

**MINUTES OF THE BLAYNEY SHIRE COUNCIL ORDINARY MEETING
HELD IN THE CHAMBERS, BLAYNEY SHIRE COUNCIL COMMUNITY
CENTRE, ON 28 JUNE 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), Manager Planning (Mr D Drum), Manager Water and Wastewater / Projects (Mr C Harris) and Executive Assistant to the General Manager (Mrs L Ferson)

ACKNOWLEDGEMENT OF COUNTRY

RECORDING OF MEETING STATEMENT

This meeting was held in accordance with the Public Health (COVID-19 Temporary Movement and Gathering Restrictions) Order 2021.

APOLOGIES

2106/001

RESOLVED:

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

(Reynolds/Somervaille)

CARRIED

DISCLOSURES OF INTEREST

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

Councillor /Staff	Interest	Item	Pg	Report	Reason
Cr Ferguson	Non Pecuniary (less than significant)	4	14	BizHQ	Council delegate is a relative
Cr Ferguson	Pecuniary	7	21	DA60/2020 – 23 Lot Subdivision – 61 Forest Reefs Road Millthorpe	Cr Ferguson has a business relationship with the applicant

The Mayor, Cr Ferguson, having declared an interest departed the Chair and left the Chambers. The Deputy Mayor, Cr Ewin, assumed the Chair.

PUBLIC FORUM

David Dixon – Item 7 – DA60/2020 – 23 Lot Subdivision – 61 Forest Reefs Road Millthorpe

David Hansen – Item 7 – DA60/2020 – 23 Lot Subdivision – 61 Forest Reefs Road Millthorpe

Bendix Keukenmeester – Item 7 – DA60/2020 – 23 Lot
Subdivision – 61 Forest Reefs Road Millthorpe

Keli Wood (via Zoom) – Item 7 – DA60/2020 – 23 Lot
Subdivision – 61 Forest Reefs Road Millthorpe

The Mayor, Cr Ferguson, returned to the Chambers and resumed the Chair.

CONFIRMATION OF MINUTES

MINUTES OF THE PREVIOUS COUNCIL MEETING HELD 31 MAY 2021

2106/002

RESOLVED:

That the Minutes of the Ordinary Council Meeting held on 31 May 2021, being minute numbers 2105/E001 to 2105/E008 be confirmed.

(Ewin/Newstead)
CARRIED

MATTERS ARISING FROM THE MINUTES

Cr Reynolds enquired about the Stronger Country Communities Funding application for Round 4 which the General Manager confirmed has been submitted.

NOTICES OF MOTION

REMOTE ATTENDANCE GUIDELINE

2106/003

RESOLVED:

That Council adopts the revised procedures governing Remote Attendance by Councillors at meetings of the Council up to 31 December 2021 and it be appended to the Blayney Shire Council Code of Meeting Practice.

(Somervaille/Reynolds)
CARRIED

EXECUTIVE SERVICES REPORTS

2021 SCULPTURES BY THE BUSH REPORT

2106/004

RESOLVED:

That Council receive and note the 2021 Sculptures in the Bush Report.

(Reynolds/Ewin)
CARRIED

MINUTES OF THE BLAYNEY SHIRE TOURISM, TOWNS AND VILLAGES COMMITTEE MEETING HELD 25 MAY 2021**2106/005****RESOLVED:**

That the minutes of the Blayney Shire Tourism, Towns and Villages Committee meeting, held on Tuesday 25 May 2021, be received and noted.

(Reynolds/Ewin)

CARRIED

The Mayor, Cr Ferguson, having declared an interest in the following 2 items departed the Chair and left the Chambers. The Deputy Mayor, Cr Ewin, assumed the Chair.

2106/006**BIZHQ****RESOLVED:**

That Council approve the proposed conversion of the Business Enterprise Centre from a NSW Incorporated Association to a Public Company Limited by Guarantee.

(Reynolds/Newstead)

CARRIED**PLANNING AND ENVIRONMENTAL SERVICES REPORTS****DA60/2020 - 23 LOT SUBDIVISION - 61 FOREST REEFS ROAD MILLTHORPE**

Cr Newstead moved the following amendment to the recommendation, seconded by Councillor Reynolds:

MOTION:

1. That Council consents to Development Application DA60/2020 for a twenty-three lot torrens title subdivision of 61 Forest Reefs Road, Millthorpe, being Lot 286 DP1018875, subject to the recommended conditions of consent.
2. That an amended road naming application is submitted for consideration in accordance with Council's Road, Street and Bridge Names Policy.

(Newstead/Reynolds)

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

FOR

Councillor Kingham
Councillor Newstead

Total (2)**AGAINST**

Councillor Ewin
Councillor Somervaille
Councillor Reynolds

Total (3)

The **MOTION** was **LOST**.

The following reasons were noted.

- Water management and water logging of Lots 2-9
- Removal of trees
- Vegetation management; weeds, maintenance and fire risk
- Street lighting – no evidence of carbon neutrality
- Density of development – Lots 2-9
- Density on western boundary is too great having regard for the pattern of development of the western side in comparison to character of Forest Reefs Road
- 3 additional lots on the southern part of the development are now included which were not included in the original concept plan, which was a basis for approving the rezoning.

CORPORATE SERVICES REPORTS

REPORT OF COUNCIL INVESTMENTS AS AT 31 MAY 2021

2106/007

RESOLVED:

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

(Reynolds/Newstead)

CARRIED

ADOPTION OF 2021/22 - 2024/25 DELIVERY PROGRAM AND 2021/22 OPERATIONAL PLAN

2106/008

RESOLVED:

1. That in accordance with s.402-406 of the Local Government Act 1993, the 2021/22 Operational Plan be adopted by Council;
2. That Council adopt the Revenue Policy for 2021/22, as outlined in the 2021/22 Operational Plan;
3. That Council adopt the Statement of Rating Structure and their respective short names as contained in the Operational Plan 2021/22 and make the Ordinary Rate and charges, including sewer charges and domestic waste management charges, pursuant to s.494 and s.496 of the Local Government Act 1993 and Waste Management Levy pursuant to s.501 of the Local Government Act 1993 detailed in the tables below:

Rating Structure for the 2021/22 Rating Year						
Name of Category/Sub Category	No. of Assessments	Base Rate	Ad Valorem	Land Value	Total Yield	% Yield from Base Amount
Residential						
Ordinary Rate	1,173	\$345	0.00188540	\$219,856,042	\$819,202	49.40%
Sub Category – Blayney & Carcoar	1,365	\$345	0.00423202	\$120,794,540	\$982,130	47.95%

Sub Category – Millthorpe	329	\$345	0.00172446	\$71,881,560	\$237,462	47.80%
Business						
Ordinary Rate	91	\$445	0.00406360	\$14,370,430	\$98,891	40.95%
Sub Category - Business Blayney	168	\$445	0.00817252	\$16,841,400	\$212,397	35.20%
Sub Category - Business Millthorpe & Carcoar	57	\$445	0.00551905	\$8,693,600	\$73,345	34.58%
Farmland						
Ordinary Rate	736	\$560	0.00220200	\$842,387,970	\$2,267,098	18.18%
Mining						
Ordinary Rate	1	\$1,100	0.03840800	\$426,000	\$17,462	6.30%
Sub Category - Mining Gold	-	\$1,100	0.04000000			0.00%
Sub Category - Mining Gold / Copper Combined	1	\$1,100	0.04170870	\$110,000,000	\$4,589,057	0.02%
Total Yield	3,921			\$1,405,251,542	\$9,297,043	

2021/22 Waste Charges		
Charge Category and Description	Annual Charge	No. of Properties
Waste Management Levy		
Waste Management Levy <i>This is waste management charge is applied to all properties funding waste disposal services for the Blayney Shire</i>	\$36	4,037
Domestic Waste Management		
Domestic Waste Management Service Charge <i>This is applied to properties that have a residence within the waste collection area.</i>	\$340	2,603
Domestic Waste Management Availability Charge <i>This charge is applied to properties within the waste collection area that do not have a service but it is available i.e. vacant land</i>	\$60	285
Commercial (Non-Domestic) Waste Management		
Non-Domestic Waste Management Service Charge <i>This is applied to properties for non-domestic properties within the waste collection area</i>	\$440	338
Non-Domestic Waste Management Availability Charge <i>This charge is applied to properties within the waste collection area that do not have a service but it is available i.e. vacant land</i>	\$60	91
Non-Domestic Waste Service Management Charge for Charity and Not Profit Organisations <i>This is applied to the above properties for non-domestic properties within the waste collection area</i>	\$120	10
Extra Services		
Additional Garbage Charge – per red bin	\$280	90
Additional Recycling Charge – per yellow bin	\$120	30
Total Yield	\$1,231,632	

2021/22 Liquid Waste Charges		
Commercial (Non-Residential)		
	Annual Fee	No. of Properties
Annual Trade Waste Fee	\$108	62
Annual Trade Waste Fee (Large Dischargers Category 3)	\$400	1
Liquid Trade Waste User Charges with Trade Waste Agreement (Category 1, Category 2/2s)	\$2.17	23
Liquid Trade Waste User Charges with No Trade Waste Agreement	\$21.05	12
Excess Mass Chargers for Category (3 Dischargers)	\$Per the table	
Water Testing Charges (if required)	\$280.00 per quarter	1
Estimated Total Yield		\$64,750

Non Residential Sewer Charges					
	Annual Charge (Prior to SDF Factor)	No of Properties	Quarter Charge before SDF applied	Min. quarterly amount charged	TOTAL YIELD
20mm Water Service	\$584	161	\$146	\$175	
25mm Water Service	\$896	21	\$224	\$175	
32mm Water Service	\$1,460	18	\$365	\$175	
40mm Water Service	\$2,288	11	\$572	\$175	
50mm Water Service	\$3,568	24	\$892	\$175	
80mm Water Service	\$9,112	1	\$2,278		
100mm Water Service	\$14,288	6	\$3,572		
150mm Water Service	\$32,148	2	\$8,037		
Vacant/Unmetered	\$360	49			
Usage Charge (per kl)	\$1.50				
Estimated Total Yield					\$ 397,000

Residential Sewer Charges			
	Access Charge	No of Properties	Total Yield
Connected	\$700	1,517	\$1,061,900
Vacant/Unmetered	\$360	114	\$41,040
Estimated Total Yield			\$1,102,940

Future Sewerage Infrastructure Subsidy Charges			
	Access Charge	No of Properties	Total Yield
Connected - Residential	\$55	1,543	\$84,865
Connected - Business	\$55	206	\$13,310
Vacant (Unconnected)	\$55	168	\$9,240
Estimated Total Yield			\$107,415

4. That the schedule of financial assistance under the Community Financial Assistance Program, pursuant to s.356 Local Government Act be adopted.
5. That the Local Heritage Assistance Program, the Youth Week Grants Program, the Tourism Event Development Fund, and the Village Enhancement Program incorporating

Development Coordinator Program that financially assist others under s356 Local Government Act (1993) be adopted.
(Reynolds/Somervaille)
CARRIED

2021/22 COUNCILLOR AND MAYORAL REMUNERATION

2106/009

RESOLVED:

1. That Councillor and Mayoral remuneration be paid at the maximum level for the Rural Council category, per the 2021 Local Government Remuneration Tribunal Determination, being \$12,400 for Councillors and \$27,060 for the additional Mayoral annual fee effective from 1 July 2021.
2. That the data allowance for up to 50% reimbursement of data charges associated with home internet and telephone be set at a maximum of \$75 per month effective from 1 July 2021.
(Somervaille/Newstead)
CARRIED

ADOPTION OF COMPLAINTS MANAGEMENT POLICY

2106/010

RESOLVED:

That the Complaints Management Policy be adopted and included in Council's policy register.
(Somervaille/Reynolds)
CARRIED

ADOPTION OF PATHWAY HIERARCHY, STANDARD AND MAINTENANCE POLICY

2106/011

RESOLVED:

That the Pathway Hierarchy, Standard and Maintenance Policy be adopted and included in Council's policy register.
(Ewin/Newstead)
CARRIED

MINUTES OF THE BLAYNEY SHIRE AUDIT, RISK AND IMPROVEMENT COMMITTEE HELD 2 JUNE 2021

2106/012

RESOLVED:

That the minutes of the Blayney Shire Audit, Risk and Improvement Committee meeting held 2 June 2021 be received.
(Somervaille/Reynolds)
CARRIED

INFRASTRUCTURE SERVICES REPORTS

DIRECTOR INFRASTRUCTURE SERVICES MONTHLY REPORT

2106/013

RESOLVED:

That the Director Infrastructure Services Monthly Report for June 2021 be received and noted.
(Somervaille/Newstead)
CARRIED

WIND FARM EASEMENT DEED**2106/014****RESOLVED:**

1. That the report on the Flyers Creek Wind farm electricity easement agreement be received; and
2. The Council endorse execution of the Easement Deed and associated documentation for the Flyers Creek Wind Farm electricity transmission lines, by the Mayor and General Manager under Council seal.

(Somerville/Newstead)

CARRIED**PROPOSED ROAD CLOSURE - 184 BARRY ROAD****2106/015****RESOLVED:**

1. That Council endorse the closure of the unnamed road located at 184 Barry Road, Barry, in accordance with s.38 Roads Act 1993, 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, and make a decision on approval for the proposal.

(Kingham/Reynolds)

CARRIED**CENTRAL WEST JO - SUPPLY AND DELIVERY OF BITUMEN EMULSION****2106/016****RESOLVED:**

That Council accept and sign a contract with Bitupave Ltd for the supply and delivery of bitumen emulsion.

(Newstead/Ewin)

CARRIED**MINUTES OF THE TRAFFIC COMMITTEE MEETING HELD 11 JUNE 2021****2106/017****RESOLVED:**

1. That the minutes of the Blayney Traffic Committee Meeting, held on Friday 11 June 2021, be received and noted.
2. That Council endorse the Traffic Management Plan for the Newcrest Orange Challenge event to be staged on 12 September 2021. The event is to be classified as a Class 2 event, and approved subject to the conditions detailed in the Director Infrastructure Services' Report.
3. That Council endorse the Traffic Management Plan for the Pollie Pedal Charity Cycle Ride event to be staged 6 - 7 September 2021. The event is to be classified as a Class 2 event, and approved subject to the conditions detailed in the Director Infrastructure Services' Report.
4. That Council endorse the Traffic Management Plan for the Millthorpe Winter Fire Festival Night Market, to be staged on 6 August 2021 on Pym Street Millthorpe as a Class 2 event,

subject to the conditions detailed in the Director Infrastructure Services' Report and subject to the following amendments proposed:

- Removal of condition e being (De) Activation of the installed Traffic Control Works devices, shall be undertaken in accordance with the Council provided procedure.
 - Installation of advance warning signage "Side Road Closed Ahead" on Park Street on approaches to Blake Street.
 - MTM to provide qualified Traffic Control persons where there is a road closure stop and go person.
 - Relocate vehicle as temporary barrier from Park/Blake to Pym/Blake Street to be inside the road closure barriers.
 - Relocate road closure barriers to provide access to bowling club carpark (if required), and provide No Right Turn signage on exit from carpark.
5. That Council endorse the Traffic Management Plan for the Central West Charity Tractor Trek on 24-26 September 2021. The event to be classified as a Class 2 event, and approved subject to the conditions detailed in the Director Infrastructure Services' Report and subject to the following amendment proposed:
- Tractors shall only proceed onto the Mid Western Highway upon regrouping into individual groups of 10 in accordance with the Traffic Control Plan.
6. That Council:-
- a. refuse the request for the conversion of the existing Give Way (R1-2) signs to Stop (R1-1) signs at the intersection of Henry Street/Farm Lane and Church Street, Blayney.
 - b. refresh the existing linemarkings at the intersection of Henry Street/Farm Lane and Church Street, Blayney.
 - c. include the matter for consideration in the Blayney main street master plan (High Pedestrian Activity) project.

(Reynolds/Somervaille)

CARRIED

DELEGATES REPORTS

REPORT OF THE CENTRAL NSW JOINT ORGANISATION MEETING HELD 3 JUNE 2021

2106/018

RESOLVED:

That the Mayoral Report from the Central NSW Joint Organisation Meeting held 3 June 2021 be received and noted.

(Reynolds/Somervaille)

CARRIED

CLOSED MEETING**2106/019 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:

TENDER FOR SUPPLY OR SUPPLY AND DELIVERY OF QUARRY MATERIALS

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.

TENDER FOR GALLYMONT ROAD BRIDGE OVER GULLY SWAMP

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.

TENDER FOR THE CONSTRUCTION OF KGO CHANGE ROOMS

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.

(Kingham/Somervaille)

CARRIED

CONFIDENTIAL MEETING REPORTS**TENDER FOR SUPPLY OR SUPPLY AND DELIVERY OF QUARRY MATERIALS****2106/020 RESOLVED:**

That Council accept the following tenderers onto the panel contract for Supply, or Supply and Delivery of Quarry Materials:

- Australian Native Landscapes
- Boral Resources (Country)
- Central West Gravel
- Hanson Construction Materials
- Oberon Quarries
- Regional Quarries Australia
- Westlime Canowindra

(Kingham/Newstead)

CARRIED

TENDER FOR GALLYMONT ROAD BRIDGE OVER GULLY SWAMP**2106/021****RESOLVED:**

That Council accept the tender from Bedrule Pty Ltd T/A TOBCO for the design and construction of the Gallymont Road Bridge over Gully Swamp under Contract 01-2021, for the value of \$278,032.95 (\$305,824.14 inc. GST), and subject to variations.

(Kingham/Ewin)

CARRIED

TENDER FOR THE CONSTRUCTION OF KGO CHANGE ROOMS**2106/022****RESOLVED:**

That Council accept the tender from Renascent Regional Pty Ltd for the construction of new home and away change rooms at King George Oval Blayney, under Contract No. 09/2020, for the value of \$950,932 (ex. GST), and subject to variations.

(Kingham/Somervaille)

CARRIED

2106/023**RESOLVED:**

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

(Somervaille/Ewin)

CARRIED

AT THE RE-OPENING OF THE MEETING TO THE PUBLIC, THE MAYOR ANNOUNCED THE OUTCOMES OF RESOLUTION NUMBERS 2106/020 TO 2106/022.

There being no further business, the meeting concluded at 8.12pm.

The Minute Numbers 2106/001 to 2106/023 were confirmed on 19 July 2021 and are a full and accurate record of proceedings of the Ordinary Meeting held on 28 June 2021.

Cr S Ferguson
MAYOR

Mrs R Ryan
GENERAL MANAGER