

**MINUTES OF THE BLAYNEY SHIRE COUNCIL ORDINARY MEETING
HELD IN THE CHAMBERS, BLAYNEY SHIRE COMMUNITY CENTRE,
ON 9 JULY 2012, COMMENCING AT 6.00 PM**

Present: Crs B Kingham (Mayor), D Bell, S Ferguson, K Radburn and R Reeks.

General Manager (Mr G Wilcox), Director Corporate Services (Mr A Franze), Director Engineering (Mr G Baker), Director Environmental Services (Mr L Rodwell), Administrative Officer (Miss L Fuller) and Executive Assistant (Mrs A McKellar).

ACKNOWLEDGEMENT OF COUNTRY

ADVICE OF USE OF RECORDING EQUIPMENT

APOLOGIES

1207/001 RECOMMENDED:
That apologies, tendered on behalf of Cr Ewin and Cr Braddon, be received. (Bell/Ferguson)

CONFIRMATION OF MINUTES

1207/002 RESOLVED:
That the Minutes of the Ordinary Council Meeting held on 12 June 2012, being minute numbers 1206/001 to 1206/020 be confirmed. (Radburn/Reeks)

DISCLOSURES OF INTEREST

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

Councillor /Staff	Interest	Item	Pg	Report	Reason
Kingham	Pecuniary	12	72	DA 203/207	Developer in the district

CORPORATE SERVICES REPORTS

**GUIDELINES FOR FINANCIAL ASSISTANCE PROGRAMS
AND APPLICATION FORMS**

1207/003 RESOLVED:

1. That Council adopt the Guidelines for Financial assistance Programs and application forms,
2. that Council adopt the donations as contained in Appendix A of the Guidelines for the 2012/2013 financial year;
3. that Council call for Expressions of Interest from Shire Sporting Bodies to be involved in the Sports Council to

4. assess applications for sports funding; and
4. that Council establish a Community Committee to assess financial assistance program applications; and
5. that Council publically notify the guidelines including Appendix A – Recurrent donations; and
6. that Council work with local businesses to identify other funding opportunities to support social or environmental outcomes in the Shire. (Reeks/Bell)

COUNCIL DELEGATES TO CENTRAL TABLELANDS WATER COUNTY COUNCIL

- 1207/004 1. That Council not support the recommendation that future delegates of Central Tablelands Water County Council be consumers of the County Council. (Reeks/Bell)

2012 ELECTION BUDGET ESTIMATES

1207/005 **RESOLVED:**

1. That the report on the 2012 Election Budget Estimates be noted. (Radburn/Ferguson) (Radburn/Ferguson)

REPORT OF COUNCIL INVESTMENTS AS AT 30 JUNE 2012

1207/006 **RESOLVED:**

1. That the report indicating Council's Investment position as at 30 June 2012 be received and noted.
2. That the certification of the Responsible Accounting Officer be noted and the report be adopted. (Reeks/Ferguson) (Reeks/Ferguson)

WINE WEEK WINE MAKERS TABLE

1207/007 **RESOLVED:**

1. That Council advise Brand Orange that funding for events needs to be made via Council's Guidelines for Financial Assistance Program and that this will be considered by the community based committee as to meeting compliance with Council's Operational and Delivery program outcomes for the whole Shire. (Radburn/Bell) (Radburn/Bell)

ENGINEERING SERVICES REPORTS

B-DOUBLE ROUTE (19M OVER 50T) SPRINGHILL, FOREST REEFS AND CARCOAR ROADS

1207/008 **RESOLVED:**

1. That Council approve the application subject to the following conditions.
 - a. That this approval be given subject to Cabonne Council providing access along Spring Hill Road.
 - b. That all prime movers and trailers be fitted with road friendly suspension.
 - c. That travel not be permitted during the following

hours on school days, 7.15am to 9.00am and
3.15pm to 5.00pm. (Ferguson/Radburn)
(Ferguson/Radburn)

CHURCH HILL FUN RUN

1207/009

RESOLVED:

1. That Council approves the undertaking of the 2012 St Josephs Primary School fun run subject to the following conditions:
 - a. Development and implementation of a Traffic Management Plan which shall include a Traffic Control Plan.
 - b. All appropriate road closures and associated warning signage complying with AS1742, will be undertaken, placed and removed by suitably qualified persons.
 - c. Approval is to be obtained from NSW Police, with all conditions and directions issued by Police complied with and obeyed.
 - d. Council is to be provided with a copy of a \$20M Public Liability Insurance Policy indicating Blayney Shire Council's interests, with the date and location of the event.
 - e. The event organiser is to notify all Emergency Services of the event including Blayney Hospital.
 - f. The Event Organiser is to notify all business proprietors and residents affected by the event at least seven (7) days prior to the event.
 - g. The Event Organiser will, with the assistance of Blayney Shire Council, Engineering Department, advertise the temporary road closures, at least seven (7) days prior to the event.
 - h. The Event Organiser is to comply with the requirements of the "Guide to Traffic and Transport Management for Special Events" (version 3.4) dated 2 August 2006, for a Class 3 event. (Ferguson/Reeks)

(Ferguson/Reeks)

CROWN ROAD TRANSFER - ATHOL STREET, BLAYNEY

1207/010

RESOLVED:

1. That Council approve the transfer of the Crown Public Roads and the placement of Council's Seal on all documentation associated with the crown road transfers identified in the Director of Engineering's report. (Ferguson/Reeks)

(Ferguson/Reeks)

ENVIRONMENTAL SERVICES REPORTS**SUCCESSFUL GRANT APPLICATION FOR AUSTRALIAN GOVERNMENT AS PART OF THE COMMUNITY ENERGY EFFICIENCY PROGRAM (CEEP)**

1207/011

RESOLVED:

1. That Council note the successful grant application, under the CEEP, for energy efficiency upgrades in Council's Administration Building. (Radburn/Reeks) (Reeks/Radburn) (Reeks/Radburn)

PROPOSED BULKY WASTE CLEAN UP

1207/012

RESOLVED:

1. That Council receive the report for information. (Radburn/Reeks) (Radburn/Reeks)

POLLUTION INCIDENT RESPONSE MANAGEMENT PLAN (PIRMP) FOR BLAYNEY WASTE DISPOSAL DEPOT

1207/013

RESOLVED:

1. That Council note for information the requirement for a PIRMP and the engagement to develop the Plan through NetWaste. (Radburn/Reeks) (Radburn/Reeks)

MODIFICATION OF DEVELOPMENT CONSENT NO.203/2007 - NINE (9) LOT SUBDIVISION AT 665 FOREST REEFS ROAD, FOREST REEFS**RESOLVED:**

Cr Kingham declared an interest, vacated the Chair and left the Chamber

Cr Radburn took the Chair

1207/014

RESOLVED:

1. That Council note the submissions made in regard to the proposed modification, and that Council consent to the modification of Development Application No.203/2007 subject to the following conditions of consent :

CONDITIONS OF CONSENT

1. The determination shall be regarded as being in accordance with the particulars and endorsed plans set out and described in Development Application No. 2007/203 registered in Council's records as of the 26 June 2007, and the details as modified by application dated 15 December 2010, except where varied by any or all of the following conditions issued as part of this consent. Any additional development not subject to this approval shall require the further consent of Council.

STATUTORY**REASON: To comply with legislative statutory requirements.**

2. That documentary evidence be provided to Council that arrangements have been made with Essential Energy for the supply of electricity.
3. That documentary evidence be provided to Council that arrangements have been made with the relevant telecommunications authority for the provision of telephone services.
4. That an original plan of subdivision be submitted for Council's registration.
5. That a Subdivision Certificate be submitted to Council.
6. That all Certificates issued in relation to the development are to be submitted to Council.

INFRASTRUCTURE**REASON: To comply with Council's requirements for the provision of infrastructure.**

7. That any road widening or land resumption required for public road purposes be undertaken at no cost to Council.

CONSTRUCTION**REASON: To comply with Council's policy and requirements for the provision of access.**

8. That the access point to the new lots be determined in consultation with Council.
9. That the accesses to all proposed lots are to be constructed to Council's rural access standard with bitumen seal as per the *WBC Guidelines for Engineering Works* prior to the issue of the Subdivision Certificate.
10. That all accesses are to be designed and constructed to provide all weather access to the subject land. If the 1% Annual Exceedance Probability storm cannot be catered for with piped drainage, the over road flow must have a velocity depth of less than 0.7m²/s.
11. That bitumen shoulder widening to Council standard be provided on both sides of the proposed road at the intersection of the proposed road and Forest Reefs Road for a school bus stopping area.
12. The applicant is to arrange an inspection of the development and civil works by Council's Engineering Department at the following stages of the development. This condition applies notwithstanding any private certification of the engineering works.

A	Road Construction	Excavation and trimming of subgrade; After compaction of sub-base; After compaction of base, and prior to sealing; Pavement test results (prior to surfacing); Road pavement surfacing;
B	Drainage	After laying pipes prior to backfill; Pits after rendering openings and installing step irons
C	Accesses	Prior to commencement of excavation works; After compaction of base and prior to sealing; Road pavement surfacing;
D	All development works	Practical completion.

13. Prior to the issue of a Subdivision Certificate, the applicant is to lodge a bond with Council equal to 5% of the total civil construction costs at practical completion to be held by Council for a minimum period of twelve (12) months.
14. The applicant is to submit three (3) copies of engineering plans, specifications and calculations in relation to conditions 9, 10, 11, 21 and 22 for approval prior to the issue of the Construction Certificate. The works are to comply with WBC Guidelines to Engineering Works
15. Prior to the issue of a Subdivision Certificate, the applicant is to submit an electronic copy of the works as executed for the works required by conditions 9, 10, 11, 21 and 22 in Autocad 2000 format. Further the works are to comply with WBC Guidelines to Engineering Works
16. The applicant is to obtain a Construction Certificate from Council certifying that the proposed works are in accordance with the WBC Guidelines for Engineering Works prior to any subdivision works commencing.
17. As Principal Certifying Authority, Council will issue compliance certificates at satisfactory completion of the following stages of work:
 - a. Road works
 - b. Stormwater
 - c. Access
18. Inspection fees are to be paid based on the constructed road length of the unnamed lane, prior to issue of Construction Certificate, in accordance with Council's Fees and Charges Schedule.
19. That full engineering design plans be submitted to Council for approval prior to the issue of the Construction Certificate for:
 - a. Road works
 - b. Stormwater
 - c. Access
20. That works as executed plans for road, drainage and sewer be submitted to Council, prior to the issue of the Subdivision

- Certificate.
21. That the proposed road be constructed to Council's Rural Local Access standard at full cost to the applicant. All work is to comply with the *WBC Guidelines for Engineering Works* and be completed prior to the issue of the Subdivision Certificate.
 22. That the intersection with Forest Reefs Road be constructed to Roads and Maritime Service's BAR/BAL standard with sight distance provided for a 100km/h design speed. All work is to comply with the *WBC Guidelines for Engineering Works* and be completed prior to the issue of the Subdivision certificate.
 23. That the applicant be invited to submit suitable suggestions for the naming of the proposed road.
 24. That any damage to Council's footpath, road or other land being restored in accordance with Council's specifications. Contact Council's Works and Services Department.
 25. That no materials or machinery to be used in the construction of the building shall be stored or stacked on Council's footpath, nature strip or roadway.
 26. That there be no burning of waste material, felled trees or other material on the site.
 27. No building envelope will be provided for within the proposed 1%AEP Flood Extent as identified in Geolyse DWG. 01A_EV06 of the Flood Study.
 28. Prior to the issue of the Construction Certificate, the applicant will provide Council with revised plans identifying the proposed new building envelopes to be located wholly outside the proposed 1% AEP Flood Extent.
 29. Prior to issue of the Subdivision Certificate, the applicant will provide Council with an original plan of subdivision, identifying the revised building envelopes.
 30. That the onsite effluent disposal application areas are to be located in a flood free area as identified in Geolyse Dwg. 01A_EV06 of the Flood Study.
 31. The developer is to relocate, if necessary, at the developer's cost, any utility services.
 32. The designated number plates shall be obtained from Council and erected in accordance with the *Specifications for Erection of Street Address Numbers* as supplied by Council. Written notification is to be provided to Council indicating rural addressing numbers have been erected. This letter is to be supplied to Council or the Principal Certifying Authority PRIOR to the issue of the subdivision certificate.
 33. Construction work must only be carried out within the following times:
Monday to Friday: 7am to 7pm.
Saturday: 8am to 1pm
No work is to be carried out on Sunday or Public Holidays
Note: The principal contractor shall be responsible to instruct

and control their sub-contractors regarding the hours of work.

SECTION 94 CONTRIBUTION

REASON: To comply with Council's policy for a contribution towards headworks.

34. That the applicant contribute \$104,867 towards headworks. The amount applicable will be dependent upon the date on which payment is made and will be **as per Council's adopted fees and charges for the financial year in which payment is made.** The cost of the applicable headworks (7 additional lots) during the 2011/2012 financial year is as follows:

BSC1	Rural Roads (sealed)	\$98,742.00
BSC 8	Bushfire	\$ 2,387.00
BSC 10	Community Facilities	\$ 3,738.00

Payment is to be made to the issue of a subdivision certificate.

ENVIRONMENTAL

REASON: To comply with Council's statutory requirements.

35. That the applicant installs, prior to the commencement of works, adequate sediment and erosion controls in accordance with Council's Erosion and Sediment Control Policy (copy attached).

36. The developer is to obtain a clear Noxious Weeds Certificate under Section 735 of the Local Government Act 1993. A copy of the Certificate is to be provided to Council prior to the issue of the Subdivision Certificate.

37. That detailed landscape plans be submitted to and approved by Council prior to the issue of the Subdivision Certificate, with appropriate species specified by a qualified horticulturalist.

The approved landscaping is to be completed prior to the issue of the Subdivision Certificate.

The landscaping plans shall include a vegetation buffer along the southern boundaries of Lots 2, 3 and 4, and along the eastern boundary of Lot 1.

38. Dust suppression measures shall be undertaken during the construction phase to minimize drift of dust onto adjoining properties.

STOCK PROOF FENCING

REASON: To ensure agricultural activities are not impacted upon.

39. All boundaries shall be constructed with stock and dog proof fencing, to be undertaken prior to the release of a Subdivision Certificate. (Ferguson/Reeks)

Cr Radburn vacated the Chair

Cr Kingham returned to the Chambers.

COMMITTEE REPORTS

MINUTES OF THE BLAYNEY SHIRE TRAFFIC COMMITTEE MEETING HELD ON FRIDAY 15 JUNE 2012

1207/015

RESOLVED:

1. That the Minutes of the Blayney Shire Traffic Committee Meeting, held on Friday 15 June 2012, be received and noted. (Reeks/Bell)

MINUTES OF THE BLAYNEY SHIRE AUDIT COMMITTEE MEETING - 22 MARCH 2012

1207/016

RESOLVED:

1. That the Minutes of the Blayney Shire Audit Committee meeting held 22 March 2012 be received and noted.
2. That Council adopt the draft Internal Audit Charter and it be placed on public exhibition for 28 days. (Ferguson/Bell)

CLOSED MEETING

1207/017

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: (Ferguson/Reeks)

CONFIDENTIAL MEETING REPORTS

ANNUAL PERFORMANCE MONITORING

This matter is considered to be confidential under Section 10A(2) (a) of the Local Government Act, as it deals with personnel matters concerning particular individuals.

1207/018

RESOLVED:

1. That the report on the General Manager's Annual Performance Review be received and adopted. Radburn/Bell)

EXTENSION OF CONTRACT – WBC EXECUTIVE MANAGER

This matter is considered to be confidential under Section 10A(2) (a) of the Local Government Act, as it deals with personnel matters concerning particular individuals.

1207/019

RECOMMENDED:

1. That Council endorse the WBC Board's request to extend the Executive Manager's Contract for a further two years, until July 2014.
2. A letter of appreciation be sent to the Executive Manager for works undertaken to date. (Ferguson/Reeks)

1207/020

RESOLVED:

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

There being no further business, the meeting concluded at 7.24 pm.

The Minute Numbers 1209/001 to 1207/020 were confirmed on 13 August 2012 and are a full and accurate record of proceedings of the Ordinary Meeting held on 9 July 2012.

Cr BR Kingham
MAYOR

Mr GA Wilcox
GENERAL MANAGER