

**MINUTES OF THE BLAYNEY SHIRE COUNCIL ORDINARY MEETING
HELD IN THE CHAMBERS, BLAYNEY SHIRE COUNCIL COMMUNITY
CENTRE, ON 18 OCTOBER 2021, COMMENCING AT 6.00PM**

Present: Crs S Ferguson (Mayor), 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

APOLOGIES

2110/001

RESOLVED:

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

(Somervaille/Kingham)

CARRIED

DISCLOSURES OF INTEREST

Nil

CONFIRMATION OF MINUTES

**MINUTES OF THE PREVIOUS COUNCIL MEETING HELD 20
SEPTEMBER 2021**

2110/002

RESOLVED:

That the Minutes of the Ordinary Council Meeting held on 20 September 2021, being minute numbers 2109/001 to 2109/018 be confirmed.

(Newstead/Ewin)

CARRIED

MATTERS ARISING FROM THE MINUTES

Nil

EXECUTIVE SERVICES REPORTS

COUNCIL RESOLUTION REPORT

2110/003

RESOLVED:

That Council notes the Resolution Report to September 2021.

(Reynolds/Ewin)

CARRIED

RISK, WORK HEALTH AND SAFETY QUARTERLY REPORT**2110/004****RESOLVED:**

That Council receive and note the Risk, Work Health and Safety Report for the quarter July 2021 to September 2021.

(Somerville/Newstead)

CARRIED

CORPORATE SERVICES REPORTS**REPORT OF COUNCIL INVESTMENTS AS AT 30 SEPTEMBER 2021****2110/005****RESOLVED:**

1. That the report indicating Council's investment position as at 30 September 2021 be received.
2. That the certification of the Responsible Accounting Officer be received and the report be adopted.

(Kingham/Ewin)

CARRIED

INFORMATION TECHNOLOGY QUARTERLY REPORT**2110/006****RESOLVED:**

That Council receive the Information Technology report for the July to September 2021 quarter.

(Reynolds/Somerville)

CARRIED

DISCLOSURES BY COUNCILLORS AND DESIGNATED PERSONS**2110/007****RESOLVED:**

That the "Disclosures by Councillors and Designated Persons" Returns for the period ending 30 June 2021, as tabled be received.

(Newstead/Ewin)

CARRIED

ADOPTION OF FRAUD AND CORRUPTION CONTROL POLICY AND PLAN**2110/008****RESOLVED:**

That the Fraud and Corruption Control Policy and Plan, as amended, be adopted and included in Council's Policy Register.

(Reynolds/Somerville)

CARRIED

2110/009 **LAND PASSED IN AT SALE OF LAND FOR UNPAID RATES**
RESOLVED:

1. That Council accept the offer for sale of Lot 10 DP 112647 located at 888 Moorilda Road, Moorilda for \$2,500.
2. That Council endorse execution of relevant contracts and associated documentation by the Mayor and General Manager, and if required under Council seal.

(Kingham/Ewin)
CARRIED

INFRASTRUCTURE SERVICES REPORTS

2110/010 **DIRECTOR INFRASTRUCTURE SERVICES MONTHLY**
REPORT
RESOLVED:

That the Director Infrastructure Services Monthly Report for October 2021 be received and noted.

(Ewin/Reynolds)
CARRIED

2110/011 **CONTRACT 8/2021 - SUPPLY OF GOODS, SERVICES &**
PLANT HIRE
RESOLVED:

1. That Council adopt the attached list of contractors for the Supply of Goods, Services and Plant Hire for the period from 1 November 2021 to 30 September 2024.
2. That Council note that this tender does not prohibit Council from accepting new tenders for specific projects.

(Ewin/Reynolds)
CARRIED

2110/012 **MINUTES OF THE TRAFFIC COMMITTEE MEETING HELD 8**
OCTOBER 2021
RESOLVED:

1. That the minutes of the Blayney Traffic Committee Meeting, held on Friday 23 July 2021, be received and noted.
2. That Council reinstate 'Crossroad' (W2-1) signs on the Browns Creek Road approaches of the Browns Creek Road/Carcoar Road intersection.
3. That Council reinstate the 'Stop Sign Ahead' (W3-1) on the sealed Carcoar Road leg, north of the intersection with Browns Creek Road.
4. That Council install a 'Stop Sign Ahead' (W3-1) on the unsealed Carcoar Road leg, south of the intersection with Browns Creek Road.
5. That Council endorse the Traffic Management Plan for the Orange Running Festival, to be held on 6 March 2022 on roads in the vicinity of Forest Reefs and Spring Terrace, in the Orange City LGA, as a Class 2 event, with the modification of the TCP to provide for 2 additional VMS signs

located on Forest Reefs Road on the western approaches to Spring Terrace Road and at the Forest Reefs Tavern, a minimum 7 days prior to the event advising “Side Road Closed Detour via Millthorpe” and subject to the conditions detailed in the Director Infrastructure Services’ Report.

6. That Council note the change of date for the undertaking of the Classic Outback Trial, to be staged on Fell Timber and Mt Macquarie Roads, Carcoar on 30 March 2022, and that the event approval be subject to the conditions as detailed in the Director Infrastructure Services’ Report of April 2021.

(Reynolds/Newstead)

CARRIED

PLANNING AND ENVIRONMENTAL SERVICES REPORTS

NSW REGIONAL HOUSING TASKFORCE

2110/013

RESOLVED:

That the NSW Regional Housing Taskforce submission and report be received and noted.

(Somervaille/Ewin)

CARRIED

DRAFT PLANNING PROPOSAL TO AMEND THE BLAYNEY LOCAL ENVIRONMENTAL PLAN 2012 - SIX UNSEWERED VILLAGES & SURROUNDS

2110/014

RESOLVED:

That Council;

1. Endorse the Draft Planning Proposal “PP3: Six Unsewered Villages and Surrounds” to the Blayney Local Environmental Plan 2012 prepared by IPLAN PROJECTS attached to this report,
2. Forward the Draft Planning Proposal to the Minister for Planning and Public Spaces seeking a Gateway Determination for an amendment to the Blayney Local Environmental Plan 2012.

(Reynolds/Somervaille)

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

FOR

Councillor Ewin
Councillor Ferguson
Councillor Kingham
Councillor Somervaille
Councillor Reynolds
Councillor Newstead

Total (6)

AGAINST

Total (0)

CARRIED

FUTURE BLAYNEY RESIDENTIAL LAND CONCEPT INVESTIGATION

2110/015

RESOLVED:

That Council;

1. Proceed to undertake a preliminary concept investigation of land identified for future residential growth in South Blayney.
2. Approve a supplementary vote of \$32,000 in the 2021/22 Operational Plan from the Property Account to fund the preliminary concept investigation

(Reynolds/Somervaille)

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

FOR

AGAINST

Councillor Ewin
Councillor Ferguson
Councillor Kingham
Councillor Somervaille
Councillor Reynolds
Councillor Newstead

Total (6)

Total (0)

CARRIED

DA86/2021 - TELECOMMUNICATIONS FACILITY (SMALL CELL) - 37 ROTHERY STREET CARCOAR

2110/016

RESOLVED:

1. That Council consents to Development Application DA86/2021 for the installation of a Telecommunications facility at 37 Rothery Street, Carcoar; being Lot 1 DP833757, subject to the recommended conditions of consent.
2. That Condition 14 be amended as follows:

Finished Colours and Screening

The following is to be submitted to Council for approval prior to the issue of construction certificate;

- Confirmation the approved facility will be finished in Dulux Windspray, or similar if agreed by Blayney Shire Council's, Department of Planning and Environmental Services.
- A landscaping plan detailing how the approved facility will be screened using existing and new landscaping to the satisfaction of Blayney Shire Council's Department of Planning and Environmental Services.

(Reynolds/Newstead)

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

FOR	AGAINST
Councillor Ewin	
Councillor Ferguson	
Councillor Kingham	
Councillor Somerville	
Councillor Reynolds	
Councillor Newstead	
Total (6)	Total (0)
	CARRIED

DELEGATES REPORTS

UPPER MACQUARIE COUNTY COUNCIL DELEGATE REPORT

2110/017

RESOLVED:

That Council receive and note the Upper Macquarie County Council achievement report 2020/21.

(Reynolds/Newstead)

CARRIED

CLOSED MEETING

2110/018

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:

CONTRACT 6/2021 - DESIGN AND CONSTRUCTION OF BRIDGES IN BLAYNEY AND FORBES SHIRE COUNCILS

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.

CONTRACT 9/2021 - CONSTRUCTION OF PANUARA ROAD

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.

(Newstead/Ewin)

CARRIED

CONFIDENTIAL MEETING REPORTS**CONTRACT 6/2021 - DESIGN AND CONSTRUCTION OF
BRIDGES IN BLAYNEY AND FORBES SHIRE COUNCILS****2110/019****RESOLVED:**

That Council:

1. Decline to accept any of the tenders received under Tender No 6/2021 for the Design and Construction Bridge Replacement Project due to the tenders not providing sufficient value for money;
2. not invite fresh tenders as there is no expectation that a fresh tender will provide a different outcome; and,
3. enter into negotiations with Murray Constructions Pty Ltd with a view to entering into a contract for the delivery of the Design and Construction Bridge Replacement project.

(Kingham/Ewin)

CARRIED**CONTRACT 9/2021 - CONSTRUCTION OF PANUARA ROAD****2110/020****RESOLVED:**

That Council accept the tender from Aitken Civil Engineering Pty Ltd for the construction of Panuara Road, Contract 9-2021 for the value of \$1,713,158 (\$1,884,473 inc GST), and subject to variations.

(Reynolds/Newstead)

CARRIED**2110/021****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 2110/019
AND 2110/020.**

There being no further business, the meeting concluded at 7.26pm.

The Minute Numbers 2110/001 to 2110/021 were confirmed on 15 November 2021 and are a full and accurate record of proceedings of the Ordinary Meeting held on 18 October 2021.



Cr S Ferguson
MAYOR



Mrs R Ryan
GENERAL MANAGER