

**MINUTES OF THE BLAYNEY SHIRE COUNCIL ORDINARY MEETING  
HELD IN THE CHAMBERS, BLAYNEY SHIRE COUNCIL COMMUNITY  
CENTRE, ON 19 AUGUST 2019, COMMENCING AT 6.00PM**

Present: Crs S Ferguson (Mayor), 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 Acting Executive Assistant to the General Manager (Mrs N Smith)

**ACKNOWLEDGEMENT OF COUNTRY**

**MINUTE SILENCE ACKNOWLEDGING MILLTHORPE  
VILLAGE COMMITTEE PRESIDENT SAM YEATES**

**RECORDING OF MEETING STATEMENT**

The Mayor advised a video recording of the Council Meeting will be made to trial equipment.

**APOLOGIES**

**1908/001 RESOLVED:**

That the apology, tendered on behalf of Cr Scott Denton, be accepted.

(Reynolds/Ewin)

**CARRIED**

**DISCLOSURES OF INTEREST**

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

<b>Councillor/ Staff</b>	<b>Interest</b>	<b>Item</b>	<b>Pg</b>	<b>Report</b>	<b>Reason</b>
Cr David Somervaille	Non-Pecuniary (Significant)	12	59	Minutes of the Financial Assistance Committee Meeting held 6 August 2019	Board Member of the Rotary Club of Blayney
Cr Scott Ferguson	Pecuniary	12	59	Minutes of the Financial Assistance Committee Meeting held 6 August 2019	Working on one of the recommended projects for approval by the Financial Assistance Committee
Cr Allan Ewin	Non-Pecuniary (less than significant)	3	13	Electric Vehicle Charger Stations	Location of Electrical Vehicle Stations – Employee of Newcrest
Cr Bruce Reynolds	Non-Pecuniary (less than significant)	12	59	Minutes of the Financial Assistance Committee Meeting held 6 August 2019	Has applied to be a member of the Junction Reefs Trust – awaiting appointment.

**MAYORAL MINUTE****Lyndhurst RSL Sub Branch**

The Mayor attended the annual Lyndhurst RSL Sub Branch Christmas in July at Carcoar with Deputy Mayor Cr Kingham and Crs Denton and Reynolds. A Certificate of Appreciation was presented to Blayney Shire Council for their valued support and assistance.

**CONFIRMATION OF MINUTES****MINUTES OF THE PREVIOUS COUNCIL MEETING HELD****MONDAY 15 JULY 2019****1908/002****RESOLVED:**

That the Minutes of the Ordinary Council Meeting held on 15 July 2019, being minute numbers 1907/001 to 1907/017 be confirmed.

(Reynolds/Newstead)

**CARRIED**

**MATTERS ARISING FROM THE MINUTES**

Nil

**EXECUTIVE SERVICES REPORTS****1908/003****SCCF ROUND 3****RESOLVED:**

That Council;

1. Shortlist and develop a scope of works for consideration by Council at the September meeting for the following community infrastructure projects;
  - a) Neville Multipurpose Court
  - b) Junior Skate Park and pathway Redmond Oval Millthorpe
  - c) Blayney Library Accessible Toilets Project
  - d) Dakers Oval Cricket Fence
  - e) Dakers Oval Amenities Block
  - f) CentrePoint Dry Courts Roof and Renewable Energy Project
  - g) Blayney Netball Courts Resurfacing Project
2. Work with the Lyndhurst Village community to develop a Recreation Ground Improvement Plan.

(Ewin/Kingham)

**CARRIED**

Cr Ewin having declared an interest left the Chambers.

**ELECTRIC VEHICLE CHARGER STATIONS**

1908/004

**RESOLVED:**

That Council;

1. Accept the contribution from Newcrest Mining's Cadia Valley Operations for the establishment of 2 Electric Vehicle charging stations to be installed in Millthorpe and Carcoar, at locations to be determined as the most appropriate and cost effective solution
2. When the preferred charging station solution is determined a report be provided to Council with location and recommended fees based on a full cost recovery User Pays Policy.

(Somerville/Reynolds)

**CARRIED**

Cr Ewin returned to the Chambers.

**MINUTES OF THE BLAYNEY SHIRE CULTURAL CENTRE  
WORKING GROUP MEETING HELD MONDAY 5 AUGUST  
2019**

1908/005

**RESOLVED:**

1. That the minutes of the Blayney Shire Cultural Centre Working Group, held on Monday 5 August 2019, be received and noted.
2. That Council consider the Blayney Library Accessible Toilets Project as part of SCCF Round 3 submissions for Blayney Shire Council, being Stage 1 of the Library Development (Family History Museum) at \$125k.

(Reynolds/Ewin)

**CARRIED**

**CORPORATE SERVICES REPORTS**

**REPORT OF COUNCIL INVESTMENTS AS AT 31 JULY 2019**

1908/006

**RESOLVED:**

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

(Kingham/Ewin)

**CARRIED**

**DRAFT STATEMENT OF FINANCIAL REPORTS BY COUNCIL  
2018/19**

**1908/007**

**RESOLVED:**

1. That the statement in accordance with Section 413(2)(c) of the Local Government Act 1993, and Clause 215 of the Local Government (General) Regulation (2005) for the General Purpose Financial Statements for the year ending 30 June 2019 be made.
2. That the certification of the Responsible Accounting Officer be received.
3. That 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 2019 be made.
4. That the statements be signed by the Mayor, Deputy Mayor, the General Manager and the Responsible Accounting Officer.
5. That the General Purpose Financial Statements and Special Purpose Financial Statements be referred to audit and Intentus Chartered Accountants, as the contracted agent for the NSW Audit Office, be invited to complete the audit as per the requirements of Section 413(1) of the Local Government Act (1993) and Local Government (General) Regulation (2005).
6. That the net transfers to Council's external cash restrictions of \$373k be approved.
7. That the net transfers from Council's internal cash restrictions of \$1.01m be approved for the purposes as detailed in Schedule 1.
8. That the 2019/20 supplementary expenditure votes for carryover works from 2018/19 to 2019/20 totalling \$2.89m funded from Internal Cash Restrictions of \$1.22m and External Cash Restrictions of \$1.67m as per the attached schedule be approved.

(Reynolds/Somerville)

**CARRIED**

**SIX MONTHLY DELIVERY PLAN REVIEW - JUNE 2019**

**1908/008**

**RESOLVED:**

That the six-monthly review, as at 30 June 2019, of Council's 2018/19 – 2021/22 Delivery Plan be received.

(Newstead/Reynolds)

**CARRIED**

**LICENCE AGREEMENT - LORAWAN PROJECT**

1908/009

**RESOLVED:**

That Council note the Licence Agreement between Blayney Shire Council and Department of Planning, Industry & Environment for the installation and maintenance of a LoRaWan Gateway at Church Hill, Blayney.

(Somerville/Ewin)

**CARRIED****LEGISLATIVE COMPLIANCE POLICY**

1908/010

**RESOLVED:**

That the Legislative Compliance policy be adopted and included in Council's policy register.

(Kingham/Newstead)

**CARRIED****ADOPTION OF GIFTS AND BENEFITS POLICY**

1908/011

**RESOLVED:**

That the Gifts and Benefits policy be adopted and included in Council's policy register.

(Somerville/Reynolds)

**CARRIED****AMENDMENT TO INVESTMENTS POLICY**

1908/012

**RESOLVED:**

That the Investments policy, as amended, be placed on public exhibition for a period of at least 28 days.

(Kingham/Somerville)

**CARRIED**

Cr Ferguson having declared an interest departed the Chair and left the Chambers. Cr Somerville having declared an interest left the Chambers.

The Deputy Mayor, Cr Kingham, assumed the Chair.

**MINUTES OF THE FINANCIAL ASSISTANCE COMMITTEE  
MEETING HELD 6 AUGUST 2019**

1908/013

**RESOLVED:**

1. That the minutes of the meeting held 6 August 2019 be received and noted.
2. That the approvals of fee waivers and sporting related Financial Assistance by General Manager in the amount of \$2,372 be noted.
3. That the recommendations for 2019/20 - Round 1 of the Community Financial Assistance Program by the Financial Assistance Committee, in the amount of \$24,289 be approved.

No.	Applicant	FAP Request
2	Blayney Men's Shed	\$3,000
6	Junction Reefs Reserve Trust	\$3,029
7	Neville Equine Performance	\$3,000
9	Lyndhurst Memorial Hall and Village Committee	\$760
10	Blayney Rotary Club	\$500
11	Blayney District Netball Association	\$3,000
12	Mandurama Public Hall Reserve	\$3,000
14	Sailability NSW Central West	\$3,000
15	Carcoar School of Arts	\$5,000
<b>Total</b>		<b>\$24,289</b>

4. That, of that amount, an amount of \$5,789 being the amount in excess of that available for Round 1, be allocated from funds unexpended from prior periods.

(Newstead/Reynolds)  
**CARRIED**

Crs Ferguson and Somerville returned to the Chambers. Cr Ferguson assumed the Chair.

**MINUTES OF THE BLAYNEY SHIRE AUDIT, RISK AND IMPROVEMENT COMMITTEE MEETING HELD 1 AUGUST 2019**

1908/014

**RESOLVED:**

1. That the minutes of the Blayney Shire Audit, Risk and Improvement Committee meeting held 1 August 2019 be received; and
2. That 2019/20 review of the Corporate Risk Register be scheduled.

(Newstead/Somerville)  
**CARRIED**

**INFRASTRUCTURE SERVICES REPORTS**

**DIRECTOR INFRASTRUCTURE SERVICES MONTHLY REPORT**

1908/015

**RESOLVED:**

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

(Kingham/Ewin)  
**CARRIED**

**SUPPLY, DELIVERY AND PLACEMENT OF SPRAYED BITUMINOUS SURFACING**

1908/016

**RESOLVED:**

That Council accept the tender from Downer EDI Limited for the quality assured, schedule of rates contract for the Supply, Delivery and Placement of Sprayed Bituminous Surfacing.

(Ewin/Somerville)

**CARRIED**

**MINUTES OF THE TRAFFIC COMMITTEE MEETING HELD 9 AUGUST 2019**

1908/017

**RESOLVED:**

1. That the minutes of the Blayney Traffic Committee Meeting, held on Friday 9 August 2019, be received and noted.
2. That Council endorse the Traffic Management Plan for the Carcoar Cup Running Festival, to be held on 2-3 November 2019 on roads in the Villages of Carcoar and Neville, and roads in-between as a Class 2 event, subject to the conditions detailed in the Director Infrastructure Services' Report, and subject to the following amendments:
  - Directional signage to public parking on Pound Flat to be provided.
  - A vehicle protection barrier to be provided at the intersection of Icely/Coombing and Belubula/Collins Street's.
  - All references to Roads and Traffic Authority (RTA) to be amended to Roads and Maritime Services (RMS).
3. That Council install a No Stopping sign on Mid-Western Highway 8m north of the Gold Street intersection outside the Mandurama General Store in accordance with rule 170 of the NSW Road Rules 2014.

(Reynolds/Ewin)

**CARRIED**

Cr David Kingham recorded his name against the resolution.

**PLANNING AND ENVIRONMENTAL SERVICES REPORTS**

**DA54/2019 - ERECTION OF A SHED - 56 RICHARDS LANE, MILLTHORPE**

1908/018

**RESOLVED:**

That Council consents to Development Application DA54/2019 for the erection of a shed at Lot 4 DP750384 – 56 Richards Lane, Millthorpe subject to the recommended conditions of consent.

(Reynolds/Ewin)

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

<b>FOR</b>	<b>AGAINST</b>	
Councillor Ewin		
Councillor Ferguson		
Councillor Kingham		
Councillor Somervaille		
Councillor Reynolds		
Councillor Newstead		
<b>Total (6)</b>	<b>Total (0)</b>	<b>CARRIED</b>

**MINUTES OF THE BLAYNEY SHIRE ACCESS ADVISORY COMMITTEE MEETING HELD ON 17 JULY 2019**

1908/019

**RESOLVED:**

1. That Council as a matter of urgency investigate inclusion of an adult change table and hoist within an accessible bathroom as part of Stage 1 of the CentrePoint Major Upgrade.
2. That Council investigate and consider as a priority installation of a concrete path and lighting from the accessible car parking located in Ogilvy Street to the Osman Street entrance in the 2019/20 financial year.
3. That Council investigate and cost options for all access doors at CentrePoint to be upgraded to enable independent access above the minimum standard for future grant funding opportunities and/or Operational Plan inclusion.
4. That Council proceed to cost the upgrade of the identified non-compliant car parking in the 2018 audit of accessible car parking across Blayney Shire for future grant funding opportunities and/or Operational Plan inclusion.
5. That Council note the Access Committee's preference of Binstead Street footpath works being undertaken before Carcoar Street in the 2019/20 financial year.
6. That Council investigate and consider as a priority renewing the layback in front of the Anglican Church Blayney (corner of Adelaide Street and Church Street) in the 2019/20 financial year.
7. That Council notes the Blayney Shire Access Committee endorsement of the 6 monthly review to 30 June 2019 of the Blayney Shire Disability Inclusion Action Plan.
8. That Council write to the NSW Department of Education to ensure accessible car parking and access is considered in the design of the upcoming major upgrade to the Millthorpe Public School.

(Reynolds/Kingham)

**CARRIED**



**MINUTES OF THE BLAYNEY SHIRE CEMETERY FORUM  
MEETING HELD WEDNESDAY 17 JULY 2019**

1908/020

**RESOLVED:**

That the minutes of the Blayney Shire Cemetery Forum, held Wednesday 17 July 2019, be received and noted.

(Kingham/Ewin)

**CARRIED**

**CLOSED MEETING**

1908/021

**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 matters:

**WASTE COLLECTION SERVICES POLICY EXEMPTION  
REQUESTS**

*This matter is considered to be confidential under Section 10A(2) (e) of the Local Government Act, as it deals with information that would, if disclosed, prejudice the maintenance of law.*

**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**

**CONFIDENTIAL MEETING REPORTS**

**WASTE COLLECTION SERVICES POLICY EXEMPTION  
REQUESTS**

1908/022

**RESOLVED:**

That Council apply Policy 18C and accordingly decline the requests for exemptions.

(Reynolds/Ewin)

**CARRIED**

**LEGAL MATTER**

1908/023

**RESOLVED:**

That Council receive and note the report.

(Kingham/Somerville)

**CARRIED**

**1908/024 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 1908/022 TO 1908/023**

There being no further business, the meeting concluded at 8.02pm.

The Minute Numbers 1908/001 to 1908/024 were confirmed on 16 September 2019 and are a full and accurate record of proceedings of the Ordinary Meeting held on 19 August 2019.



Cr S Ferguson  
**MAYOR**



Mrs R Ryan  
**GENERAL MANAGER**