

**MINUTES OF THE BLAYNEY SHIRE COUNCIL ORDINARY MEETING  
HELD IN THE COUNCIL CHAMBERS,  
ON 13 FEBRUARY 2012, COMMENCING AT 6.00 PM**

Present: Crs B Kingham (Mayor), D Bell, G Braddon OAM, A Ewin, S Ferguson, and K Radburn.

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

**ACKNOWLEDGEMENT OF COUNTRY**

**ADVICE OF USE OF RECORDING EQUIPMENT**

**APOLOGY**

**1202/001** That apologies, tendered on behalf of Cr Bell and Cr Reeks, be received. (Radburn/Ferguson)

**CONFIRMATION OF MINUTES**

**1202/002** **RESOLVED:**  
That the Minutes of the Ordinary Council Meeting held on 12 December 2011, being minute numbers 1112/001 to 1112/026 be confirmed. (Ferguson/Ewin)

**MATTERS ARISING FROM THE MINUTES**

Nil.

**DISCLOSURES OF INTEREST**

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

<b>Councillor /Staff</b>	<b>Interest</b>	<b>Item</b>	<b>Pg</b>	<b>Report</b>	<b>Reason</b>
Kingham	Non Pecuniary	30 (late report)	1	Section 96 Modification of Consent Application – Development Application No. 59/2011 – Richards Lane and Springvale Lane, Millthorpe	Land developer in Millthorpe district and has land for sale.

**PUBLIC FORUM REQUESTS**

**MR HARRY MARSHALL - DA 130/90/1**

Mr Marshall addressed Council in relation to DA 130/90/1.

**NOTICES OF MOTION****REQUEST FOR LEAVE OF ABSENCE**

1202/003

**RESOLVED:**

1. That Council approve the application for Leave of Absence as requested by Councillor Roxanne Reeks, for the February 2012 and possibly March 2012 Ordinary Meetings of Council. (Radburn/Ferguson)

**CORPORATE SERVICES REPORTS****CONSIDERATION OF A POPULARLY ELECTED MAYOR****RESOLVED:****MOTION:**

1. At the next election in September that we hold a referendum to ask the people if they would like the opportunity to elect their Mayor or leave it as status quo. (Braddon/Ewin)

**AMENDMENT TO THE MOTION:**

- 1 That this item be carried over until the next Ordinary Meeting of Council. (Kingham/Ewin)

The amendment to the motion on being put was won.

The amendment to the motion became the resolution.

1202/004

**RESOLVED:**

1. That this item be carried over until the next Ordinary Meeting of Council. (Kingham/Ewin)
- Councillor Braddon requested that his name be recorded against this resolution.

Councillor Geoff Braddon left the meeting, the time being 6.37 PM

**2012 NATIONAL GENERAL ASSEMBLY OF LOCAL GOVERNMENT**

1202/005

**RESOLVED:**

1. That Council nominate the Mayor to attend the 2012 National General Assembly of Local Government to be held in Canberra between 17 – 20 June 2012. (Radburn/Ewin)

**CADIA EAST PROJECT (06-0295) PLANNING AGREEMENT**

1202/006

**RESOLVED:**

1. That Council reaffirm its previous resolution to allow the General Manager to negotiate with NSW Planning to increase the amount provided to each of the three Council's to 33.3% of the available contribution. (Kingham/Radburn)

**INTEGRATED PLANNING & REPORTING WORKSHOP**

1202/007

**RESOLVED:**

1. That Council nominate either Tuesday 21 or Thursday 23 February 2012 at 5.00 pm to hold at three hour workshop to review Council's proposed Integrated Planning & Reporting program.  
(Radburn/Ewin)

**CONSTITUTIONAL RECOGNITION OF LOCAL GOVERNMENT - CONTRIBUTION OF FUNDS**

1202/008

**RESOLVED:**

1. That Council resolved to contribute to the ongoing campaign to gain constitutional recognition of Local Government, with the special levy set at \$9,604.60 plus GST.  
(Ferguson/Radburn)

**CORPORATE SERVICES REPORTS**

**REPORT OF COUNCIL INVESTMENTS AS AT 31 DECEMBER 2011**

1202/009

**RESOLVED:**

1. That the Report indicating Council's Investment position as at 31 December 2011 be received and noted.
2. That the Certification of the Responsible Accounting Officer be noted and the Report be adopted.  
(Ferguson/Ewin)

**REPORT OF COUNCIL INVESTMENTS AS AT JANUARY 2012**

1202/010

**RESOLVED:**

1. That the Report indicating Council's Investment position as at 31 January 2012 be received and noted.
2. That the Certification of the Responsible Accounting Officer be noted and the Report be adopted.  
(Ewin/Radburn)

**QUARTERLY PERFORMANCE REPORT - DECEMBER 2011**

1202/011

**RESOLVED:**

1. That the Quarterly Review of Council's 2011 – 2016 Management Plan as at 31 December 2011 be received and adopted.  
(Ferguson/Radburn)

**REQUEST TO WAIVE CHARGES - DEAF FOOTBALL AUSTRALIA**

1202/012

**RESOLVED:**

1. That Council approve the request from Deaf Football Australia to waive hire fees in the amount of \$530.00 associated with hire of King George Oval.  
(Radburn/Ewin)

- ADOPTION OF BLAYNEY SHIRE TOURISM PLAN**
- 1202/013 **RESOLVED:**
1. That Council adopt the 2011 Blayney Shire Tourism Plan.  
(Ewin/Radburn)
- PUBLIC INTEREST DISCLOSURES**
- 1202/014 **RESOLVED:**
1. That Council note the requirement for reporting of Public Interest Disclosure items as amended by the Act and that Council's Public Officer receives and reports items as required.  
(Ferguson/Ewin)
- ADOPTION OF BLAYNEY SHIRE ACCESS STRATEGY**
- 1202/015 **RESOLVED:**
1. That Council adopt the Blayney Shire Access Strategy.  
(Ferguson/Ewin)
- REQUEST FOR DONATION - BLAYNEY SHIRE ARTS AND CRAFT COUNCIL INC**
- 1202/016 **RESOLVED:**
1. That Council approve the request from Blayney Arts and Craft Council Inc for a donation in the amount of \$1,529 associated with tourism brochure production costs.  
(Ewin/Radburn)
- NSW INFRASTRUCTURE RENEWAL SCHEME**
- 1202/017 **RESOLVED:**
1. That the report on NSW Local Infrastructure Renewal Scheme be noted.
  2. That Council endorse the Blayney Shire notification of its intention to lodge an application under the scheme by 10 February 2012 required by the guidelines.  
(Ferguson/Radburn)
- ENGINEERING SERVICES REPORTS**
- CROWN ROAD CLOSURE - BROWNS CREEK ROAD**
- 1202/018 **RESOLVED:**
1. That Council approve the proposed closure of Crown Road reserves associated with the Crown Road account W389103, subject to legal access being maintained to Lots 281 and 282 DP 750380. (Ewin/Radburn)
- ROAD SAFETY SENIOR'S WEEK EVENT AND MOTORISED SCOOTER EDUCATION DAY**
- 1202/019 **RESOLVED:**
1. That Council:
    - a. note the report on the motorised scooter education day,

and,

- b. nominate Councillors Ferguson, Ewin & Kingham and any other Councillors willing to attend the Councillor/Senior Staff engagement session. (Ferguson/Radburn)

**LEASE EXTENSION - BLAYNEY RFS**

1202/020 **RESOLVED:**

1. That Council approve
    - a. to take up the option of a 15 year extension on the lease of land at Lot 2 DP 873113, for the use of the NSW Rural Fire Service station (Blayney).
    - b. the placement of the Council seal on all documentation associated with the extension of the lease at Lot 2 DP 873113, for the NSW Rural Fire Service Station (Blayney).
- (Ferguson/Ewin)

**ENERGY EFFICIENT LUMINAIRE REPLACEMENT PROGRAM**

1202/021 **RESOLVED:**

1. That Council:
    - a. accept Essential Energy's invitation to participate in its Energy Efficient Luminaire Program in accordance with Option 1, as outlined in the invitation documents.
    - b. authorise the General Manger to sign the necessary documentation confirming Council's acceptance of Option 1.
- (Ewin/Radburn)

**ROAD SAFETY OFFICER - CONTRACT EXTENSION**

1202/022 **RESOLVED:**

1. That Council approves the extension of the existing Road Safety Officer's Position until 30 June 2013, and advise Bathurst Regional Council and Roads and Maritime Services of its approval.
- (Ferguson/Ewin)

**ENVIRONMENTAL SERVICES REPORTS**

**DA59/2011 - SUBDIVISION - 56 RICHARDS LANE,  
MILLTHORPE - MARRANGAROO EAST PTY LTD V  
BLAYNEY SHIRE COUNCIL [2011] NSWLEC 245**

1202/023 **RESOLVED:**

1. That Council note the report from the Director of Environmental Services.
- (Radburn/Ewin)

**MODIFIED DEVELOPMENT APPLICATION NO.130/90/1 -  
WESTERN WHITE LINEN - 190 MARSHALLS LANE,  
BLAYNEY**

1202/024 **RESOLVED:**

1. That Council approve DA 130/90/1 to modify the proposed

trading hours and proposed noise attenuation measures.  
(Ferguson/Ewin)

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

<b>FOR</b>	<b>AGAINST</b>
Councillor Kingham	
Councillor Ewin	
Councillor Ferguson	
Councillor Radburn	
<b>Total (4)</b>	<b>Total (0)</b>

#### **LOCAL HERITAGE ASSISTANCE FUND 2011/2012**

1202/025 **RESOLVED:**

1. That Council approve the provision of grant funding to the projects listed below to the total value of \$4000.00.  
(Ferguson/Ewin)

#### **SECTION 96 MODIFICATION OF CONSENT APPLICATION - DEVELOPMENT APPLICATION NO. 59/2011- RICHARDS LANE AND SPRINGVALE LANE, MILLTHORPE.**

Cr Kingham declared a non pecuniary interest and left the chambers. This meant that there was not a quorum to be able to make a decision. This item will need to be decided at a future Council meeting.

### **COMMITTEE REPORTS**

#### **MINUTES OF THE BLAYNEY SHIRE ACCESS COMMITTEE MEETING - 8 DECEMBER 2011**

1202/026 **RESOLVED:**

1. That the Minutes of the Blayney Shire Access Committee Meeting held 8 December 2011 be received and noted.  
(Ferguson/Ewin)

#### **MINUTES OF THE BLAYNEY SHIRE TOURISM COMMITTEE MEETING - 12 JANUARY 2012**

1202/027 **RESOLVED:**

1. That the Minutes of the Blayney Shire Tourism Committee meeting held 12 January 2012 be received and noted.
2. That Council be encouraged to develop procedures and guidelines for temporary signage pertinent to business in the Shire.
3. That the Carcoar Village Committee be approached to make a contribution towards Historic Carcoar signage and that investigation of further funding options for historic signage costs be explored. (Ewin/Radburn)

**MINUTES OF THE BLAYNEY SHIRE YOUTH COUNCIL - 6  
DECEMBER 2011**

1202/028

**RESOLVED:**

1. That the minutes of the Youth Council Meeting held on 6 December 2011 be received and noted.
  2. That the appointment of Jordan Lane to the 2012 NSW Youth Week Young Peoples Advisory Committee be noted.
  3. That Council seek expressions of interest from the community to conduct Youth Week Activities for 2012.
  4. That the Blayney Shire Youth Council endorse the draft 2025 Community Strategic Plan strategic objectives.
  5. That the nominations from Blayney High School and Community be accepted and they be appointed to the Blayney Shire Youth Council.
- (Ferguson/Ewin)

**CLOSED MEETING**

1202/029

**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: (Ewin/Radburn)

**CONFIDENTIAL MEETING REPORTS**

**FINALISATION OF LEGAL ACTION - STAFF MEMBER**

*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.*

1202/030

**RESOLVED:**

1. That Council note the payment of claim by its insurer in relation to a staff member.
- (Ferguson/Ewin)

**GENERAL MANAGER'S PERFORMANCE REVIEW  
COMMITTEE**

*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.*

1202/031

**RESOLVED:**

1. That Council sign off on the General Managers Performance Review and Action Plan as required under the contract; and
  2. That the General Manager is formally advised that a Performance Review will be undertaken by Council in July 2012.
- (Radburn/Ferguson)

**1202/032 RESOLVED:**

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

There being no further business, the meeting concluded at 8.15 pm.

The Minute Numbers 1202/001 to 1202/032 were confirmed on 12 March 2012 and are a full and accurate record of proceedings of the Ordinary Meeting held on 13 February 2012.

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Cr BR Kingham  
**MAYOR**

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Mr G Wilcox  
**GENERAL MANAGER**