

**MINUTES OF THE BLAYNEY SHIRE COUNCIL ORDINARY MEETING  
HELD VIA THE VIDEO CONFERENCING PLATFORM ZOOM, ON  
20 SEPTEMBER 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) 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
Mark Dicker	Pecuniary	13	53	Crown land Transfer – Springvale Lane, Millthorpe	The applicant referred to in the report is Mr Dicker and his wife. Mark will therefore will not be attending the meeting.
Cr Somervaille	Non Pecuniary (Significant)	15	66	Sale of Part Dungeon Road, Kings Plains	Cr Somervaille is a consultant to the law firm Ashurst, which is a legal adviser to Regis Resources Ltd on various aspects of the McPhillamys Gold Project.

**CONFIRMATION OF MINUTES**

**MINUTES OF THE PREVIOUS COUNCIL MEETING HELD 16 AUGUST 2021**

2109/001

**RESOLVED:**

That the Minutes of the Ordinary Council Meeting held on 16 August 2021, being minute numbers 2108/001 to 2108/014 be confirmed.

(Somervaille/Newstead)

**CARRIED**

**MATTERS ARISING FROM THE MINUTES**

Nil

**EXECUTIVE SERVICES REPORTS**

The Mayor vacated the Chair and the General Manager as the Returning Officer conducted the election of Mayor and Deputy Mayor.

**ELECTION OF MAYOR****2109/002****RESOLVED:**

That Council accept the nomination of Cr Ferguson for position of Mayor, nominated by Cr Denton and Cr Ewin.

(Ewin/Somervaille)

**CARRIED**

The General Manager declared Cr Ferguson as Mayor.

**ELECTION OF DEPUTY MAYOR****2109/003****RESOLVED:**

1. That Council accept the nomination(s) for position of Deputy Mayor from:
  - Cr Ewin, nominated by Cr Somervaille and Cr Ferguson
  - Cr Reynolds, nominated by Cr Kingham and Cr Newstead
2. That as there is more than one nomination for the position of Deputy Mayor, the method of voting is by open means (such as on voices or show of hands).

(Somervaille/Newstead)

**CARRIED**

The General Manager conducted the election. Cr Ewin received 4 votes and Cr Reynolds received 3 votes.

The General Manager declared Cr Ewin as Deputy Mayor.

The Mayor resumed the Chair.

**COUNCIL MEETING DATES****2109/004****RESOLVED:**

1. That Council adopts the meeting dates for Ordinary Meetings of Council held at 6pm at the Blayney Shire Community Centre, for the next 12 months as follows:
  - Monday 18 October 2021
  - Monday 15 November 2021
  - Monday 17 January 2022
  - Monday 21 February 2022
  - Monday 21 March 2022
  - Tuesday 19 April 2022
  - Monday 16 May 2022
  - Monday 27 June 2022
  - Monday 18 July 2022
  - Monday 15 August 2022
  - Monday 19 September 2022

2. That a Special Meeting, being the first Council meeting after the ordinary election be held at 6pm at the Blayney Shire Community Centre on Thursday 23 December 2021.

(Reynolds/Ewin)

**CARRIED**

**LGNSW ANNUAL CONFERENCE 2021**

2109/005

**RESOLVED:**

That Council

1. Nominate the Mayor as voting delegate to the LGNSW Annual Conference 2021, LGNSW Board Election and Special Conference 2022; and
2. Approves the registration and attendance of the Mayor, Deputy Mayor, one other Councillor and General Manager as Blayney Shire Council Delegates to attend the LGNSW Special Conference in 2022.

(Reynolds/Kingham)

**CARRIED**

**BIZHQ**

2109/006

**RESOLVED:**

That Council approve the Business Enterprise Centre – Central NSW Limited amended constitution as presented, and endorse the acceptance by the Board at the members meeting on 30 September 2021.

(Newstead/Ewin)

**CARRIED**

**SERVICE NSW FOR BUSINESS AGREEMENT**

2109/007

**RESOLVED:**

That Council delegates authority to the General Manager to sign and execute the Service NSW for Business program Partnership Agreement with Service NSW.

(Reynolds/Newstead)

**CARRIED**

**TOURISM DEVELOPMENT FUND APPLICATION**

2109/008

**RESOLVED:**

That Council approve the \$1,000 request for funding from the under the Tourism Development Fund for the Neville Equine Performance Inc. 'Ride and Tie' and 'Introduction to Endurance Riding' event.

(Ewin/Somervaille)

**CARRIED**

**CORPORATE SERVICES REPORTS****REPORT OF COUNCIL INVESTMENTS AS AT 31 AUGUST 2021****2109/009****RESOLVED:**

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

(Reynolds/Kingham)

**CARRIED****MINUTES OF THE BLAYNEY SHIRE AUDIT, RISK AND IMPROVEMENT COMMITTEE MEETING HELD 27 AUGUST 2021****2109/010****RESOLVED:**

1. That the minutes of the Blayney Shire Audit, Risk and Improvement Committee meeting held 27 August 2021 be received.
2. That the Cyber training be mandatory for all councillors and staff with Council devices.
3. That the update on the Management Letter on the Interim Phase of the External Audit for the year ended 30 June 2021 from the NSW Audit Office Audit Service Provider, John O'Malley, be received and noted.
4. That the proclamation of the amendments to the Local Government Act and issuance of the proposed risk management and internal audit framework guidelines be noted and that the Committee work with management to determine if a submission from Council is appropriate.
5. That the Annual Report on the operations of the Blayney Shire Council Audit, Risk and Improvement Committee for the period 1 July 2020 to 30 June 2021, as amended, be endorsed.

(Somerville/Reynolds)

**CARRIED****WAIVER OF INTEREST ON OUTSTANDING RATES AND CHARGES****2109/011****RESOLVED:**

That Council endorse the waiver of interest on outstanding rates and charges for the period until 30 September 2021 due to the impacts of the Covid-19 lockdown.

(Reynolds/Newstead)

**CARRIED**

**INFRASTRUCTURE SERVICES REPORTS****DIRECTOR INFRASTRUCTURE SERVICES MONTHLY REPORT****2109/012****RESOLVED:**

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

(Ewin/Newstead)

**CARRIED**

**PROPOSED BRIDGE NAMING – CARCOAR ROAD****2109/013****RESOLVED:**

That Council defer this matter.

(Kingham/Newstead)

**CARRIED**

**CROWN LAND TRANSFER - SPRINGVALE LANE, MILLTHORPE****2109/014****RESOLVED:**

1. That Council approve:-
  - a. the transfer of the residue Crown parcel (approx. 908m<sup>2</sup>) adjoining 82 Springvale Lane to Council as Public Road Reserve, and,
  - b. to undertake the closure of the residue parcel adjoining 82 Springvale Lane in accordance with the Roads Act 1993, and,
  - c. the sale of the residue parcel adjoining 82 Springvale Lane, subject to the applicant funding Council's road closure application fee, and all associated survey, legal and land purchase costs.
2. That a further report be presented to Council to consider any submissions lodged during the notification period for the road closure in accordance with the Roads Act 1993, and make a decision on approval for the road closure proposal.

(Denton/Ewin)

**CARRIED**

**DELEGATES REPORTS****REPORT OF THE CENTRAL NSW JOINT ORGANISATION MEETING HELD 12 AUGUST 2021****2109/015****RESOLVED:**

1. That the Mayoral Report from the Central NSW Joint Organisation Meeting held 12 August 2021 be received and noted.
2. That Council write to the Minister for Regional Roads, the Hon Paul Toole, in support of the upgrades of the Great Western Highway between Lithgow and Katoomba.

(Somerville/Reynolds)

**CARRIED**

Cr Somervaille, having declared an interest, left the meeting.

### **CLOSED MEETING**

**2109/016 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 matter:

**SALE OF PART DUNGEON ROAD, KINGS PLAINS**

*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.*

(Reynolds/Newstead)

**CARRIED**

### **CONFIDENTIAL MEETING REPORTS**

**SALE OF PART DUNGEON ROAD, KINGS PLAINS**

**2109/017 RESOLVED:**

1. Conditional upon the McPhillamys Gold project being approved by the NSW Independent Planning Commission and the Regis Board; that Council accept the offer of \$722,000 plus GST for the sale of 6.49 km of Dungeon Road to Regis Resources from 560m from the Mid Western Highway to the shire boundary.
2. That Council commence the process of road closure pursuant to the Roads Act subject to project approval and sale conditions being satisfied.
3. That Council endorse execution of relevant contracts and associated documentation by the Mayor and General Manager, and if required under Council seal.
4. That Council establishes an internal reserve and allocates the sale of Dungeon Road funds to those shire roads around the Walkom Road, Village Road, Guyong Road and Vittoria Road areas.

(Reynolds/Newstead)

**CARRIED**

**2109/018 RESOLVED:**

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

(Newstead/Ewin)

**CARRIED**

Cr Somervaille returned to the meeting.

**AT THE RE-OPENING OF THE MEETING TO THE PUBLIC, THE MAYOR  
ANNOUNCED THE OUTCOMES OF RESOLUTION NUMBER 2109/017.**

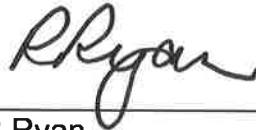
There being no further business, the meeting concluded at 7.04pm.

The Minute Numbers 2109/001 to 2109/018 were confirmed on 18 October 2021 and are a full and accurate record of proceedings of the Ordinary Meeting held on 20 September 2021.



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Cr S Ferguson  
**MAYOR**



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Mrs R Ryan  
**GENERAL MANAGER**