

**MINUTES OF THE BLAYNEY SHIRE COUNCIL ORDINARY MEETING
HELD IN THE CHAMBERS, BLAYNEY SHIRE COUNCIL COMMUNITY
CENTRE, ON 21 FEBRUARY 2022, COMMENCING AT 6.00PM**

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

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 Administration Officer (Mrs N Smith)

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 Somerville	Non Pecuniary (Significant)	3	12	Tourism Development Fund Application	One of the nine applicants to participate in the Joint Photography Project is Athol Gardens, a tourism business owned and operated by my wife
Mark Dicker	Pecuniary Interest	3	12	Tourism Development Fund Application	Wife is the Director of Ironbark Espresso Bar

MAYORAL MINUTE

**GENERAL MANAGER'S ANNUAL PERFORMANCE REVIEW
RESOLVED**

2202/001

That:

1. Council nominate Councillor Pryse Jones and Councillor Reynolds, along with the Mayor, and a Councillor nominated by the General Manager to comprise the Performance Review Panel.
2. Council delegate all tasks necessary for the completion of the Performance Review, and Panel members all undertake training in accordance with the Performance Review Guidelines.
3. The Mayor be delegated authority to finalise all arrangements for the Performance Review Panel to convene on 25 March 2022.

(Ferguson/Ewin)
CARRIED

CONFIRMATION OF MINUTES**MINUTES OF THE PREVIOUS COUNCIL MEETING HELD 17
JANUARY 2022****2202/002****RESOLVED**

That the Minutes of the Ordinary Council Meeting held on 17 January 2022, being minute numbers 2201/001 to 2201/028 be confirmed.

(Reynolds/Ewin)

CARRIED**MATTERS ARISING FROM THE MINUTES**

Nil

EXECUTIVE SERVICES REPORTS**TOURISM DEVELOPMENT FUND APPLICATION****2202/003****RESOLVED**

That Council approve the following applications under the 2021/22 Tourism Event Development Program;

- a) \$1,125 for the Joint Photography Project
- b) \$1,000 for the Blayney Agricultural and Pastoral Association Inc.
- c) \$1,750 for the Millthorpe Wine Collective

(Pryse Jones/Newstead)

CARRIED

Cr David Somervaille and Mark Dicker, Director Planning & Environmental Services returned to the meeting.

**FUNDING DEEDS STRONGER COUNTRY COMMUNITIES
ROUND 4****2202/004****RESOLVED**

That Council endorse the General Manager's execution of the NSW Government's Stronger Country Communities Round 4 Funding Deeds, totalling \$794,774.

(Ewin/Reynolds)

CARRIED**CORPORATE SERVICES REPORTS****WRITE-OFF OF INVENTORY****2202/005****RESOLVED**

That Council approve the write-off of \$1,597.03 of stores and materials following the Bi-Annual stocktake conducted on 15 December 2021.

(Gosewisch/Pryse Jones)

CARRIED

DISABILITY INCLUSION ACTION PLAN STATUS REPORT

2202/006

RESOLVED

That Council receive and note the Blayney Shire Disability Inclusion Action Plan status report as at 31 December 2021.

(Somervaille/Ewin)

CARRIED**BLAYNEY SHIRE FINANCIAL ASSISTANCE PROGRAM
COMMITTEE COMMUNITY REPRESENTATIVES**

2202/007

RESOLVED

That Council;

1. Increase the number of community representatives to 6 for the Blayney Shire Financial Assistance Program Committee
2. Appoint the following community representatives to the Blayney Shire Financial Assistance Program Committee:
 - Miles Hedge
 - David Kennedy
 - David Kingham
 - Tamara Miller
 - Elizabeth Russ
 - Graeme Summerson
3. Amend the quorum from 4 to 5 members.

(Somervaille/Pryse Jones)

CARRIED**SIX MONTHLY DELIVERY PLAN REVIEW - DECEMBER 2021**

2202/008

RESOLVED

That the six-monthly review, for period ending 31 December 2021, of Council's 2021/22 – 2024/25 Delivery Plan be received.

(Reynolds/Newstead)

CARRIED**TEN4TEN LEADERSHIP DIALOGUE****AMENDED MOTION**

1. That Council support the request for sponsorship, subject to at least one of the successful applicants residing in Blayney Shire Council area, in the amount of \$1,500 for the Ten4Ten Leadership Dialogue from Regional Development Australia Central West.
2. That a report be provided back to Council on the outcomes for the participant(s) from Blayney Shire by RDA CW.
3. That an amount of \$1,500 be included for approval in the 3rd Quarter Budget Review for this purpose.

(Reynolds/Ewin)

LOST

2202/009

RESOLVED

1. That Council support the request for sponsorship, amount of \$1,500 for the Ten4Ten Leadership Dialogue from Regional

- Development Australia Central West.
2. That an amount of \$1,500 be included for approval in the 3rd Quarter Budget Review for this purpose.
 3. That a report be provided back to Council on the outcomes for the participants(s) from Blayney Shire by RDA CW.

(Somerville/Gosewisch)

CARRIED

REPORT OF COUNCIL INVESTMENTS AS AT 31 JANUARY 2022

2202/010 RESOLVED

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

(Reynolds/Ewin)

CARRIED

QUARTERLY BUDGET REVIEW STATEMENT - DECEMBER 2021

2202/011 RESOLVED

1. That the Quarterly Budget Review Statement for the quarter ending 31 December 2021 be received.
2. That the supplementary votes of \$170k (nett) proposed in the Quarterly Budget Review Statement be adopted, resulting in an increase to capital expenditure of \$1.81m, a decrease to operating expenditure of (\$150k) and an increase in income of \$1.83m which includes an increase of \$1.73m in capital income.

(Newstead/Somerville)

CARRIED

LEASE OF INDUSTRIAL LAND FOR AGISTMENT PURPOSES

2202/012 RESOLVED

That Council lease industrial land for the period ending 29 February 2024 with a 1 year option to the following party:

Lease lot 2: 8 Tollbar Street (Lot 1 DP 842577): A.Sutherland

(Reynolds/Somerville)

CARRIED

COMPLIANCE AND REPORTING ACTIVITIES

2202/013 RESOLVED

That the report on Compliance and Reporting Activities for the 6 month period to December 2021 be received.

(Ewin/Somerville)

CARRIED

INFRASTRUCTURE SERVICES REPORTS**DIRECTOR INFRASTRUCTURE SERVICES MONTHLY REPORT****2202/014****RESOLVED**

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

(Ewin/Reynolds)

CARRIED**CNSWJO - REGIONAL CONTRACT FOR SUPPLY AND DELIVERY OF BULK FUEL****2202/015****RESOLVED**

That Council agrees to participate in the Central NSW Joint Organisation Regional Contract for the supply and delivery of bulk fuel.

(Ewin/Newstead)

CARRIED**MINUTES OF THE TRAFFIC COMMITTEE MEETING HELD 11 FEBRUARY 2022****2202/016****RESOLVED**

1. That the minutes of the Blayney Traffic Committee Meeting, held on Friday 11 February 2022, be received and noted.
2. That Council endorse the Traffic Management Plan for the Blayney Anzac Day Service as a Class 3 event, subject to the conditions detailed in the Director Infrastructure Services' Report.
3. That Council amend the condition for the Orange Running Festival to install 2 x VMS signs, and these be replaced with Corflute signs at the following intersections: -
 - Carcoar Road northbound at Forest Reefs Road
 - Spring Terrace Road (north of Forest Reefs Road)
 - Tallwood Road (south of Forest Reefs Road)
4. That Council note the change of date for the undertaking of the Central West Charity Tractor Trek, to be staged across various roads in the Blayney Shire on 23-25 September 2022, and that the event approval be subject to the conditions as detailed in the Director Infrastructure Services' Report of June 2021.
5. That Council
 - a. Remove 2 x hold lines at the Water St – Osman St intersection that are furthest from the centreline of Water St.
 - b. Undertake vegetation management on Osman Street to ensure Give Way Signs are provided with adequate sight distance.
 - c. Reinstate worn holding lines at the Osman Street intersections.

6. That Council
 - a. Remove non-compliant W2-1 (Crossroad) signage on either approach along Selwyn Street, Barry.
 - b. Install repeater signs in accordance with the NSW Speed Zoning Guidelines (300m for 50km/h road).
 - c. Install additional R1-2 (Give way) signs on the right hand side (gateway) of each approach on Selwyn Street, Barry.
 - d. Reinstate the hold line on the southern side of the Sawyer and Selwyn Street intersection, on Selwyn Street, Barry.
 - e. Install traffic counters on either side of the intersection along Selwyn Street, Barry following completion of the works.
 - f. Provide NSW Police with the traffic monitoring data report for Sawyer Street, Barry.
7. That Council, at the intersection of Burtons and Wilsons Lanes:-
 - a. Replace the existing faded Crest (w5-11) and T-Junction (w2-3) intersection signage.
 - b. Improve roadside conditions to address Safe Intersection Sight Distance compliance by remediating roadside vegetation.
 - c. Undertake traffic monitoring, and perform a further sight distance check subsequent to works.

(Newstead/Reynolds)

CARRIED

PLANNING AND ENVIRONMENTAL SERVICES REPORTS

DA71/2019/1 - FORTY (40) LOT SUBDIVISION - 19A PLUMB STREET BLAYNEY

2202/017

RESOLVED

That Council consents to modification of condition 58 in Development Consent DA71/2019 for a forty (40) lot torrens title subdivision at Lot 29, DP1050133 - 19A Plumb Street, Blayney, subject to the recommended conditions of consent.

(Somerville/Newstead)

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 Newstead
Councillor Pryse Jones
Councillor Gosewisch

AGAINST

Councillor Reynolds

Total (6)**Total (1)****CARRIED**

PLANNING PROPOSAL TO AMEND THE BLAYNEY LOCAL ENVIRONMENTAL PLAN 2012 - PP1: BLAYNEY AND BROWNS CREEK ROAD

2202/018**RESOLVED**

That Council

1. Endorse the amendment to the Blayney Local Environmental Plan 2012 changing the R1 General Residential zone in the Town of Blayney and the Zone R5 Large Lot Residential area near Browns Creek Road as outlined in this report.
2. 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 required documentation to Parliamentary Counsel for opinion to amend the Blayney Local Environmental Plan 2012.

(Somerville/Ewin)

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**

EMPLOYMENT ZONE REFORMS AND CHANGES TO THE BLAYNEY LOCAL ENVIRONMENTAL PLAN 2012

2202/019**RESOLVED**

That Council

1. Note the employment zones reform being progressed by the NSW Government to the Standard Instrument Principal Local Environmental Plan.
2. Endorse the Return Translation Detail outlining the proposed amendments to the Blayney Local Environmental Plan 2012.
3. Delegate to the General Manager authority to finalise the Return Translation Detail document including any minor typographical or editorial changes prior to public exhibition.
4. Delegate to the General Manager authority to finalise the amendments to the Blayney Local Environmental Plan 2012.

(Reynolds/Pryse Jones)

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

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

CLOSED MEETING

2202/020 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 BLAYNEY SHIRE BRIDGES (PORTION B)

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 6/2021 - DESIGN AND CONSTRUCTION OF BLAYNEY SHIRE BRIDGES (PORTION C)

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.

CNSWJO - PANEL CONTRACT FOR LINE MARKING

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/Ewin)

CARRIED

CONFIDENTIAL MEETING REPORTS**CONTRACT 6/2021 - DESIGN AND CONSTRUCTION OF
BLAYNEY SHIRE BRIDGES (PORTION B)****2202/021****RESOLVED**

That Council accepts the tender from Murray Construction Pty Ltd for the Design and Construction of Leabeater Street Bridge over Grubbenbun Creek, Portion B of Contract 06/2021, for the value of \$426,825 (\$469,508 inc GST), and subject to variations.

(Reynolds/Gosewisch)

CARRIED**CONTRACT 6/2021 - DESIGN AND CONSTRUCTION OF
BLAYNEY SHIRE BRIDGES (PORTION C)****2202/022****RESOLVED**

That Council accepts the tender from Murray Construction Pty Ltd for the Design and Construction of Lucan Road Bridge over Limestone Creek, Portion C of Contract 06/2021, for the value of \$491,114 (\$540,225 inc GST), and subject to variations.

(Reynolds/Ewin)

CARRIED**CNSWJO - PANEL CONTRACT FOR LINE MARKING****2202/023****RESOLVED**

That Council accept and sign contracts with the following providers for linemarking services:-

- Avante Linemarking,
- Central West Linemarking,
- Complete Linemarking
- Oz Linemarking

(Ewin/Newstead)

CARRIED**2202/024****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
2202/021 TO 2022/024.**

There being no further business, the meeting concluded at 7.18pm.

The Minute Numbers 2202/001 to 2202/0024 were confirmed on 21 March 2022 and are a full and accurate record of proceedings of the Ordinary Meeting held on 21 February 2022.



Cr S Ferguson
MAYOR



Mrs R Ryan
GENERAL MANAGER