

**MINUTES OF THE BLAYNEY SHIRE COUNCIL ORDINARY MEETING  
HELD IN THE CHAMBERS, BLAYNEY SHIRE COUNCIL COMMUNITY  
CENTRE, ON 16 NOVEMBER 2020, COMMENCING AT 6.00PM**

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

General Manager (Mrs R Ryan), Director Corporate Services (Mr A Franze), Acting Director Infrastructure Services (Mr C Harris), 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 Somervaille	Non Pecuniary (Significant)	3	30	Planning Agreement – McPhillamys Gold Project	Consultant to Ashurst, the law firm which drafted the Planning Agreement on behalf of Regis Resources
Cr Somervaille	Non Pecuniary (Significant)	10	98	Waiver of 2020/21 Primary Food Shop Inspection Fees and Charges	Cr Somervaille's wife is a proprietor of a licensed food premises.

**PUBLIC FORUM**

Chris Moloney – Item 12 – Development Application 87/2020 – Change of Use and Internal Alterations – 27 Victoria Street, Millthorpe

Rebecca Price – Item 3 - Planning Agreement – McPhillamys Gold Project

**MAYORAL MINUTE**

**SKILLSET**

2011/001

**RESOLVED:**

That Council reaffirm the appointment of Mr Ian Tooke as Blayney Shire Council Delegate to the Skillset Board.

(Ferguson/Reynolds)

**CARRIED**

Skillset is a not for profit company that employs apprentices and trainees, and places them with local tradespeople and businesses aiming to develop skilful young people for the future;

create business success through applied learning, build strong and sustainable communities.

Council appointed Mr Ian Tooke, at the October 2014 Council meeting and reaffirmed his appointment at the September 2017 meeting, for a 3 year term.

Skillset have asked Council to nominate the delegate for 2020-2023 .

### **BLAYNEY HEALTH SNAP SHOT**

The Mayor informed Councillors that the Blayney Health Snapshot, a Primary Health Network (PHN) publication supported by Blayney Shire Council, was launched today.

## **CONFIRMATION OF MINUTES**

### **MINUTES OF THE PREVIOUS COUNCIL MEETING HELD 19 OCTOBER 2020**

2011/002

#### **RESOLVED:**

That the Minutes of the Ordinary Council Meeting held on 19 October 2020, being minute numbers 2010/001 to 2010/021 be confirmed.

(Newstead/Ewin)

**CARRIED**

### **MATTERS ARISING FROM THE MINUTES**

Nil

## **EXECUTIVE SERVICES REPORTS**

### **ADVERSE EVENTS PLAN**

2011/003

#### **RESOLVED:**

That Council endorse the Blayney Shire Community Adverse Events Plan and submit to the Australian Government's Drought Communities Program 2019 with the final project report

(Reynolds/Somervaille)

**CARRIED**

Cr Somervaille having declared an interest left the meeting.

### **PLANNING AGREEMENT - MCPHILLAMYS GOLD PROJECT**

2011/004

#### **RESOLVED:**

That Council endorse the Draft Planning Agreement between LFB Resources NL and Blayney Shire Council, and place it with the Explanatory Note on public exhibition inviting public comment for 28 days.

(Newstead/Reynolds)

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 Reynolds		
Councillor Newstead		
Councillor Denton		
<b>Total (6)</b>	<b>Total (0)</b>	<b>CARRIED</b>

Cr Somerville returned to the meeting

### **CORPORATE SERVICES REPORTS**

#### **REPORT OF COUNCIL INVESTMENTS AS AT 31 OCTOBER 2020**

**2011/005**

#### **RESOLVED:**

1. That the report indicating Council's investment position as at 31 October 2020 be received.
2. That the certification of the Responsible Accounting Officer be received and the report be adopted.

(Kingham/Reynolds)

**CARRIED**

#### **QUARTERLY BUDGET REVIEW STATEMENT - SEPTEMBER 2020**

**2011/006**

#### **RESOLVED:**

1. That the Quarterly Budget Review Statement for the quarter ending 30 September 2020 be received.
2. That the supplementary votes of \$1.25m (nett) proposed in the Quarterly Budget Review Statement be adopted, resulting in an increase to operating expenditure of \$702k, an increase of capital expenditure of \$2.32m and an increase in income of \$1.76m that includes capital income variations of \$1.92m.

(Newstead/Somerville)

**CARRIED**

### **INFRASTRUCTURE SERVICES REPORTS**

#### **DIRECTOR INFRASTRUCTURE SERVICES MONTHLY REPORT**

**2011/007**

#### **RESOLVED:**

That the Director Infrastructure Services Monthly Report for November 2020 be received and noted.

(Kingham/Newstead)

**CARRIED**

- 2011/008**      **CEMETERIES MANAGEMENT PLAN**  
**RESOLVED:**  
 1. That the draft Cemeteries Management Plan be endorsed for the purpose of public exhibition for 28 days.  
 2. That a further report, detailing any submissions received, be presented to Council following the conclusion of the exhibition period.
- (Kingham/Denton)  
**CARRIED**

- 2011/009**      **ROAD FUNDING ALLOCATIONS**  
**RESOLVED:**  
 That Council receive and note the proposed work locations for resealing and heavy patching for 2020/21.
- (Somerville/Denton)  
**CARRIED**

- 2011/010**      **RENEWABLE ENERGY ACTION PLAN 2020**  
**RESOLVED:**  
 That Council nominate Cr Reynolds and Cr Newstead to contribute on a Council Working Group to progress the implementation of the Renewable Energy Action Plan.
- (Ewin/Somerville)  
**CARRIED**

Cr Somerville having declared an interest left the meeting.

#### **PLANNING AND ENVIRONMENTAL SERVICES REPORTS**

- 2011/011**      **WAIVER OF 2020/21 PRIMARY FOOD SHOP INSPECTION FEES AND CHARGES**  
**RESOLVED:**  
 That Council waive the primary inspection fee for all food premises for the 2020/2021 financial year.
- (Ewin/Newstead)  
**CARRIED**

Cr Somerville returned to the meeting.

- 2011/012**      **DEVELOPMENT APPLICATION 50/2020 - FOURTEEN LOT SUBDIVISION - 741 FOREST REEFS ROAD, FOREST REEFS**  
**RESOLVED:**  
 1. That Council consent to Development Application 50/2020 for a fourteen lot subdivision of Lot 102 DP1263877 – being 741 Forest Reefs Road, Forest Reefs, subject to the recommended conditions of consent.  
 2. Add to condition 20 that all boundary fences must be located on the surveyed common boundary.
- (Newstead/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 Kingham	
Councillor Ferguson		
Councillor Somerville		
Councillor Reynolds		
Councillor Newstead		
Councillor Denton		
<b>Total (6)</b>	<b>Total (1)</b>	<b>CARRIED</b>

**DEVELOPMENT APPLICATION 87/2020 - CHANGE OF USE AND INTERNAL ALTERATIONS - 27 VICTORIA STREET, MILLTHORPE**

**MOTION:**

That Council consent to Development Application DA87/2020 for a Change of Use and Internal Alterations at Lot 3 DP 11941 – 27 Victoria Street, Millthorpe subject to the recommended conditions of consent.

(Newstead/Denton)

An **AMENDMENT** was moved by Cr Reynolds and seconded by Cr Kingham:  
That this item be deferred.

The amendment became the substantive motion and was put.

**2011/013 RESOLVED:**  
That this item be deferred.

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 Somerville		
Councillor Reynolds		
Councillor Newstead		
Councillor Denton		
<b>Total (7)</b>	<b>Total (0)</b>	<b>CARRIED</b>

**LATE REPORTS****MINUTES OF THE BLAYNEY TRAFFIC COMMITTEE  
MEETING HELD ELECTRONICALLY - OCTOBER 2020****2011/014****RESOLVED:**

1. That the minutes of the Extraordinary Blayney Traffic Committee Meeting, held electronically in October 2020, be received and noted.
2. That Council approve the extension of the school bus route along Spring Hill Road to the Cabonne Council boundary, subject to approval from Cabonne Shire Council.

(Reynolds/Somerville)

**CARRIED****DRAFT STATEMENT OF FINANCIAL REPORTS****2011/015****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 2020 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 2020 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).

(Somerville/Newstead)

**CARRIED**

**CLOSED MEETING****2011/016 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:

**LEASE AGREEMENT UPDATE: 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.*

**HOUSING PROJECT PROPOSAL FRAPE STREET BLAYNEY**

*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.*

(Ewin/Denton)  
**CARRIED**

**CONFIDENTIAL MEETING REPORTS****2011/017****LEASE AGREEMENT UPDATE: BLAYNEY SOLAR FARM****RESOLVED:**

1. That Council note the Lease Agreement Update: Blayney Solar Farm report.
2. That Council decline the request from Verde Generation Pty Ltd and Solure Blayney Pty Ltd to further extend the agreement to lease.
3. That the proposed Lessees be encouraged to make application to Council for the land when they are in a position to proceed with their project.
4. That Council consider expressions of interest for lease of industrial land located at 31 and 33 Gerty Street, Blayney (Lot 222 DP 1175708 and Lot 3 DP1103517) as they arise.

(Somerville/Newstead)  
**CARRIED**

**2011/018****HOUSING PROJECT PROPOSAL FRAPE STREET BLAYNEY****RESOLVED:**

That Council enter into a 5 year agreement and work with project partner, Housing Plus to develop an Affordable and Social Housing Project in Blayney.

(Somerville/Ewin)  
**CARRIED**

**2011/019 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/Newstead)

**CARRIED**

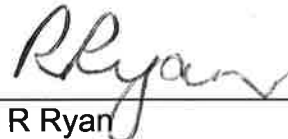
**AT THE RE-OPENING OF THE MEETING TO THE PUBLIC, THE MAYOR ANNOUNCED THE OUTCOMES OF RESOLUTION NUMBERS 2011/017 TO 2011/018.**

There being no further business, the meeting concluded at 8.08pm

The Minute Numbers 2011/001 to 2011/019 were confirmed on 21 December 2020 and are a full and accurate record of proceedings of the Ordinary Meeting held on 16 November 2020.



Cr S Ferguson  
**MAYOR**



Mrs R Ryan  
**GENERAL MANAGER**