

**MINUTES OF THE BLAYNEY SHIRE COUNCIL ORDINARY MEETING
HELD IN THE CHAMBERS, BLAYNEY SHIRE COUNCIL COMMUNITY
CENTRE, ON 23 JANUARY 2024, COMMENCING AT 6.00PM**

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

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
Anton Franze	Pecuniary	8	38	Lease to Blayney Meals on Wheels	Anton is on the committee and volunteer treasurer of the Blayney Meals on Wheels
Mark Dicker	Pecuniary	11	47	Contract 8/2023 – Reconstruction of Forest Reefs Road – Tallwood Road Intersection – Negotiation Contract	JN Excavations Pty Ltd has been engaged by the General Manager (and his wife) to undertake civil works at their private residence.

PUBLIC FORUM

Peter Ogilvie – Item 4 – Special Rate Variation

Paul Knight – Item 4 – Special Rate Variation

Dominic Burden from NSW Farmers Blayney Branch – Item 4 – Special Rate Variation

John Collins – Item 4 – Special Rate Variation

Natasha Phillips-Mason – Item 4 – Special Rate Variation

MAYORAL MINUTE**MAYORAL MINUTE - MINUTE' SILENCE TO ACKNOWLEDGE THE PASSING OF NEIL MANSON, TED PROSPER AND TOM WILLIAMS**

Councillors held a minute's silence to acknowledge the passing of former Councillor Neil Manson. Neil served the community as a Councillor from 1991 to 2008.

The Mayor also acknowledged the passing of Ted Prosper and Tom Williams who have both contributed significantly to the Blayney Shire community.

CONFIRMATION OF MINUTES**MINUTES OF THE PREVIOUS COUNCIL MEETING HELD 13 DECEMBER 2023****2401/001****RESOLVED:**

That the Minutes of the Ordinary Council Meeting held on 13 December 2023, being minute numbers 2312/001 to 2312/016 be confirmed.

(Gosewisch/Newstead)

CARRIED**MATTERS ARISING FROM THE MINUTES**

Cr Somerville asked if the ICAC Report – Operation Galley - which formed part of the Audit, Risk and Improvement Committee resolution, had been circulated to Councillors.

General Manager confirmed staff would check and ensure this is circulated to Councillors.

EXECUTIVE SERVICES REPORTS**QUESTIONS TAKEN ON NOTICE AT THE PREVIOUS COUNCIL MEETING****2401/002****RESOLVED:**

That the question taken on notice at the Ordinary Council Meeting held on 13 December 2023 and the subsequent response be received and noted.

(Reynolds/Pryse Jones)

CARRIED

SPECIAL RATE VARIATION**2401/003****RESOLVED:**

That Council:

1. Note the feedback received in the 28 submissions from the community engagement process relating to the updated Long Term Financial Plan (LTFP) and the proposed Special Rate Variation (SRV), appended at *Attachment 2*.
2. Note the Community Awareness and Engagement Report on the proposed Special Rate Variation, appended at *Attachment 3*.
3. Having considered the issues raised in the community engagement process, proceed to make application to the Independent Pricing and Regulatory Tribunal (IPART), under section 508(A) of the Local Government Act 1993 for increases to the ordinary rate income of:
 - i. 10% in 2024/25 (including the rate peg),
 - ii. 10% in 2025/26 (including the rate peg),
 - iii. 10% in 2026/27 (including the rate peg).Representing a total cumulative increase of 33.1% over the three-year period, with that increase to be a permanent increase retained within the rate base.
4. Include the 28 submissions received during the community engagement process relating to the proposed SRV, referred to in Item 1, as part of the application(s) to IPART referred to in Item 3 above.
5. Adopt the updated 2024/25 – 2033/34 Long-Term Financial Plan (LTFP), Scenario four – Sustainability three-year SV option, as part of the Updated Resourcing Strategy, appended at *Attachment 4*.
6. Adopt the revised 2023/24 to 2026/27 Delivery Program and 2023/24 Operating Plan (DP/OP), appended at *Attachment 5*.
7. Adopt the revised: Strategic Asset Management Plan, Transport Asset Management Plan and Buildings Asset Management Plan, appended at *Attachments; 6, 7 and 8*.
8. Adopt the: Capacity to Pay Report and Organisational Sustainability Review and Improvement Plan, appended at *Attachments; 9 and 10*.

(Reynolds/Somervaille)

CARRIED

CORPORATE SERVICES REPORTS**REPORT OF COUNCIL INVESTMENTS AS AT 31 DECEMBER 2023****2401/004****RESOLVED:**

That Council;

1. Note the report indicating Council's investment position as at 31 December 2023.

2. Note the certification of the Responsible Accounting Officer.

(Newstead/Somervaille)

CARRIED**QUARTERLY REPORT ON SOLAR ANALYTICS****2401/005****RESOLVED:**

That Council note the Solar Analytics report for the quarter ending 31 December 2023.

(Gosewisch/Somervaille)

CARRIED**INFORMATION TECHNOLOGY QUARTERLY REPORT****2401/006****RESOLVED:**

That Council note the Information Technology report for the quarter to 31 December 2023.

(Pryse Jones/Newstead)

CARRIED

Director Corporate Services, Anton Franze, having declared an interest, left the meeting.

LEASE TO BLAYNEY MEALS ON WHEELS**2401/007****RESOLVED:**

1. That the report on the lease of 39 Church Street, Blayney (Lot 23 Section 14 DP 758121) be noted.

2. That Council endorse execution of lease for 39 Church Street, Blayney (Lot 23 Section 14 DP 758121) to Blayney Volunteer Meals On Wheels Association Inc. by the Mayor and General Manager.

(Ewin/Gosewisch)

CARRIED

Anton Franze returned to the meeting.

INFRASTRUCTURE SERVICES REPORTS**MINUTES OF THE TRAFFIC COMMITTEE MEETING HELD 8 DECEMBER 2023****2401/008****RESOLVED:**

That Council;

1. Receive and note the minutes of the Blayney Traffic Committee Meeting, held on Tuesday 8 December 2023.
2. Endorse the Traffic Guidance Scheme for the annual Blayney Show, to be staged on 2 March 2024 on Blayney Showground, Marshalls Lane, as a Class 3 event, subject to the conditions detailed in the Director Infrastructure Services' Report.
3. At the intersection of Glengate Road and Vittoria Road;
 - a) Place a W2-4(R) - Side Road Intersection on Straight (Right Symbolic) sign on the west side of the intersection on Vittoria Rd for traffic going eastbound.
 - b) Place a W8-2 85 km/h Advisory Speed sign with a W1-3(L) - Curve (Left symbolic) sign on top on the west side of the intersection on Vittoria Rd for traffic going eastbound.
4. At the intersection of Millthorpe Road and Glenorie Road;
 - a) Provide Millthorpe Road Traffic data to NSW Police
 - b) Perform vegetation management on Millthorpe Road immediately north of the Glenorie Road intersection.
5. Install R5-400n signage to either side of the intersection of Gold St and Unnamed Road near Mandurama Hall.
6. Install R5-20 (L) & (R) signage at the appropriate ends of the bus stop opposite Millthorpe Public School.
7. Note the tentative Blayney Shire Council Traffic Committee dates for 2024.

(Newstead/Gosewisch)

CARRIED**PLANNING AND ENVIRONMENTAL SERVICES REPORTS****PROPOSED VOLUNTARY PLANNING AGREEMENT - DA146/2021 SUBDIVISION OF THE LAND INTO 56 LOTS (52 URBAN RESIDENTIAL LOTS) – 1279 MILLTHORPE ROAD MILLTHORPE****2401/009****RESOLVED:**

That Council

1. Give public notice of the proposed Voluntary Planning Agreement relating to the dedication of drainage and open space lands associated with DA146/2021 – Subdivision of Land into 56 lots (52 Urban Residential Lots) – 1279 Millthorpe Road, Millthorpe.
2. Give public notice of its intention to classify proposed lot 231 as Operational land and proposed lot 323 as Community land.
3. If a submission is received on either the proposed Voluntary

Planning Agreement or classification of land a further reported be presented to Council.

4. Should no submissions be received in relation to the Voluntary Planning Agreement, the General Manager be delegated authority to enter into and execute the agreement.
5. Should no submissions be received in relation to the classification of lands then proposed lot 231 be classified as Operational land and proposed lot 323 as Community land.
(Newstead/Reynolds)

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

FOR	AGAINST	
Councillor Ewin		
Councillor Ferguson		
Councillor Somervaille		
Councillor Reynolds		
Councillor Newstead		
Councillor Pryse Jones		
Councillor Gosewisch		
Total (7)	Total (0)	CARRIED

CLOSED MEETING

- 2401/010 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 8/2023 - RECONSTRUCTION OF FOREST REEFS ROAD-TALLWOOD ROAD INTERSECTION - NEGOTIATION CONTRACT

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.

(Somervaille/Ewin)

CARRIED

General Manager, Mark Dicker, having declared an interest left the meeting.

Council's Manager Operations, Joel Cummings, joined the meeting for discussion of this item.

CONFIDENTIAL MEETING REPORTS

**CONTRACT 8/2023 - RECONSTRUCTION OF FOREST REEFS
ROAD-TALLWOOD ROAD INTERSECTION - NEGOTIATION
CONTRACT**

2401/011

RESOLVED:

That Council;

1. Accept the final tender from JN Excavations Pty Ltd for the Reconstruction of Forest Reefs Road/Tallwood Road Intersection (Contract 08/2023) for the value \$1,257,750.47 (\$1,143,409.52 GST exclusive) including provisional items, subject to variations.
2. Approve the supplementary vote of expenditure of \$795,315 from the following sources; (for a total project allocation of \$1,355,998)
 - i) Resources for Regions R4R9 - Tallwood: \$150,000
 - ii) Mining SV cash restriction: \$64,412
 - iii) Cadia VPA cash restriction: \$378,485
 - iv) Regional Emergency Road Repair Fund: \$202,418

(Reynolds/Ewin)

CARRIED

2401/012

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

Mark Dicker returned to the meeting.

**AT THE RE-OPENING OF THE MEETING TO THE PUBLIC, THE MAYOR
ANNOUNCED THE OUTCOME OF RESOLUTION NUMBER 2401/011.**

There being no further business, the meeting concluded at 8.31pm

The Minute Numbers 2401/001 to 2401/012 were confirmed on 20 February 2024 and are a full and accurate record of proceedings of the Ordinary Meeting held on 23 January 2024.


Cr S Ferguson
MAYOR


Mr M Dicker
GENERAL MANAGER