

**MINUTES OF THE BLAYNEY SHIRE COUNCIL ORDINARY MEETING
HELD IN THE CHAMBERS, BLAYNEY SHIRE COUNCIL COMMUNITY
CENTRE, ON 21 NOVEMBER 2022, COMMENCING AT 5.00PM**

Present: Crs S Ferguson (Mayor), A Ewin, C Gosewisch, J Newstead, M Pryse Jones, B Reynolds and D Somerville (Deputy Mayor)

General Manager (Mr M Dicker), Director Corporate Services (Mr A Franze), Director Infrastructure Services (Mr J Hogan), Director Planning & Environmental Services (Mr A Muir) 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 Reynolds	Non Pecuniary (Less than Significant)	2	3	Mayoral Minute – Declaration of Statewide Road Emergency	Campaign Manager for Paul Toole

PUBLIC FORUM

Suellen Manyweathers – Item 16 – Planning Proposal to Amend the Blayney Local Environmental Plan 2012 – PP2: Millthorpe and Surrounds

**MAYORAL MINUTE - MINUTE'S SILENCE TO
ACKNOWLEDGE THE PASSING OF JIM CANTRILL**

Councillors held a minute's silence to acknowledge the passing of former Councillor Jim (James) Cantrill. Jim served the community as a Councillor from 1983 to 1991.

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

**MAYORAL MINUTE - DECLARATION OF STATEWIDE ROAD
EMERGENCY**

2211/001

RESOLVED:

That Blayney Shire Council joins with Local Government NSW and Country Mayors Association of NSW in declaring a Statewide Road Emergency.

(Ferguson/Ewin)
CARRIED

Cr Reynolds returned to the meeting.

CONFIRMATION OF MINUTES**MINUTES OF THE PREVIOUS COUNCIL MEETING HELD 17 OCTOBER 2022****2211/002****RESOLVED:**

That the Minutes of the Ordinary Council Meeting held on 17 October 2022, being minute numbers 2210/001 to 2210/021 be confirmed.

Pryse Jones/Newstead)

CARRIED

MATTERS ARISING FROM THE MINUTES

Cr Somerville asked that the minutes be amended to include the word **CARRIED** after the amendment relating to DA46/2022 – Erection of a Shed and Carport – 30 Springvale Lane Millthorpe. Cr Somerville questioned whether a call for a division on the amendment should have been recorded.

EXECUTIVE SERVICES REPORTS**ORGANISATIONAL STRUCTURE****2211/003****RESOLVED:**

That Council:

1. Determines that the General Manager is the only senior staff position within Council,
2. Approves the organisation structure as presented with the Directorates of: Executive Services, Planning and Environmental Services, Corporate Services and Infrastructure Services.

(Ewin/Somerville)

CARRIED

IPART - REVIEW OF RATE PEG METHODOLOGY SUBMISSION**2211/004****RESOLVED:**

That Council note the submissions to IPART regarding the review of rate peg methodology.

(Reynolds/Gosewisch)

CARRIED

CORPORATE SERVICES REPORTS**REPORT OF COUNCIL INVESTMENTS AS AT 31 OCTOBER 2022****2211/005****RESOLVED:**

1. That the report indicating Council's investment position as at 31 October 2022 be received.
2. That the certification of the Responsible Accounting Officer be received and the report be adopted.

(Somerville/Pryse Jones)

CARRIED**QUARTERLY BUDGET REVIEW STATEMENT - SEPTEMBER 2022**

2211/006

RESOLVED:

1. That the Quarterly Budget Review Statement for the quarter ending 30 September 2022 be received.
2. That the supplementary votes of (\$1.11m) nett proposed in the Quarterly Budget Review Statement be adopted, resulting in an increase to capital expenditure of \$427k, an increase to operating expenditure of \$1.21m and an increase in income of \$525k (which includes an increase of \$58k in capital income).

(Reynolds/Gosewisch)

CARRIED**PRESENTATION**

NSW Audit Office – Presentation of Financial Statements –
Karen Taylor

2021/22 AUDITED FINANCIAL STATEMENTS

2211/007

RESOLVED:

That Council adopt the 2021/22 Financial Statements and accept the Auditor's Report, as submitted by the NSW Audit Office.

(Reynolds/Pryse Jones)

CARRIED**REVIEW OF DELEGATIONS REGISTER**

2211/008

RESOLVED:

That Council adopt the Delegations Register as tabled.

(Somerville/Newstead)

CARRIED**REVIEW OF COUNCIL POLICIES**

2211/009

RESOLVED:

1. That the following policies be endorsed by Council and be placed on public exhibition for a period of not less than 28 days:
 - Information Technology Security and Usage Policy
 - Signs as Remote Supervision Policy
2. Should no submissions be received during the public exhibition the policies are adopted and included in the Council Policy register.
3. That Council rescind Community Banner Usage Policy and develop a guideline, to inform and assist event owners.

(Gosewisch/Ewin)

CARRIED

ADOPTION OF COUNCIL POLICIES

2211/010

RESOLVED:

That Council adopt the following policies and they be included in Council Policy register.

- Disposal of Assets Policy
- Pensioner and Hardship Policy
- Privacy Management Plan
- Unreasonable or Unreasonably Persistent Customer Policy
- Work Health and Safety Policy
- Email and Internet Policy
- Information Security Policy
- Mobile Device Usage Policy
- Pathway Hierarchy Standard and Maintenance Policy
- Road Hierarchy Renewal and Maintenance Policy
- Voluntary Planning Agreement Policy
- Waste Collection Services Policy

(Pryse Jones/Ewin)

CARRIED**DISABILITY INCLUSION ACTION PLAN ANNUAL REPORT**

2211/011

RESOLVED:

That the Annual Report on the Disability Inclusion Action Plan for the year ended 30 June 2022 be received.

(Reynolds/Gosewisch)

CARRIED**DRAFT 2022 - 2026 DISABILITY INCLUSION ACTION PLAN**

2211/012

RESOLVED:

That Council defer this item to the next Council meeting.

(Reynolds/Pryse Jones)

CARRIED**INFRASTRUCTURE SERVICES REPORTS****DIRECTOR INFRASTRUCTURE SERVICES MONTHLY REPORT**

2211/013

RESOLVED:

That the Director Infrastructure Services Monthly Report for November 2022 be received and noted.

(Reynolds/Pryse Jones)

CARRIED**2022/23 CAPITAL WORKS PROGRAM PRIORITISATION**

2211/014

RESOLVED:

That Council note the 2022/23 Capital Works Program Prioritisation.

(Newstead/Pryse Jones)

CARRIED

PLANNING AND ENVIRONMENTAL SERVICES REPORTS**PLANNING PROPOSAL TO AMEND THE BLAYNEY LOCAL ENVIRONMENTAL PLAN 2012 - PP2: MILLTHORPE AND SURROUNDS****2211/015****RESOLVED:**

That Council

1. Endorse, as exhibited, the amendment to the Blayney Local Environmental Plan 2012 PP2 as outlined in this report including addendum PP2C.
2. In addition to the exhibited Planning Proposal, a maximum lot yield of 5 potential lots be placed on the land pertinent to PP2D: 78 Clover Ridge Road.
3. In exercising its delegation under Section 3.36 of the Environmental Planning and Assessment Act 1979, as endorsed by NSW Department Planning and Environment, forward the required documentation to Parliamentary Counsel for opinion to amend the Blayney Local Environmental Plan 2012.

(Reynolds/Somerville)

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

FOR

Councillor Ewin
 Councillor Ferguson
 Councillor Somerville
 Councillor Reynolds
 Councillor Newstead
 Councillor Pryse Jones
 Councillor Gosewisch

Total (7)**AGAINST****Total (0)****CARRIED****CLOSED MEETING****2211/016****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:

CONTRACT 05/2022: DESIGN AND CONSTRUCTION OF BELUBULA WAY BRIDGE OVER ICELY CREEK

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.

LEGAL MATTER

This matter is considered to be confidential under Section 10A(2) (g) of the Local Government Act, as it deals with advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.

(Pryse Jones/Reynolds)

CARRIED

CONFIDENTIAL MEETING REPORTS

CONTRACT 05/2022: DESIGN AND CONSTRUCTION OF BELUBULA WAY BRIDGE OVER ICELY CREEK

2211/017

RESOLVED:

That Council subject to being successful under Resources for Regions Round 9, accept the tender from Murray Construction Pty Ltd for the Design and Construction of Belubula Way Bridge over Icelly Creek (Contract 05/2022), for the value of \$1,309,202.00 (\$1,440,122.20 inc. GST) and subject to variations.

(Newstead/Gosewisch)

CARRIED

2211/018

LEGAL MATTER

RESOLVED:

That Council receive and note the report.

(Reynolds/Gosewisch)

CARRIED

2211/019

RESOLVED:

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

(Newstead/Gosewisch)

CARRIED

AT THE RE-OPENING OF THE MEETING TO THE PUBLIC, THE MAYOR ANNOUNCED THE OUTCOMES OF RESOLUTION NUMBERS 2211/017 AND 2211/018.

There being no further business, the meeting concluded at 6.28pm.

The Minute Numbers 2211/001 to 2211/019 were confirmed on 19 December 2022 and are a full and accurate record of proceedings of the Ordinary Meeting held on 21 November 2022.



Cr S Ferguson
MAYOR



Mr M Dicker
GENERAL MANAGER