

**MINUTES OF THE BLAYNEY SHIRE COUNCIL ORDINARY MEETING
HELD IN THE CHAMBERS, BLAYNEY SHIRE COUNCIL COMMUNITY
CENTRE, ON 16 DECEMBER 2019, COMMENCING AT 5.00PM**

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

Acting General Manager (Mr M Dicker), Director Corporate Services (Mr A Franze), Director Infrastructure Services (Mr G Baker), Acting Director Planning & Environmental Services (Mr D Drum) and Executive Assistant to the General Manager (Mrs L Ferson)

ACKNOWLEDGEMENT OF COUNTRY

RECORDING OF MEETING STATEMENT

APOLOGIES

Cr David Somervaille – Leave of Absence approved at the November 2019 Council Meeting (Resolution No. 1911/002).

DISCLOSURES OF INTEREST

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

Councillor /Staff	Interest	Item	Pg	Report	Reason
Daniel Drum	Non Pecuniary (Significant)	17	77	DA84/2019 – Alterations to an Existing Dwelling House (first floor), Inclusion of a Small Bar (ground floor) and Advertising Signage – 9 Pym Street, Millthorpe	My residence is located in close proximity to the subject property. I was notified of the proposed development and subsequently made a submission.

PUBLIC FORUM

Graeme Allen – Universal Property Group – Item 20 – DA71/2019 – Forty (40) Lot Subdivision – 19a Plumb Street, Blayney

MAYORAL MINUTE

THE TIMBER TRUSS BRIDGE BOOK GIFT

1912/001

RESOLVED:

That Council accept the book entitled The Timber Truss Bridge Book and make available at the Blayney Library.

(Ferguson/Reynolds)

CARRIED

GENERAL MANAGER'S ANNUAL PERFORMANCE REVIEW

1912/002 RESOLVED:

That:

1. Council nominate Councillor Reynolds, along with the Mayor, Deputy Mayor and a Councillor nominated by the General Manager to comprise the Performance Review Panel.
2. Council delegate all tasks necessary for the completion of the Performance Review and Panel members all undertake training in accordance with the Performance Review Guidelines.
3. The Mayor be delegated authority to finalise all arrangements for the Performance Review Panel to convene in February 2020.

(Ferguson/Newstead)

CARRIED

CONFIRMATION OF MINUTES

MINUTES OF THE PREVIOUS COUNCIL MEETING HELD 18 NOVEMBER 2019

1912/003 RESOLVED:

That the Minutes of the Ordinary Council Meeting held on 18 November 2019, being minute numbers 1911/001 to 1911/015 be confirmed.

(Kingham/Reynolds)

CARRIED

MATTERS ARISING FROM THE MINUTES

Nil

EXECUTIVE SERVICES REPORTS

BUILDING BETTER REGIONS FUND ROUND 4

1912/004 RESOLVED:

That Council approve the Australian Government's Building Better Regions Fund Round 4 funding submissions for; CentrePoint Sport and Leisure Centre 'Swimming towards Utility Efficiency' and King George Oval 'Kicking Goals for Girls' projects.

(Kingham/Ewin)

CARRIED

TOURISM EVENT DEVELOPMENT PROGRAM

1912/005

RESOLVED:

That Council;

1. Approve the Tourism Event Development Program and Guidelines for an initial 6 month trial.
2. Include in the draft Operational Plan 2020/21 for Council deliberation within the Tourism and Promotions Budget, an allocation of \$10,000 for the Tourism Event Development Program.

(Newstead/Reynolds)

CARRIED

MINUTES OF THE BLAYNEY SHIRE TOURISM, TOWNS AND VILLAGES COMMITTEE MEETING HELD 26 NOVEMBER 2019

1912/006

RESOLVED:

That the minutes of the Blayney Shire Tourism, Towns and Villages Committee meeting, held on Tuesday 26 November 2019, be received and noted.

(Reynolds/Ewin)

CARRIED

CORPORATE SERVICES REPORTS

REPORT OF COUNCIL INVESTMENTS AS AT 30 NOVEMBER 2019

1912/007

RESOLVED:

1. That the report indicating Council's investment position as at 30 November 2019 be received.
2. That the certification of the Responsible Accounting Officer be received and the report be adopted.

(Kingham/Ewin)

CARRIED

ANNUAL REPORT 2018/19

1912/008

RESOLVED:

That the Council receive the report on the 2018/19 Annual Report lodgement.

(Denton/Newstead)

CARRIED

BLAYNEY RESIDENTIAL DEVELOPMENT PROJECT - LAND SALES

1912/009

RESOLVED:

1. That Council endorse the action of the General Manager to accept the offer for sale of Lot 7 at Streatfeild Close (Lot 1 DP 250822) at the listed price of \$134,000.
2. That Council endorse execution of relevant contracts and associated documentation by the Mayor and General Manager under Council seal.

(Newstead/Ewin)

CARRIED**MINUTES OF THE BLAYNEY SHIRE AUDIT, RISK AND IMPROVEMENT COMMITTEE MEETING HELD 21 NOVEMBER 2019**

1912/010

RESOLVED:

1. That the minutes of the Blayney Shire Audit, Risk and Improvement Committee, held on 21 November 2019, be received and noted.
2. That the Status of Prior Report Recommendations be circulated to MANEX for further review of outstanding actions and achievable action target dates; and
3. That the Status of Prior Report Recommendations be subject to regular review by MANEX between ARIC meetings.

(Reynolds/Ewin)

CARRIED**INFRASTRUCTURE SERVICES REPORTS****DIRECTOR INFRASTRUCTURE SERVICES MONTHLY REPORT**

1912/011

RESOLVED:

That the Director Infrastructure Services Monthly Report for December 2019 be received and noted.

(Reynolds/Ewin)

CARRIED**MAINTENANCE OF EFFLUENT INFRASTRUCTURE**

1912/012

RESOLVED:

1. That Council approve allocation of funding of \$160,000 from Sewerage Section 64 Externally Restricted Funds for emergency works at the Wetlands and Maturation Ponds
2. That Council approve the commencement of a Section 60 application process and proceed to develop a design and scope of works for an onsite Effluent Recycling Treatment Plant.

(Reynolds/Newstead)

CARRIED

KING GEORGE OVAL PROJECT CAPITAL EXPENDITURE REVIEW

1912/013

RESOLVED:

That Council approves the Kicking Goals for Girls project at King George Oval Capital Expenditure Review.

(Kingham/Denton)

CARRIED**MINUTES OF THE BLAYNEY SHIRE SPORTS COUNCIL MEETING HELD ON THURSDAY 21 NOVEMBER 2019**

1912/014

RESOLVED:

1. That the minutes of the Blayney Shire Sports Council Meeting, held on Thursday 21 November 2019, be received and noted.
2. That Sports Council support the inclusion of a submission for the Dakers Oval Fence project to the Drought Communities Program.
3. That Sports Council support the inclusion of a submission for the replacement of the Blayney Tennis Club toilet block to the Drought Communities Program.

(Kingham/Newstead)

CARRIED**MINUTES OF THE TRAFFIC COMMITTEE MEETING HELD 6 DECEMBER 2019**

1912/015

RESOLVED:

1. That the minutes of the Blayney Traffic Committee Meeting, held on Friday 6 December 2019, be received and noted.
2. That Council endorse the Traffic Management Plan for the Newcrest Orange Challenge event to be staged on 22 March 2020. 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. That Council endorse the Traffic Management Plan for the Carcoar Australia Day Fair, to be staged on 26th January 2020 on Naylor, Icely and Belubula Streets Carcoar as a Class 2 event, subject to the conditions detailed in the Director Infrastructure Services' Report and subject to the following amendment:
 - The addition of 40kmh "Special Events" signage to be installed at Icely Street and Brady Streets, Carcoar.
4. That Council refuse the request to install a "Give Way" sign at the intersection of Unwin and Crowson Streets, Millthorpe.
5. That Council install a No Stopping sign on Mid-Western Highway 10m north of the Gold Street intersection outside the Mandurama Shop in accordance with rule 170 of the NSW Road Rules 2014 and per direction from Transport for NSW.

(Reynolds/Newstead)

CARRIED

PLANNING AND ENVIRONMENTAL SERVICES REPORTS

**CENTREPOINT SPORT AND LEISURE CENTRE MAJOR UPGRADE
STAGE 2 PROJECT CAPITAL EXPENDITURE REVIEW**

1912/016

RESOLVED:

That Council approves the Capital Expenditure Review for the Blayney CentrePoint Sport and Leisure Centre stage 2 'Swimming towards utility efficiency' project.

(Ewin/Newstead)
CARRIED

Acting Director Planning and Environmental Services, Daniel Drum, having declared an interest left the Chambers.

DA84/2019 – ALTERATIONS TO AN EXISTING DWELLING HOUSE (FIRST FLOOR), INCLUSION OF A SMALL BAR (GROUND FLOOR) AND ADVERTISING SIGNAGE – 9 PYM STREET, MILLTHORPE

1912/017

RESOLVED:

That Council:

1. Consents to Development Application 84/2019 for alterations to an existing dwelling house (first floor), inclusion of a small bar (ground floor) and advertising signage at Lot 9, Section B, DP1713 – 9 Pym Street, Millthorpe, subject to the recommended conditions of consent.
2. Amend condition 23 to state "the maximum number of patrons permitted in the small bar shall be limited to 25 persons".

(Newstead/Ewin)

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

FOR	AGAINST
Councillor Ewin	
Councillor Ferguson	
Councillor Kingham	
Councillor Reynolds	
Councillor Newstead	
Councillor Denton	
Total (6)	Total (0)

CARRIED

Daniel Drum returned to the Chambers.

DA97/2019 - ERECTION OF A SHED - 93 FOREST REEFS ROAD, MILLTHORPE

1912/018

RESOLVED:

That Council consents to Development Application DA97/2019 for the construction of a shed at Lot 6, DP6146 - 93 Forest Reefs Road, Millthorpe.

(Reynolds/Newstead)

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

FOR	AGAINST
Councillor Ewin	
Councillor Ferguson	
Councillor Kingham	
Councillor Reynolds	
Councillor Newstead	
Councillor Denton	
Total (6)	Total (0)

CARRIED

DA77/2019 - INSTALLATION OF A NEW SIGN - 1 WATER STREET, BLAYNEY

1912/019

RESOLVED:

That Council consents to Development Application DA77/2019 for a Business identification sign at Lot 1 DP123950 - 1 Water Street, Blayney.

(Reynolds/Ewin)

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

FOR	AGAINST
Councillor Ewin	
Councillor Ferguson	
Councillor Kingham	
Councillor Reynolds	
Councillor Newstead	
Councillor Denton	
Total (6)	Total (0)

CARRIED

DA71/2019 - FORTY (40) LOT SUBDIVISION - 19A PLUMB STREET, BLAYNEY

1912/020

RESOLVED:

That Council;

1. Consents to Development Application DA71/2019 for a forty (40) lot torrens title subdivision at Lot 29, DP1050133 - 19A Plumb Street, Blayney, subject to the recommended conditions of consent.
2. Amend condition 22 to state “across the frontages of lots 1-28”.
3. Amend condition 58 to include “and no part of any dwelling is located within 6m of the rear of any new lot”.
4. Add a new condition that the costs associated with the installation of any agreed new boundary fences shall be borne by the applicant.

(Reynolds/Newstead)

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

FOR

Councillor Ewin
Councillor Ferguson
Councillor Reynolds
Councillor Newstead

Total (4)**AGAINST**

Councillor Kingham
Councillor Denton

Total (2)**CARRIED**

MINUTES OF THE BLAYNEY SHIRE ACCESS ADVISORY COMMITTEE HELD 21 NOVEMBER 2019

1912/021

RESOLVED:

1. That the minutes of the Blayney Shire Access Advisory Committee, held Thursday 21 November 2019, be received and noted.
2. That Council investigate and consider for prioritised inclusion in the Active Movement Strategy renewing 3 laybacks within Adelaide Street (Church Street and both sides of Burns Street).

(Denton/Reynolds)

CARRIED

**MINUTES OF THE BLAYNEY CEMETERY FORUM MEETING
HELD WEDNESDAY 13 NOVEMBER 2019**

1912/022

RESOLVED:

That the minutes of the Blayney Shire Cemetery Forum, held Wednesday 13 November 2019, be received and noted.

(Newstead/Ewin)

CARRIED

DELEGATES REPORTS

**REPORT OF THE CENTROC BOARD MEETING AND THE
CENTRAL NSW JOINT ORGANISATION MEETING HELD 27
NOVEMBER 2019**

1912/023

RESOLVED:

That the Mayoral Report from the Centroc Board and Central NSW Joint Organisation Meeting held 27 November 2019 be received and noted.

(Ewin/Reynolds)

CARRIED

CLOSED MEETING

1912/024

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 FOREST
REEFS ROAD - LOT 71 DP1225816**

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.

LEGAL MATTER

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.

(Reynolds/Ewin)

CARRIED

Cr Kingham left the meeting at 6.20pm.

CONFIDENTIAL MEETING REPORTS**LAND ACQUISITION FOR ROAD RE-ALIGNMENT FOREST REEFS ROAD - LOT 71 DP1225816**

1912/025

RESOLVED:

That Council approve:-

1. The compulsory acquisition of Lot 71 DP1225816 registered 25 August 2017; 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 Forest Reefs Road including on any Deed of Agreement for Compulsory Acquisition pursuant to Section 30 of the Land Acquisition (Just Terms Compensation) Act (1991).

(Ewin/Newstead)
CARRIED

1912/026

LEGAL MATTER**RESOLVED:**

That Council receive and note the report.

(Newstead/Ewin)
CARRIED

1912/027

RESOLVED:

That as consideration of the matters referred to in the closed meeting has been concluded, the meeting now be opened to the public.

(Denton/Reynolds)
CARRIED**AT THE RE-OPENING OF THE MEETING TO THE PUBLIC, THE MAYOR ANNOUNCED THE OUTCOMES OF RESOLUTION NUMBERS 1912/025 TO 1912/026.**

There being no further business, the meeting concluded at 6.38pm.

The Minute Numbers 1912/001 to 1912/027 were confirmed on 17 February 2020 and are a full and accurate record of proceedings of the Ordinary Meeting held on 16 December 2019.



 Cr S Ferguson
MAYOR


 Mrs R Ryan
GENERAL MANAGER