

**MINUTES OF THE BLAYNEY SHIRE COUNCIL ORDINARY MEETING  
HELD IN THE CHAMBERS, BLAYNEY SHIRE COUNCIL COMMUNITY  
CENTRE, ON 15 NOVEMBER 2021, COMMENCING AT 6.00PM**

Present: Crs S Ferguson (Mayor), S Denton, A Ewin (Deputy Mayor), D Kingham, 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**

Nil

**CONFIRMATION OF MINUTES**

**MINUTES OF THE PREVIOUS COUNCIL MEETING HELD 18  
OCTOBER 2021**

2111/001

**RESOLVED:**

That the Minutes of the Ordinary Council Meeting held on 18 October 2021, being minute numbers 2110/001 to 2110/021 be confirmed.

(Denton/Newstead)  
**CARRIED**

**MATTERS ARISING FROM THE MINUTES**

Nil

**CORPORATE SERVICES REPORTS**

**REPORT OF COUNCIL INVESTMENTS AS AT 31 OCTOBER  
2021**

2111/002

**RESOLVED:**

1. That the report indicating Council's investment position as at 31 October 2021 be received.
2. That the certification of the Responsible Accounting Officer be received and the report be adopted.

(Reynolds/Newstead)  
**CARRIED**

**QUARTERLY BUDGET REVIEW STATEMENT - SEPTEMBER 2021****2111/003****RESOLVED:**

1. That the Quarterly Budget Review Statement for the quarter ending 30 September 2021 be received.
2. That the supplementary votes of \$434k (nett) proposed in the Quarterly Budget Review Statement be adopted, resulting in an increase to capital expenditure of \$2.05m, an increase to operating expenditure of \$278k and an increase in income of \$1.89m which includes an increase of \$1.67m in capital income.

(Kingham/Ewin)

**CARRIED****AUDITOR'S PRESENTATION – JOHN O'MALLEY FROM INTENTUS****2020/21 AUDITED FINANCIAL STATEMENTS****2111/004****RESOLVED:**

1. That Council adopt the 2020/21 Financial Statements and accept the Auditor's Report, as submitted by the NSW Audit Office.
2. That the 2020/21 transfers to and from Council's restricted cash be adopted.

(Somervaille/Reynolds)

**CARRIED****CODE OF CONDUCT COMPLAINTS FOR REPORTING PERIOD****2111/005****RESOLVED:**

That the report on Code of Conduct complaints for the reporting period to September 2021 be received.

(Newstead/Ewin)

**CARRIED****END OF TERM REPORT 2017-2021****2111/006****RESOLVED:**

That Council receive and endorse the attached End of Term Report for 2017 – 2021.

(Reynolds/Somervaille)

**CARRIED**

- 2111/007**      **BLAYNEY MEDIUM SCALE SOLAR ARRAY PROJECT**  
**RESOLVED:**  
That Council;
1. Endorse the Blayney Medium Scale Solar Array project Business Case and refer to the new Council for consideration following receipt of a Peer Review of the Business Case, finalisation of the Capital Expenditure Review and assessment of financial implications.
  2. Approve the General Manager progressing discussion with another Council(s) for a potential joint arrangement for the project.
  3. Approve a supplementary vote of \$40k from the Property Account, to engage a consultant to prepare documentation required for the Development Application and fees associated with lodgement of the Development Application.
- (Reynolds/Newstead)  
**CARRIED**

### **INFRASTRUCTURE SERVICES REPORTS**

- 2111/008**      **DIRECTOR INFRASTRUCTURE SERVICES MONTHLY REPORT**  
**RESOLVED:**  
That the Director Infrastructure Services Monthly Report for November 2021 be received and noted.
- (Ewin/Reynolds)  
**CARRIED**

- 2111/009**      **ROAD ALLOCATIONS 2021/22**  
**RESOLVED:**  
That Council receive and note the proposed work locations for the reseal, heavy patching and culvert renewal programs for 2021/22.
- (Kingham/Reynolds)  
**CARRIED**

- 2111/010**      **RECYCLED WATER CHARGE**  
**RESOLVED:**
1. That the proposed Recycled Water Charge of \$2.60 per kL be exhibited for a period of not less than 28 days.
  2. Should no written submissions be received during the public exhibition, the 2021/22 Operational Plan be amended to include the new Recycled Water Charge.
- (Somerville/Newstead)  
**CARRIED**

**PLANNING AND ENVIRONMENTAL SERVICES REPORTS****DA118/2017/1 - ERECTION OF A DWELLING - 2249  
ERROWANBANG ROAD, FOREST REEFS****2111/011****RESOLVED:**

That Council consents to the Section 4.55 (2) Modification Application DA118/2017/1 for the construction of a Dwelling, farm shed and swimming pool on Lot 2 DP508522 and Lot 352 DP750367 – being 2249 Errowanbang Road, Forest Reef subject to the recommended conditions of consent.

(Denton/Ewin)

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

**FOR**

Councillor Ewin  
Councillor Ferguson  
Councillor Somervaille  
Councillor Reynolds  
Councillor Newstead  
Councillor Denton

**Total (6)****AGAINST**

Councillor Kingham

**Total (1)****CARRIED****CLOSED MEETING****2111/012****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 matter:

**CONTRACT 6/2021 - DESIGN AND CONSTRUCTION  
BLAYNEY SHIRE BRIDGES (PORTION A)**

*This matter is considered to be confidential under Section 10A(2) (di) (dii) 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; AND commercial information of a confidential nature that would, if disclosed (ii) confer a commercial advantage on a competitor of the Council.*

(Kingham/Denton)

**CARRIED**

**CONFIDENTIAL MEETING REPORTS****CONTRACT 6/2021 - DESIGN AND CONSTRUCTION**  
**BLAYNEY SHIRE BRIDGES (PORTION A)****2111/013****RESOLVED:**

That Council:

1. Accepts the tender from Murray Constructions Pty Ltd for the Design & Construction of Boondaroo Road Bridge over Limestone Creek, Portion A of Contract 06/2021, for the value of \$423,200 (\$465,520 inc. GST), and subject to variations.
2. Approve the Supplementary Vote of \$127,183 funding approved by the NSW Natural Disaster Relief and Recovery Program and associated expenditure
3. Seeks Ministerial Consent to enter into the Contract with Murray Constructions Pty Ltd, as per the Local Government General Regulation (s393B) and the requirements of exercising Council functions during the caretaker period

(Kingham/Denton)

**CARRIED****2111/014****RESOLVED:**

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

(Newstead/Somerville)

**CARRIED****AT THE RE-OPENING OF THE MEETING TO THE PUBLIC, THE MAYOR  
ANNOUNCED THE OUTCOMES OF RESOLUTION NUMBER 2111/013**

The Mayor congratulated and thanked Councillors and Council staff for their contribution over the past 4 years. He acknowledged both Cr Denton and Cr Kingham, who are not seeking re-election and retiring from Council. In particular, Cr Kingham who has served a cumulative 13 years on Council from 1987 to 1991 and then from 2012 to now, including 2 years in the role of Deputy Mayor from 2017 to 2019.

There being no further business, the meeting concluded at 7.23pm.

The Minute Numbers 2111/001 to 2111/014 were confirmed on 17 January 2022 and are a full and accurate record of proceedings of the Ordinary Meeting held on 15 November 2021.

  
Cr S Ferguson  
**MAYOR**  
Mrs R Ryan  
**GENERAL MANAGER**