Council propose the following motion at the forthcoming LGNSW annual conference:

"That Local Government NSW:

- 1. Recognises the significant impact the cessation of the Resources for Regions grant funding program has had on the 26 Councils and communities that host mining operations in NSW, and*
- 2. Calls on the NSW Government to develop and implement a new and improved grant funding program for the 26 Councils and communities that host mining operations in NSW".*

(Newstead/Pryse Jones)
CARRIED

CORPORATE SERVICES REPORTS**REPORT OF COUNCIL INVESTMENTS AS AT 31 JULY 2024****2408/007****RESOLVED:**

That Council;

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

(Somerville/Ewin)
CARRIED

QUARTERLY BUDGET REVIEW STATEMENT - JUNE 2024**2408/008****RESOLVED:**

That Council;

1. Receive the Quarterly Budget Review Statement noting actual results to 30 June 2024.
2. Approve the net transfers from Council's external cash restrictions of \$1.99m.
3. Approve the net transfers to Council's internal cash allocations of \$1.64m, for the purposes as detailed in Schedule 1.
4. Approve the creation of an Emergency Works / Natural

- Disaster internal allocation.
5. Approve supplementary votes of expenditure to the 2024/25 budget for carryover works from 2023/24 to 2024/25 as per the attached schedule totalling \$3.608m funded from:
 - a. internal cash allocations of \$997k
 - b. externally restricted unexpended grants and contributions of \$2.272m
 - c. other external cash restrictions \$339k
 6. Approve supplementary votes of expenditure for 2024/25 totalling \$1.776m for carryover works from 2023/24 to 2024/25 funded from:
 - a. future grants and contributions of \$1.199m for milestones not yet received
 - b. the future sale of plant traded on replacement of \$109k
 - c. other internal and external cash restrictions of \$468k
 7. Approve supplementary votes of expenditure for 2024/25 totalling \$176k for carryover works from 2023/24 to 2024/25 funded from:
 - a. Plant replacement internal allocation of \$118k
 - b. s.7.11 Developer Contributions of \$58k

(Gosewisch/Pryse Jones)

CARRIED

DRAFT STATEMENT OF FINANCIAL REPORTS BY COUNCIL
2023/24

2408/009

RESOLVED:

That Council;

1. Make the statement in accordance with Section 413(2)(c) of the Local Government Act 1993, and Clause 215 of the Local Government (General) Regulation (2021) for the General Purpose Financial Statements for the year ending 30 June 2024.
2. Receive the certification of the Responsible Accounting Officer.
3. Make the statement in accordance with the requirements of the Code of Accounting Practice in relation to the Special Purpose Financial Statements for the year ending 30 June 2024.
4. Endorse signature of the statements by the Mayor, Deputy Mayor, the General Manager and the Responsible Accounting Officer.
5. Refer the General Purpose Financial Statements and Special Purpose Financial Statements to audit and invite Intentus Chartered Accountants, as the contracted agent for the NSW Audit Office, to complete the audit as per the requirements of Section 413(1) of the Local Government Act (1993) and Local Government (General) Regulation (2021).

(Pryse Jones/Somervaille)

CARRIED

**MINUTES OF THE AUDIT, RISK AND IMPROVEMENT
COMMITTEE MEETING HELD 21 AUGUST 2024**

2408/010

RESOLVED:

That Council;

1. Receive the Minutes of the Audit, Risk and Improvement Committee meeting held 21 August 2024.
2. Note the Annual Report on the operations of the Blayney Shire Audit, Risk and Improvement Committee for the period 1 July 2023 to 30 June 2024.
3. Note the recommendation by the Audit, Risk and Improvement Committee on referral of the draft 2023/24 Financial Statements to audit.
4. Undertake a review of procurement in 2024/25 as its next audit on the internal audit program.
5. Prepare an Action Plan for the recommendations contained in the Review of the Richards Lane Culvert project and report the plan back to the Committee.
6. Update the committee on the completion of urgent tasks arising from the Review of the Richards Lane Culvert project and progression of remaining tasks.

(Somervaille/Pryse Jones)

CARRIED

**MINUTES OF THE FINANCIAL ASSISTANCE COMMITTEE
MEETING HELD 12 AUGUST 2024**

MOTION:

1. Receive the minutes of the Financial Assistance committee meeting held 12 August 2024.
2. Approve the recommendations for 2024/25 – Round 1 of the Community Financial Assistance Program by the Financial Assistance Committee, in the amount of \$17,805.
3. Support the request for sporting related financial assistance for selection to represent PSSA in the Western region netball team.
4. Consider in the Community Financial Assistance Program Funding Review the following items:
 - a. Clearer definition of funding for representative sports i.e. are school sports programs applicable?
 - b. That 2 quotations be mandatory for purchases over certain threshold.

(Ferguson/Newstead)

Cr Reynolds asked for each recommendation to be considered individually which was agreed to by the Chair.

- 2408/011 RESOLVED:**
That Council;
1. Receive the minutes of the Financial Assistance committee meeting held 12 August 2024.
(Somervaille/Gosewisch)
CARRIED
- 2408/012** 2. Approve the recommendations for 2024/25 – Round 1 of the Community Financial Assistance Program by the Financial Assistance Committee, in the amount of \$17,805.
(Ewin/Reynolds)
CARRIED
- 2408/013** 3. Support the request for sporting related financial assistance for selection to represent PSSA in the Western region netball team.
(Ferguson/Newstead)
CARRIED
- 2408/014** 4. Consider in the Community Financial Assistance Program Funding Review the following items:
a. Clearer definition of funding for representative sports i.e. are school sports programs applicable?
b. That 2 quotations be mandatory for purchases over certain threshold.
(Reynolds/Gosewisch)
CARRIED

MINUTES OF THE DISABILITY INCLUSION WORKING GROUP HELD 1 AUGUST 2024

- 2408/015 RESOLVED:**
That Council receive the minutes of the Disability Inclusion Working Group meeting held 1 August 2024.
(Pryse Jones/Newstead)
CARRIED

Cr Reynolds foreshadowed using Section 9.3 of the Code of Meeting Practice to add additional motion regarding a Code of Meeting Practice for Council Committees. After discussion Cr Reynolds withdrew the proposed foreshadowed motion.

2022-2026 DISABILITY INCLUSION ACTION PLAN ANNUAL REPORT

- 2408/016 RESOLVED:**
That Council note the Blayney Shire 2022 – 2026 Disability Inclusion Action Plan Annual Report for the year ended 30 June 2024.
(Reynolds/Gosewisch)
CARRIED

INFRASTRUCTURE SERVICES REPORTS**INFRASTRUCTURE SERVICES MONTHLY REPORT****2408/017****RESOLVED:**

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

(Ewin/Newstead)

CARRIED

MINUTES OF THE TRAFFIC COMMITTEE MEETING HELD 9 AUGUST 2024**2408/018****RESOLVED:**

That Council;

1. Receive and note the minutes of the Blayney Traffic Committee Meeting, held on Friday 9 August 2024.
2. Endorse the Event Management Plan for the Ride for Resilience event to be staged on 7 September 2024.
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. Alter bus times for the bus zone in Park Street, Millthorpe opposite the Millthorpe Public School to be:
 - 7:00am – 9:00am
 - 2:30pm – 5:00pm
4. Alter bus times for the bus zone in Martin Street, Blayney to be:
 - 7:00am – 5:00pm Monday – Friday
5. That Council install road lines and chevron markings in Gold Street Mandurama (near Mandurama Hall) – in front of and 2m either side of the laneway to denote no parking and then remove the No Stopping signage.

(Newstead/Ewin)

CARRIED

DELEGATES REPORTS**COUNTRY MAYORS ASSOCIATION MEETING****2408/019****RESOLVED:**

That Council receive and note the delegates report for the Country Mayors Association Meeting held 9 August 2024.

(Pryse Jones/Newstead)

CARRIED

CENTRAL TABLELANDS WEEDS AUTHORITY DELEGATE REPORT**2408/020****RESOLVED:**

That Council receive and note the Central Tablelands Weeds Authority delegate report.

(Reynolds/Pryse Jones)

CARRIED

CLOSED MEETING**2408/021 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:

RICHARDS LANE CULVERT REPLACEMENT PROJECT REVIEW

This matter is considered to be confidential under Section 10A(2) (g) of the Local Government Act, as it deals with advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.

(Gosewisch/Pryse Jones)
CARRIED

CONFIDENTIAL MEETING REPORTS**RICHARDS LANE CULVERT REPLACEMENT PROJECT REVIEW****2408/022 RESOLVED:**

That Council;

1. Receive the report on the Review of Richards Lane Culvert Project.
2. Note there are 21 recommendations of actions made by the review panel in relation to;
 - Cost overruns,
 - Timing of expenditure,
 - Expenditure without authorisation,
 - Tendering and the procurement process.
3. Note that the 21 recommendations for action will be included on the Schedule of Recommendations for ongoing monitoring by the Audit, Risk and Improvement Committee.

(Reynolds/Newstead)
CARRIED

2408/023 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/Pryse Jones)
CARRIED

AT THE RE-OPENING OF THE MEETING TO THE PUBLIC, THE MAYOR ANNOUNCED THE OUTCOMES OF RESOLUTION NUMBER 2408/022.

The Chair invited the three retiring Councillors to say a few words.

Retiring Councillors being Mayor Scott Ferguson, Deputy Mayor David Somerville and Cr Allan Ewin all spoke about their time on Blayney Shire Council and thanked the Councillors, Staff and wider community for the their support.

There being no further business, the meeting concluded at 8.59pm.

The Minute Numbers 2408/001 to 2408/023 were confirmed on 3 October 2024 and are a full and accurate record of proceedings of the Ordinary Meeting held on 27 August 2024.

A handwritten signature in cursive script, reading "Bruce Reynolds", is written over a horizontal line.

Cr Bruce Reynolds

CHAIR