

**MINUTES OF THE BLAYNEY SHIRE COUNCIL ORDINARY MEETING
HELD IN THE CHAMBERS, BLAYNEY SHIRE COUNCIL COMMUNITY
CENTRE, ON 16 MAY 2022, COMMENCING AT 6.00PM**

Present: Crs S Ferguson (Mayor), A Ewin, C Gosewisch, J Newstead, M Pryse Jones (via Audio Visual Link), B Reynolds and D Somerville (Deputy Mayor)

Interim General Manager (Mr R Earl), 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)

ACKNOWLEDGEMENT OF COUNTRY

REQUEST FOR REMOTE ATTENDANCE

2205/001

RESOLVED:

That Council approves the attendance of Councillor Pryse Jones to the May 2022 Council Meeting by audio visual link.

(Gosewisch/Somerville)

CARRIED

RECORDING OF MEETING STATEMENT

DISCLOSURES OF INTEREST

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

Councillor /Staff	Interest	Item	Pg	Report	Reason
Cr Ferguson	Pecuniary	7	37	Request for Interest Free Loan	Related to applicant

PUBLIC FORUM

Richard Southwell – Item 12 – Development Application 5/2022 – Erection of a Dwelling House with Attached Garage – 13 William Street, Millthorpe

CONFIRMATION OF MINUTES

MINUTES OF THE PREVIOUS COUNCIL MEETING HELD 19 APRIL 2022

2205/002

RESOLVED:

That the Minutes of the Ordinary Council Meeting held on 19 April 2022, being minute numbers 2204/001 to 2204/023 be confirmed.

(Newstead/Reynolds)

CARRIED

MATTERS ARISING FROM THE MINUTES

Nil

EXECUTIVE SERVICES REPORTS**MEMORANDUM OF UNDERSTANDING: BLAYNEY SHIRE
ARTS AND CRAFT COUNCIL INCORPORATED****2205/003****RESOLVED:**

That Council authorise the Interim General Manager to sign the Memorandum of Understanding with Blayney Shire Arts and Craft Council Incorporated.

(Reynolds/Ewin)

CARRIED**CORPORATE SERVICES REPORTS****REPORT OF COUNCIL INVESTMENTS AS AT 30 APRIL 2022****2205/004****RESOLVED:**

1. That the report indicating Council's investment position as at 30 April 2022 be received.
2. That the certification of the Responsible Accounting Officer by received and the report be adopted.

(Newstead/Somerville)

CARRIED**QUARTERLY BUDGET REVIEW STATEMENT - MARCH 2022****2205/005****RESOLVED:**

1. That the Quarterly Budget Review Statement for the quarter ending 31 March 2022 be received.
2. That the supplementary votes of \$21k (nett) proposed in the Quarterly Budget Review Statement be adopted, resulting in a decrease to capital expenditure of (\$348), an increase to operating expenditure of \$71k and a decrease in income of (\$256k) which includes a decrease of (\$113k) in capital income.

(Somerville/Gosewisch)

CARRIED**ENDORSEMENT OF RESOURCING STRATEGY****2205/006****RESOLVED:**

That Council;

1. Endorse the Resourcing Strategy which includes the following documents; Long Term Financial Plan 2023 - 2032, Workforce Management Plan 2022/2026; and
2. That these documents be placed on Public Exhibition for a period of 28 days.

(Newstead/Ewin)

CARRIED

2022/23 - 2025/26 DELIVERY PROGRAM AND 2022/23 OPERATIONAL PLAN

2205/007

RESOLVED:

1. That Council endorse the draft 2022/23 - 2025/26 Delivery Program and 2022/23 Operational Plan; and
2. That the draft 2022/23 - 2025/26 Delivery Program and 2022/23 Operational Plan be placed on public exhibition for a period of 28 days.

(Reynolds/Ewin)

CARRIED

The Mayor, Cr Ferguson, having declared an interest departed the Chair and left the Chambers. The Deputy Mayor, Cr Somerville, assumed the Chair.

REQUEST FOR INTEREST FREE LOAN**MOTION:**

That Council;

1. Approve the provision of an interest free loan of \$40,000 to Dr. Bonnie McRae pursuant to policy 6C Package for Doctors Incentives for Retention / Attraction.
2. Review policy 6C Package for Doctors Incentives for Retention / Attraction as a priority.

(Newstead/Ewin)

An **AMENDMENT** was moved by Cr Reynolds and seconded by Cr Pryse Jones:

That Councillors vote on the above items separately.

The amendment became the substantive motion and was put.

2205/008

RESOLVED:

That Councillors vote on the above items separately.

CARRIED**MOTION:**

That Council approve the provision of an interest free loan of \$40,000 to Dr. Bonnie McRae pursuant to policy 6C Package for Doctors Incentives for Retention / Attraction.

(Newstead/Ewin)

A further **AMENDMENT** was moved by Cr Pryse Jones:

That Council approve the provision of an interest free loan of \$20,000 to Dr. Bonnie McRae pursuant to policy 6C Package for Doctors Incentives for Retention / Attraction.

The amendment lapsed due to want of a seconder.

2205/009

RESOLVED:

That Council approve the provision of an interest free loan of \$40,000 to Dr. Bonnie McRae pursuant to policy 6C Package for

Doctors Incentives for Retention / Attraction.

(Newstead/Ewin)

CARRIED

2205/010 RESOLVED:

That Council review policy 6C Package for Doctors Incentives for Retention / Attraction as a priority.

(Reynolds/Newstead)

CARRIED

The Mayor, Cr Ferguson, returned to the Chambers and resumed the Chair.

COUNCIL WORKING GROUP - FINANCIAL ASSISTANCE PROGRAM

2205/011 RESOLVED:

That Council;

1. Advise Kerrie Adams that there are no vacancies on the Financial Assistance Program committee at present, but that her application will stand (if she agrees) if a vacancy becomes available or if the size of the committee is increased and further community nominations are sought.
2. Fix an amount of \$45,000, for a 3 year period, to be allocated to the Community Financial Assistance Program, with the balance (as indexed) to be held as a restricted asset (as indexed) Developer Contributions for allocation to community infrastructure;
3. Endorse the Community Financial Assistance Policy, as amended, be placed on public exhibition for a period of at least 28 days.
4. Notify these arrangements to Iberdrola for its comments.

(Somerville/Newstead)

CARRIED

INFRASTRUCTURE SERVICES REPORTS

DIRECTOR INFRASTRUCTURE SERVICES MONTHLY REPORT

2205/012 RESOLVED:

That the Director Infrastructure Services Monthly Report for May 2022 be received and noted.

(Gosewisch/Newstead)

CARRIED

ASSET MANAGEMENT POLICY AND STRATEGIC ASSET MANAGEMENT PLAN

2205/013 RESOLVED:

That Council endorse the Blayney Shire Asset Management Policy and the Blayney Shire Strategic Asset Management Plan and place them on Public Exhibition for a period of not less than 28 days.

(Somerville/Ewin)
CARRIED

2205/014 **FLOODPLAIN MANAGEMENT**
RESOLVED:

1. That Council endorse the Addendum to the Blayney Flood Study (Storm, 2022), and Addendum to the Blayney Floodplain Risk Management Study (Storm, 2022) and place them on Public Exhibition for a period of not less than 28 days.
2. Should no submissions be received during the Public Exhibition period, the Addendums be adopted by Council at the earliest possible meeting.
3. That Council endorse the Blayney Retarding Basins Study – Concept Design Report (Storm, 2022), and place it on Public Exhibition for a period of not less than 42 days.

(Reynolds/Somerville)
CARRIED

PLANNING AND ENVIRONMENTAL SERVICES REPORTS

2205/015 **DEVELOPMENT APPLICATION 5/2022 - ERECTION OF A DWELLING HOUSE WITH ATTACHED GARAGE - 13 WILLIAM STREET, MILLTHORPE**
RESOLVED:

That Council consents to Development Application DA5/2022 for the erection of a dwelling house with attached garage at Lot 23 Section G DP3361, 13 William Street, Millthorpe subject to the recommended conditions of consent.

(Newstead/Reynolds)

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

FOR	AGAINST
Councillor Ewin	
Councillor Ferguson	
Councillor Somerville	
Councillor Reynolds	
Councillor Newstead	
Councillor Pryse Jones	
Councillor Gosewisch	
Total (7)	Total (0)

CARRIED

**DEVELOPMENT APPLICATION 33/2022 - ERECTION OF TWO
OUTBUILDINGS (SHEDS) - 57 PITTMAN DRIVE, BROWNS
CREEK**

2205/016

RESOLVED:

That Council consents to Development Application DA33/2022 for the erection of two outbuildings (sheds) at Lot 211 in Deposited Plan 1251130, 57 Pittman Drive, Browns Creek, subject to the recommended conditions of consent.

(Newstead/Gosewisch)

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

FOR

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

Total (7)**AGAINST****Total (0)****CARRIED****LATE REPORTS****ELECTRICITY PROCUREMENT**

2205/017

RESOLVED:

That Council:-

1. Note the extreme and unprecedented volatility of the electricity market currently being experienced,
2. Provide in principle support to contribute a minimum of 50% of Council's electricity load to a renewable energy Power Purchase Agreement.
3. Reaffirm to Central NSW Joint Organisation of Councils, its resolution of 21 March 2022, in regard the current investigations into the Blayney Solar Farm.
4. Receive a report on completion of the procurement process.

(Reynolds/Newstead)

CARRIED

CLOSED MEETING**2205/018 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:

PROPOSED LAND TRANSFERS - CLARKE STREET

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 AT 333 NEWBRIDGE ROAD

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 PURCHASE OPPORTUNITY

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.

(Newstead/Ewin)
CARRIED

CONFIDENTIAL MEETING REPORTS**PROPOSED LAND TRANSFERS - CLARKE STREET****2205/019 RESOLVED:**

That Council;

1. Endorse the closure of the following parts of Clarke Street, Blayney, in accordance with s.38 Roads Act 1993, subject to the applicant funding all associated survey and legal costs:
 - ~189m² adjacent to 4 Clarke Street
 - ~205m² adjacent to 23 Mitchell Street
2. That a further report be presented to Council to consider any submissions lodged during the notification period and decide on approval for the proposal.
3. Approve commencement of negotiations with 8 Mitchell Street with the intention of Council acquiring ~50m² of land for the purposes of the Roads Act 1993.

(Gosewisch/Ewin)
CARRIED

Cr Pryse Jones left the meeting at 7.15pm.

**LAND ACQUISITION FOR ROAD RE-ALIGNMENT AT 333
NEWBRIDGE ROAD**

2205/020

RESOLVED:

That Council approve:

1. The compulsory acquisition of Lot 1 in DP1283488 registered 29 March 2022; and
2. The making of an Application to the Minister for Local Government and Governor for approval of such compulsory acquisition; and
3. Upon acquisition the land be classified as “operational land” under Section 31 of the Local Government Act (1993); and
4. The placement of Council’s seal on all documentation associated with the compulsory acquisition for the realignment of Newbridge Road including on any Deed of Agreement for Compulsory Acquisition pursuant to Section 30 of the Land Acquisition (Just Terms Compensation) Act (1991).

(Gosewisch/Reynolds)

CARRIED

Cr Gosewisch declared a non-pecuniary less than significant interest and remained in the meeting.

LAND PURCHASE OPPORTUNITY

2205/021

RESOLVED:

That Council decline this offer at this time.

(Ferguson/Somerville)

CARRIED

2205/022

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 2205/019
TO 2205/021.**

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

The Minute Numbers 2205/001 to 2205/022 were confirmed on 27 June 2022 and are a full and accurate record of proceedings of the Ordinary Meeting held on 16 May 2022.



Cr S Ferguson
MAYOR



Mr R Earl
INTERIM GENERAL MANAGER