

**MINUTES OF THE BLAYNEY SHIRE COUNCIL ORDINARY MEETING
HELD IN THE CHAMBERS, BLAYNEY SHIRE COUNCIL COMMUNITY
CENTRE, ON 18 FEBRUARY 2019, COMMENCING AT 6.00PM**

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

General Manager (Mrs R Ryan), 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

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	4	27	Drought Communities Program 2018	A builder that Cr Ferguson contracts to has been asked to quote the Millthorpe Museum project.
Cr Ferguson	Pecuniary	7	38	Minutes of the Blayney Shire Cultural Centre Working Group Meeting	Potential contractor for Blayney Station refurbishment
Cr Ferguson	Pecuniary	8	41	Probity Plan – CentrePoint Refurbishment Project	Previously declared conflict of interest in this project
Cr Reynolds	Non Pecuniary (less than significant)	23	135	Minutes of the Traffic Committee Meeting held 8 February 2019	Cr Reynold's daughter attends Millthorpe Public School and Cr Reynolds also helps as volunteer cooking the barbeque during part of the event
Cr Reynolds	Non Pecuniary (less than sign)	26	8	Rates Hardship Request – Assessment A315667	Cr Reynolds is a member of the Orange Ex-Service's Club (OESC), which is also a creditor of the rates hardship request.

PRESENTATION OF AUSTRALIA DAY AWARD

The Mayor presented the Australia Day Appreciation Award for 2019 to Darrin Yates.

CONFIRMATION OF MINUTES

**MINUTES OF THE PREVIOUS MEETING HELD MONDAY 17
DECEMBER 2018**

1902/001

RESOLVED:

That the Minutes of the Ordinary Council Meeting held on 17 December 2018, being minute numbers 1812001 to 1812026 be confirmed.

(Newstead/Ewin)
CARRIED

MATTERS ARISING FROM THE MINUTES

Nil

EXECUTIVE SERVICES REPORTS

COUNCIL RESOLUTION REPORT

1902/002

RESOLVED:

That Council notes the Resolution Report to January 2019.

(Reynolds/Somerville)
CARRIED

RISK, WORK HEALTH AND SAFETY QUARTERLY REPORT

1902/003

RESOLVED:

That the Risk, Work Health and Safety Report for the quarter October 2018 to December 2018 be received and noted.

(Somerville/Reynolds)
CARRIED

Cr Ferguson having declared a pecuniary interest departed the Chair and left the Chambers.

The Deputy Mayor, Cr Kingham, assumed the Chair.

DROUGHT COMMUNITIES PROGRAM 2018

1902/004

RESOLVED:

That Council endorse the General Manager signing and execution of the Drought Communities Program Funding Agreement with the Australian Government for \$1million.

(Reynolds/Ewin)
CARRIED

Cr Ferguson returned to the meeting and assumed the Chair.

**UPPER MACQUARIE COUNTY COUNCIL REQUEST FOR
ADDITIONAL WEED BIOSECURITY FUNDING**

1902/005

RESOLVED:

That Council provides in the 2019/20 Operational Plan and subsequent Delivery Program the accumulative total of \$18,946 over 3 years as additional contributions to Upper Macquarie

County Council to ensure the viability of the County Council as the regional Weed Management Authority.

(Kingham/Reynolds)
CARRIED

1902/006 **ORANGE 360**

RESOLVED:

That Council nominate the appointment of Cr Somerville as Director to TDO Limited and Cr Ferguson as the Alternate Director to the Board of TDO Limited trading as Orange360.

(Reynolds/Ewin)
CARRIED

Cr Ferguson having declared a pecuniary interest departed the Chair and left the Chambers.

The Deputy Mayor, Cr Kingham, assumed the Chair.

**MINUTES OF THE BLAYNEY SHIRE CULTURAL CENTRE
WORKING GROUP MEETING HELD MONDAY 4 FEBRUARY
2019**

1902/007 **RESOLVED:**

1. That the minutes of the Blayney Shire Cultural Centre Working Group, held on Monday 4 February 2019, be received and noted.
2. That Council continue to work with Textures of One (Blayney Town Association) and Sydney/NSW Trains to develop the Art Gallery and Community Space Concept at Railway Station, progressing the Governance Model, Licence Agreement and DA requirements and a report be provided to Council.

(Newstead/Reynolds)
CARRIED

**PROBITY PLAN – CENTREPOINT REFURBISHMENT
PROJECT**

1902/008 **RESOLVED:**

That Council receive and note the CentrePoint Sports and Leisure Centre Aquatic and Building Upgrades Probity Plan and appointment of Monica Kelly, Prevention Partners as Probity Advisor.

(Somerville/Reynolds)
CARRIED

Cr Ferguson returned to the meeting and assumed the Chair.

CORPORATE SERVICES REPORTS**REPORT OF COUNCIL INVESTMENTS AS AT 31 DECEMBER 2018**

1902/009

RESOLVED:

1. That the report indicating Council's investment position as at 31 December 2018 be received.
2. That the certification of the Responsible Accounting Officer be received and the report be adopted.

(Reynolds/Ewin)

CARRIED**REPORT OF COUNCIL INVESTMENTS AS AT 31 JANUARY 2019**

1902/010

RESOLVED:

1. That the report indicating Council's investment position as at 31 January 2019 be received.
2. That the certification of the Responsible Accounting Officer be received and the report be adopted.

(Somerville/Denton)

CARRIED**QUARTERLY BUDGET REVIEW STATEMENT – DECEMBER 2018**

1902/011

RESOLVED:

1. That the Quarterly Budget Review Statement for the quarter ending 31 December 2018 be received.
2. That the supplementary votes of \$281k proposed in the Quarterly Budget Review Statement be approved resulting in an increase to operating expenditure of \$565k, an increase in operating income of \$2.12m and an increase to capital expenditure of \$1.83m offset by capital income variations of \$1.70m.

(Newstead/Denton)

CARRIED**SIX MONTHLY DELIVERY PLAN REVIEW – DECEMBER 2018**

1902/012

RESOLVED:

That the six-monthly review, as at 31 December 2018, of Council's 2018/19 – 2021/22 Delivery Plan be received.

(Ewin/Reynolds)

CARRIED**COMPLIANCE AND REPORTING ACTIVITIES**

1902/013

RESOLVED:

That the report on Compliance and Reporting Activities for the 6 month period to December 2018 be received.

(Somerville/Reynolds)

CARRIED

- 1902/014** **NOMINATION OF NATIVE TITLE MANAGER**
RESOLVED:
That Council nominate the Director Corporate Services as its Native Title Manager and give notice to the Minister for Lands and Forestry of contact details.

(Reynolds/Kingham)
CARRIED
- 1902/015** **ADOPTION OF EVENT MANAGEMENT POLICY**
RESOLVED:
That the Event Management Policy be adopted and included in Council's policy register.

(Denton/Newstead)
CARRIED
- 1902/016** **ADOPTION OF FEE – REDMOND OVAL: MILLTHORPE SENIOR CRICKET**
RESOLVED:
That Council adopt the Redmond Oval Hire Fees – Millthorpe Senior Cricket of \$570 for inclusion into Council's Fees & Charges as part of the 2018/19 Operational Plan.

(Kingham/Somerville)
CARRIED
- 1902/017** **ADOPTION OF WASTE COLLECTION SERVICES POLICY**
RESOLVED:
That the Waste Collection Services policy be adopted and included in Council's policy register.

(Reynolds/Newstead)
CARRIED
- 1902/018** **EXPRESSIONS OF INTEREST BORROWINGS – RESIDENTIAL LAND DEVELOPMENT**
RESOLVED:
1. That the report on Expressions of Interest – Request for Borrowings submissions received from suitable lending institutions to fund Residential Land Development be received.
 2. That Council proceed with Option 1 for a term of 10 years at a fixed rate.
 3. That Council select the institution that facilitates the best financial outcome for Council being Tcorp at 3.35% p.a. over 10 years, subject to eligibility requirements.
 4. That in the event that Tcorp not allocate borrowings, Council select Commonwealth Bank at 3.58% p.a. over 10 years.
 5. That Council delegate authority to the Mayor and General Manager to sign all necessary documentation to establish the Loan Funding Agreement.
 6. That Council provide security to the successful financial institution in the form of a charge over general rates income

of Council.

(Newstead/Reynolds)
CARRIED

INFRASTRUCTURE SERVICES REPORTS

DIRECTOR INFRASTRUCTURE SERVICES MONTHLY REPORT

1902/019

RESOLVED:

That the Director Infrastructure Services Monthly report for February 2019 be received and noted.

(Reynolds/Somerville)
CARRIED

AUSTRALIAN CRICKET INFRASTRUCTURE – FUNDING DEED

1902/020

RESOLVED:

That Council;

1. Receive and note the report on expansion plans and endorse the overall strategic plan for the Dakers Oval precinct enhancement.
2. Approves the execution of the Australian Cricket Infrastructure Funding Deed for \$28,370 (Ex GST) for the Dakers Oval Cricket Practice Nets Project.

(Kingham/Denton)
CARRIED

KING GEORGE OVAL PUMP RENEWAL

1902/021

RESOLVED:

1. That Council approve the renewal of the King George Oval bore and irrigation pumping equipment,
2. The supplementary vote of \$68,100 be included in the third Quarterly Budget Review, to be funded from the King George Oval Internal Reserve.

(Reynolds/Newstead)
CARRIED

NAMING OF ROADWAY FOR PLUMB STREET SUBDIVISION

1902/022

RESOLVED:

1. That Council endorse the following shortlist of names and seek community feedback prior to final determination by Council;
 - Streatfeild Close
 - Innes Close
 - Thompson Close
 - Colburt Close
2. That Council also seek community feedback on adopting an Indigenous name.

(Newstead/Kingham)
CARRIED

Cr Reynolds having declared a non pecuniary (less than significant) interest remained in the Chambers.

MINUTES OF THE TRAFFIC COMMITTEE MEETING HELD 8 FEBRUARY 2019

1902/023

RESOLVED:

1. That the minutes of the Blayney Traffic Committee Meeting, held on Friday 8 February 2019, be received and noted.
2. That Council endorse the Traffic Management Plan for the Millthorpe Market event, to be staged on 7 April 2019 on Redmond Oval and Millthorpe Public School as a Class 2 event, subject to the conditions detailed in the Director Infrastructure Services' Report and subject to the following amendments:
 - The webbing along Park Street, provide for openings at driveways where required.
 - Relocate the 40km zone to include the Park and Victoria Streets intersection.
 - The TCP to display the existing permanent pedestrian crossing.
 - Traffic Controllers shall be provided at the following locations:
 - 1 at temporary pedestrian crossing
 - 2 at exit point at cemetery carpark
 - 1 at entry point at cemetery carpark
 - The provision of a Traffic Controller at the temporary disabled parking zone shall be at the discretion of the Event Organiser.
 - "Parking" directional signage shall be displayed in accordance with the Australian Standard (white on blue).
 - 60km zone signage to be corrected in accordance with, and to reflect existing posted speed zones.
 - Road Work speed limit signs to be changed to Special Event.
 - The proposed shuttle bus pick up/drop off shall be within the Millthorpe Cemetery grounds to minimise traffic impacts on the adjoining public road and be displayed on the TCP.
 - The TCP shall provide for a barricade to restrict exiting traffic from utilising the driveway via St Marks Anglican Church. Carpark traffic shall operate in a single direction through the carpark and signage be provided for and identified on the TCP.

(Reynolds/Newstead)

CARRIED

CLOSED MEETING**1902/024 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:

TENDER FOR SUPPLY AND DELIVERY OF QUARRY MATERIALS

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.

CENTROC PANEL CONTRACT FOR LINE MARKING

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. (Report contains pricing details provided from suppliers)

RATES HARDSHIP REQUEST - ASSESSMENT A315667

This matter is considered to be confidential under Section 10A(2) (b) of the Local Government Act, as it deals with the personal hardship of any resident or ratepayer.

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.

AMENDMENT TO LEASE AGREEMENT: BLAYNEY SOLAR FARM

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.

(Denton/Newstead)
CARRIED

CONFIDENTIAL MEETING REPORTS**TENDER FOR SUPPLY AND DELIVERY OF QUARRY MATERIALS****1902/025 RESOLVED:**

That Council accept the following tenderers onto the panel contract for Supply and Delivery of Quarry Materials:

- Australian Native Landscapes
- Boral Resources NSW
- Earth Plant Hire
- Hanson Construction Materials
- Oberon Quarries
- Regional Quarries Australia
- Westlime Canowindra

(Newstead/Reynolds)
CARRIED

1902/026 **CENTROC PANEL CONTRACT FOR LINE MARKING**
RESOLVED:

1. That Council accept and sign contracts with Central West Linemarking, Complete Linemarking Services, Gumbay Holdings t/as Avante Linemarking, Oz Linemarking and/or Red Squirrel for linemarking services.
2. That Council recommends that the Centroc Contract Management Fee is replaced by an upfront Contract Management Fee that is determined by a transparent and accountable basis.

(Reynolds/Newstead)
CARRIED

Cr Reynolds having declared a non pecuniary (less than significant) interest remained in the Chambers.

1902/027 **RATES HARDSHIP REQUEST – ASSESSMENT A315667**
RESOLVED:

That Council defer consideration of the request to waive interest on rates and charges for rates assessment A315567 on hardship grounds.

(Ferguson/Kingham)
CARRIED

1902/028 **LEGAL MATTER**
RESOLVED:

That Council receive and note the report.

(Kingham/Newstead)
CARRIED

1902/029 **AMENDMENT TO LEASE AGREEMENT: BLAYNEY SOLAR FARM**
RESOLVED:

1. That the Council endorse the General Manager to finalise the revised Agreement of lease contract terms with Verde Generation Developments Pty Ltd and Blayney (Solure) Pty Ltd.
2. That Council endorse execution of the lease of Lot 222/DP 1175708 and Lot 3/ DP1103517 being 31 and 33 Gerty Street, Blayney and associated documentation by the Mayor

and General Manager under Council seal.

(Newstead/Ewin)
CARRIED

1902/030 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/Somervaille)
CARRIED

AT THE RE-OPENING OF THE MEETING TO THE PUBLIC, THE MAYOR ANNOUNCED THE OUTCOMES OF RESOLUTION NUMBERS 1902/025 TO 1902/029.

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

The Minute Numbers 1902/001 to 1902/030 were confirmed on 18 March 2019 and are a full and accurate record of proceedings of the Ordinary Meeting held on 18 February 2019.



Cr S Ferguson
MAYOR



Mrs R Ryan
GENERAL MANAGER