

**MINUTES OF THE BLAYNEY SHIRE COUNCIL ORDINARY MEETING  
HELD IN THE CHAMBERS, BLAYNEY SHIRE COUNCIL COMMUNITY  
CENTRE, ON 20 MAY 2019, COMMENCING AT 6.00PM**

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

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 form had been submitted:

<b>Councillor /Staff</b>	<b>Interest</b>	<b>Item</b>	<b>Pg</b>	<b>Report</b>	<b>Reason</b>
Cr Ferguson	Pecuniary	3	12	Blayney Train Station Community Art Space	Subcontracting plumbing services for Stage 1 of the Blayney Train Station Refurbishment project

The Mayor advised Councillors of the Late Confidential Report being Item 16 – General Manager’s Contract

**CONFIRMATION OF MINUTES**

**MINUTES OF THE PREVIOUS COUNCIL MEETING HELD  
MONDAY 15 APRIL 2019**

1905/001

**RESOLVED:**

That the Minutes of the Ordinary Council Meeting held on 15 April 2019, being minute numbers 1904/001 to 1904/019 be confirmed.

(Reynolds/Ewin)  
**CARRIED**

**MATTERS ARISING FROM THE MINUTES**

Nil

**EXECUTIVE SERVICES REPORTS**

**MINUTES OF THE BLAYNEY SHIRE CULTURAL CENTRE  
WORKING GROUP MEETING HELD MONDAY 6 MAY 2019**

1905/002

**RESOLVED:**

That the minutes of the Blayney Shire Cultural Centre Working Group, held on Monday 6 May 2019, be received and noted.

(Ewin/Reynolds)  
**CARRIED**

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

The Deputy Mayor, Cr Kingham, assumed the Chair.

**BLAYNEY TRAIN STATION COMMUNITY ART SPACE**

**1905/003**

**RESOLVED:**

That Council seek a Community Use Licence for the currently disused booking office, waiting rooms, storage sheds and former refreshment buildings at the Blayney Train Station, with the view that a sub licence agreement will facilitate an Art Gallery and Community Space.

(Newstead/Somerville)  
**CARRIED**

Cr Ferguson returned to the meeting and assumed the Chair.

**SOUTHERN LIGHTS**

**1905/004**

**RESOLVED:**

That Council note the report on Southern Lights Project and:

1. Provide in principle support for Central NSW Joint Organisation in seeking funding to progress the replacement of Council's existing street lights with smart-enabled LED lighting; and
2. Monitor the timeframe from Essential Energy for the Bulk Lamp Replacement for street lights.

(Newstead/Ewin)  
**CARRIED**

**ELECTRICITY PROCUREMENT**

**1905/005**

**RESOLVED:**

That Council :

1. Acknowledge that there are extenuating circumstances surrounding the procurement of electricity due to the 2-day validity of offers from electricity retailers where anything longer than this is likely to include a price risk component and as such Council should be excused from the tendering requirements under S55(3)(i) of the LG Act for the procurement of electricity for small tariff sites, large contract sites and streetlighting which are due to commence on 1 January 2020;
2. Delegate the authority to execute the contracts for the supply of electricity for small tariff sites, large contract sites and streetlighting to the General Manager;
3. Contribute a minimum 20% of Council's electricity load to a renewable energy Power Purchase Agreement where the pricing is financially advantageous.

(Reynolds/Ewin)  
**CARRIED**

**CORPORATE SERVICES REPORTS****REPORT OF COUNCIL INVESTMENTS AS AT 30 APRIL 2019****1905/006****RESOLVED:**

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

(Kingham/Newstead)

**CARRIED****QUARTERLY BUDGET REVIEW STATEMENT – MARCH 2019****1905/007****RESOLVED:**

1. That the Quarterly Budget Review Statement for the quarter ending 31 March 2019 be received.
2. That the supplementary votes of \$5.67m proposed in the Quarterly Budget Review Statement be adopted resulting in a decrease to operating expenditure of \$24k, a decrease in operating income of \$39k and a decrease to capital expenditure of \$4.22m offset by capital income variations of \$1.45m

(Denton/Ewin)

**CARRIED****2019/2020 COUNCILLOR AND MAYORAL REMUNERATION****1905/008****RESOLVED:**

That in accordance with the 2019 determination from the Local Government Remuneration Tribunal, the Councillor annual fee be increased by 2.5% to \$11,835 and the additional Mayoral annual fee be increased by 2.5% to \$24,853 for the 2019/20 financial year effective from 1 July 2019.

(Somervaille/Reynolds)

**CARRIED****2019/20 OPERATIONAL PLAN AND 2019/20 - 2022/23****DELIVERY PLAN****1905/009****RESOLVED:**

1. That Council endorses the draft 2019/20 - 2022/23 Delivery Program and 2019/20 Operational Plan; and
2. That the draft 2019/20 - 2022/23 Delivery Program and 2019/20 Operational Plan be placed on public exhibition for a period of 28 days.

(Reynolds/Somervaille)

**CARRIED****ADOPTION OF CODE OF MEETING PRACTICE****1905/010****RESOLVED:**

That the Code of Meeting Practice be adopted and included in Council's policy register.

(Somervaille/Newstead)

**CARRIED**

- 1905/011**      **ADOPTION OF CODE OF CONDUCT AND PROCEDURES**  
**RESOLVED:**
1. That Council adopt the Model Code of Conduct for Councillors, Model Code of Conduct for Council staff and Model Code of Conduct for Council Committee Members, Delegates of Council and Council Advisers and they be included in Council's policy register.
  2. That Council Adopt the Procedures for the Administration of the Model Code of Conduct and they be included in Council's policy register.
  3. That the submission(s) on the Model Code of Conduct for Councillors; Model Code of Conduct for Council staff; Model Code of Conduct for Council Committee Members, Delegates of Council and Council Advisers; and Procedures for the Administration of the Model Code of Conduct be noted.
  4. That Council's Gifts & Benefit policy be amended to align with the Model Codes of Conduct and define gifts and benefits of token value as one or more gifts or benefits received from a person or organisation over a 12-month period that, when aggregated, do not exceed a value of \$50.
- (Reynolds/Newstead)  
**CARRIED**

- 1905/012**      **ADOPTION OF COUNCIL POLICIES**  
**RESOLVED:**
- That the following polices be adopted and included in Council's policy register:
- Records Management Policy
  - Email and Internet Policy
  - Information Technology Security and Usage Policy
  - Community Financial Assistance Policy
  - Voluntary Planning Agreement Policy
- (Denton/Reynolds)  
**CARRIED**

### **INFRASTRUCTURE SERVICES REPORTS**

- 1905/013**      **DIRECTOR INFRASTRUCTURE SERVICES MONTHLY REPORT**  
**RESOLVED:**
- That the Director Infrastructure Services Monthly Report for May 2019 be received and noted.
- (Newstead/Ewin)  
**CARRIED**

**CLOSED MEETING****1905/014 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:

**REQUEST FOR EXTENSION OF INTEREST FREE LOAN**

*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.*

**CARCOAR ROAD BRIDGE OVER COWRIGA CREEK**

*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.*

**GENERAL MANAGER'S CONTRACT**

*This matter is considered to be confidential under Section 10A(2) (a) of the Local Government Act, as it deals with personnel matters concerning particular individuals.*

(Reynolds/Newstead)

**CARRIED**

**CONFIDENTIAL MEETING REPORTS****REQUEST FOR EXTENSION OF INTEREST FREE LOAN****MOTION:**

That Council approve an extension of the provision of the interest free loan approved in April 2017 for a further six months under the existing loan agreement arrangements.

(Newstead/Somerville)

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

That Council approve an extension to the loan, charging an interest rate of 2.72% for the 6 month extension.

(Reynolds/Kingham)

The amendment was put and lost.

The original recommendation became the substantive motion and was put.

**1905/015 RESOLVED:**

That Council approve an extension of the provision of the interest free loan approved in April 2017 for a further six months under the existing loan agreement arrangements.

(Newstead/Somerville)

**CARRIED**

**CARCOAR ROAD BRIDGE OVER COWRIGA CREEK****1905/016****RESOLVED:**

That Council:

1. approve funding in the 2019/20 Operational Plan of \$500,000 toward the Carcoar Road bridge over Cowriga Creek;
2. accept the tender from Murray Constructions Pty Ltd for the design and construction of the Carcoar Road Bridge over Cowriga Creek under Contract No.15-2019, for the value of \$378,694 (\$416,563 inc. GST), and subject to variations.

(Somerville/Newstead)

**CARRIED****GENERAL MANAGER'S CONTRACT****1905/017****RESOLVED:**

1. That Council seek a new 5 year contract with the General Manager, Rebecca Ryan.
2. That Council authorise the Mayor and Deputy Mayor to negotiate the new contract arrangements.
3. That Council engage the services of Graeme Fleming PSM to assist with the contract negotiations and the new contract arrangements.
4. That a report be prepared to Council prior to the official signing of the new contract.

(Reynolds/Newstead)

**CARRIED****1905/018****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 NUMBERS 1905/015 TO 1905/017.**

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

The Minute Numbers 1905/001 to 1905/018 were confirmed on 24 June 2019 and are a full and accurate record of proceedings of the Ordinary Meeting held on 20 May 2019.



Cr S Ferguson  
**MAYOR**



Mrs R Ryan  
**GENERAL MANAGER**