

**MINUTES OF THE BLAYNEY SHIRE COUNCIL ORDINARY MEETING  
HELD IN THE CHAMBERS, BLAYNEY SHIRE COUNCIL COMMUNITY  
CENTRE, ON 18 JULY 2016, COMMENCING AT 6.00 PM**

Present: G Braddon OAM, A Ewin (Deputy Mayor), D Kingham and D Somervaille

General Manager (Mrs R Ryan), Director Corporate Services (Mr A Franze), Director Infrastructure Services (Mr G Baker), Director Planning & Environmental Services (Mr M Dicker), Acting Executive Assistant to the General Manager (Ms S Hibbert)

**ACKNOWLEDGEMENT OF COUNTRY**

**RECORDING OF MEETING STATEMENT**

**APOLOGIES**

**1607/001 RESOLVED**  
That the apology, tendered by Crs S Ferguson (Mayor), Cr Oates and Cr Radburn, be accepted.

(Braddon/Somervaille)  
**CARRIED**

**DISCLOSURES OF INTEREST**

Nil

**CONFIRMATION OF MINUTES**

**MINUTES OF THE PREVIOUS MEETING HELD MONDAY 20  
JUNE 2016**

**1607/002 RESOLVED**  
That the Minutes of the Ordinary Council Meeting held on 20 June 2016, being minute numbers 1606/001 to 1606/023 be confirmed.

(Kingham/Somervaille)  
**CARRIED**

**MATTERS ARISING FROM THE MINUTES**

Nil

**EXECUTIVE SERVICES REPORTS****COUNCIL RESOLUTION REPORT****1607/003****RESOLVED**

That Council notes the Resolution Report from March 2016 to June 2016.

(Braddon/Kingham)

**CARRIED**

**WBC STRATEGIC ALLIANCE****1607/004****RESOLVED**

1. That the minutes of the WBC Alliance Board Meeting, held Monday 22 June 2016, be received.
2. That Council endorse and adopt the following recommendations from the WBC Alliance Board;
  - Blayney and Cabonne Councils will be responsible for 40% each and Central Tablelands Water 20% of the ongoing costs (inclusive of all on-costs) of the WBC Alliance effective for the operational year 2016/17 commencing 1 July 2016.
  - In the event that Blayney and Cabonne cease to exist and are merged into a new council area that any potential future costs regarding redundancy of the WBC Executive Manager be covered 50/50 by Blayney and Cabonne.
  - In the event that Blayney and Cabonne cease to exist as individual entities the WBC Alliance will be terminated as at the date of proclamation pursuant to Clause (L) of the WBC Strategic Alliance Agreement dated 29 August 2003 notwithstanding the absence of requisite notice.

(Somerville/Braddon)

**CARRIED**

**MINING RELATED COUNCILS VOLUNTARY PLANNING AGREEMENTS****1607/005****RESOLVED**

That Council endorse the Association of Mining Related Councils Memorandum of Understanding (Negotiating Voluntary Planning Agreements for NSW Mining Development) and Voluntary Planning Agreement Negotiation Process V7.0 documents.

(Braddon/Somerville)

**CARRIED**

**REPORT ON CONTRACTUAL CONDITIONS OF SENIOR STAFF****1607/006****RESOLVED**

That the Council receive and note the report on the contractual conditions of senior staff in accordance with section 339 of the Local Government Act, 1993.

(Somerville/Kingham)

**CARRIED**

**RISK, WORK HEALTH AND SAFETY QUARTERLY REPORT****1607/007****RESOLVED**

That the Risk, Work Health and Safety Report for the quarter April to June 2016 be noted and received.

(Kingham/Braddon)

**CARRIED**

**REGIONAL TOURISM ORGANISATION REFORM****1607/008****RESOLVED**

That Council note the information and report on the NSW Government Regional Tourism Organisation reform.

(Braddon/Somerville)

**CARRIED**

**MINUTES OF THE BLAYNEY SHIRE TOWNS AND VILLAGES COMMITTEE MEETING HELD 16 JUNE 2016****1607/009****RESOLVED**

That the minutes of the Towns and Villages Committee Meeting, held Thursday 16 June 2016, be received.

(Kingham/Somerville)

**CARRIED**

**MINUTES OF THE BLAYNEY SHIRE CULTURAL CENTRE WORKING GROUP MEETING HELD 4 JULY 2016****1607/010****RESOLVED**

That the minutes of the Cultural Centre Working Group Meeting, held Monday 4 July 2016, be received.

(Kingham/Somerville)

**CARRIED**

**CORPORATE SERVICES REPORTS****PAYMENT OF EXPENSES AND THE PROVISION OF FACILITIES TO THE MAYOR AND COUNCILLORS POLICY**

1607/011

**RESOLVED**

That the Payment of Expenses and the Provision of Facilities to the Mayor and Councillors policy be placed on public exhibition for a period of at least 28 days.

(Braddon/Somerville)  
**CARRIED**

**REVIEW OF AGENCY INFORMATION GUIDE**

1607/012

**RESOLVED**

That Council adopt the Agency Information Guide and Proactive Release Program for the ensuing 12 months and make it available through Council's website.

(Somerville/Braddon)  
**CARRIED**

**SUSTAINABLE MUSEUM COLLECTIONS PROGRAM**

1607/013

**RESOLVED**

That Council continue its support of the Sustainable Collections Program through the commitment of \$15,000 in the 2016/17 budget on the basis that reports are furnished on project achievements to Council and community on a six monthly basis.

(Braddon/Kingham)  
**CARRIED**

**COMPLIANCE AND REPORTING ACTIVITIES**

1607/014

**RESOLVED**

That the report on Compliance and Reporting Activities for January to June 2016 be received.

(Braddon/Somerville)  
**CARRIED**

**INALA UNITS UPDATE**

1607/015

**RESOLVED**

1. That Council endorse removal of the registration on the land title of Inala Units, lot 221/DP593369 at 33 Park Street, Millthorpe noting it as being used as a retirement village.
2. That an investigation and report, with community consultation, into the proposed sale of Inala Units including costs associated with bringing the asset to a saleable condition, be brought to Council for further determination.

(Braddon/Kingham)  
**CARRIED**

**REPORT OF COUNCIL INVESTMENTS AS AT 30 JUNE 2016****1607/016 RESOLVED**

1. That the report indicating Council's investment position as at 30 June 2016 be received.
2. That the certification of the Responsible Accounting Officer be received and the report be adopted.

(Braddon/Somerville)

**CARRIED****AMENDMENT TO 2016/17 SECTION 94 CONTRIBUTIONS****1607/017 RESOLVED**

1. That Council approve the amended 2016/17 section 94 contributions for public exhibition for a period of not less than 28 days;

Title of Fee or Charge	2016/17 Amended Fee
<b>Section 94 Contributions</b>	
Residential accommodation development resulting in additional dwelling or lot	<b>\$5,976.00 per new dwelling or lot</b>
Heavy haulage developments:	
- Regional Sealed Road	<b>\$0.21 per ESA per km</b>
- Local Sealed Road	<b>\$0.35 per ESA per km</b>
- Local Gravel Road	<b>\$0.21 per ESA per km</b>
Note: ESA means Equivalent Standard Axles	

2. That should no submissions be received the section 94 contributions as amended be adopted.

(Kingham/Braddon)

**CARRIED****INFRASTRUCTURE SERVICES REPORTS****DIRECTOR INFRASTRUCTURE SERVICES MONTHLY REPORT****1607/018 RESOLVED**

That the Director of Infrastructure Services Monthly report for July 2016 be received and noted.

(Kingham/Somerville)

**CARRIED**

**PURCHASE OF BACKHOE LOADER**

1607/019

**RESOLVED**

1. That Council accept the quotation provided by JCB Construction Equipment Australia for the supply of 1 JCB 3CX Classic Backhoe for a net cost of \$132,500 (ex GST) and dispose of Council's Case 590SR Series 3 via trade-in.
2. That Council approve the vote of \$132,500 into the 2016/17 budget from the Plant Reserve

(Braddon/Somerville)

**CARRIED****PURCHASE OF SCOREBOARD FROM BLAYNEY JUNIOR RUGBY LEAGUE**

1607/020

**RESOLVED**

1. That Council endorse the purchase of the Blayney Junior Rugby League scoreboard for \$3,737; and
2. That an amendment in the first quarter budget review of \$8,737 be effected to accommodate the purchase and installation of the scoreboard at Blayney Showground.

(Kingham/Somerville)

**CARRIED****MINUTES OF THE BLAYNEY TRAFFIC COMMITTEE MEETING HELD ON FRIDAY 17 JUNE 2016**

1607/021

**RESOLVED**

1. That Council accept the Minutes of the Blayney Traffic Committee Meeting held on Friday 17 June 2016.
2. That Council write to Bernardi's Marketplace advising that Council has observed they are not complying with their Traffic Control Plan and advise them of the liability issue associated with not complying.
3. That Council investigate the feasibility of developing a turn facility and bus stop on Bulb Farm Lane.
4. That Council arrange the grinding of the lip of the ramp in Henry Street alongside the Christ Church Retirement Village and review the need to remove the existing double lines to legalise parking either side of the existing ramp and edge lines be put either side of the ramp within current standards. Further, that the area not be formalised as a Disabled Parking space.
5. That RMS will inspect Spring Hill Road, Millthorpe for a speed zone review and will report to Council the outcome of the inspection with recommendations for Council to advise the proponent.
6. That Council provides in principal support to the Orange Cycle Club – Bicycle Races to be held on Saturday 5 and Saturday 19 November 2016 subject to the following conditions:

- The Event Organiser is to comply with the following:
- a) That Council receive certified and signed Traffic Control Plans.
  - b) Development and implementation of a Traffic Management Plan (including Traffic Control Plans). All implementation and Traffic Control Works and Plans are to be completed by persons qualified to do so.
  - c) Approval is to be obtained from the Roads and Maritime Services Traffic Operations Manager.
  - d) Approval is to be obtained from NSW Police.
  - e) Council is to be provided with a copy of a \$20M Public Liability Insurance Policy indicating Blayney Shire Council's, Police & RMS interests, with the date and location of the event.
  - f) The Event Organiser is to notify all Emergency Services of the event including Blayney Hospital.
  - g) The Event Organiser is to notify all business proprietors and residents affected by the event at least 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), 2 August 2006, for a class 1 event.
  - i) The Event Organiser is to comply with the requirements of the "Guide for Bicycle Road Races" NSW 1 January 2004.
7. That Council provides support to the Alpine Classic 2016 Event to be held on Saturday 22 and Sunday 23 October 2016.
  8. That Council support the removal of the formal children's crossing at St Joseph's Catholic School and that Council replace the no parking sign with parallel parking on the Eastern side of Adelaide Street.
  9. That Council work with the Millthorpe Public School and RMS, Safety Around Schools Project Officer to progress the blistering of the school zone signs on the Western leg of Victoria Street. That Council also look into implementing Reverse Angle parking to the east of the proposed blisters.
  10. That Council investigate the Community Centre/Cultural Centre car park noting there are no fundamental objections but would require community consultation and investigation.
  11. That Council writes to the Millthorpe Village Committee in relation to the safety of the intersection at Victoria and Park Streets Millthorpe advising that the intersection meets the required stopping sight distance for a 50km/h zone.

12. That Council:
- a) Includes the replacement of the stairs in Park Street, Millthorpe with a grade compliant ramp in the Active Movement Strategy, and seek a funding contribution to complete the modification.
  - b) Task the Road Safety Officer undertake observations at the location to ascertain any need for a temporary extension of the No Stopping Zone to the south of the existing driveway layback adjacent to the existing stairs.
13. That the LTC advises Council that they consider the current intersection arrangement at Marshall's Lane, Blayney to be adequate and that it complies with the requirements for an 80Km/h zone.

(Braddon/Somervaille)

**CARRIED**

## **CLOSED MEETING**

**1607/022**

### **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:

#### **LEGAL MATTER, 13-17 SELWYN STREET BARRY**

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

#### **EOI LEASE CAFE VISITOR INFORMATION CENTRE BLAYNEY**

*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.*

(Somervaille/Braddon)

**CARRIED**



**CONFIDENTIAL MEETING REPORTS**

**1607/023**      **LEGAL MATTER, 13-17 SELWYN STREET BARRY**  
**RESOLVED**  
That the report on legal proceedings pertaining to 13-17 Selwyn Street Barry is received and noted.  

(Braddon/Somerville)  
**CARRIED**

**1607/024**      **EOI LEASE CAFE VISITOR INFORMATION CENTRE**  
**BLAYNEY**  
**RESOLVED**  
That Council authorise the General Manager to execute a 2x2 year Lease Agreement for the Café operations at the Visitor Information Centre (The Cottage) at 97 Adelaide Street Blayney with Ironbark Espresso Bar as per the terms and conditions detailed in the Expression of Interest for a rental of \$300 per week excluding GST.  

(Braddon/Kingham)  
**CARRIED**

**1607/025**      **RESOLVED**  
That as consideration of the matters referred to in the closed meeting has been concluded, the meeting now be opened to the public.  

(Somerville/Kingham)  
**CARRIED**

**AT THE RE-OPENING OF THE MEETING TO THE PUBLIC, THE DEPUTY MAYOR ANNOUNCED THE OUTCOMES OF RESOLUTION NUMBERS 1607/023 TO 1607/024.**


**1607/026**      **REQUEST FOR LEAVE OF ABSENCE**  
**RESOLVED**  
That the leave of Absence for Cr Kingham for August Council Meeting be approved.  

(Somerville/Braddon)  
**CARRIED**

There being no further business, the meeting concluded at 7.32pm

The Minute Numbers 1607/001 to 1607/026 were confirmed on 15 August 2016 and are a full and accurate record of proceedings of the Ordinary Meeting held on 18 July 2016.

  
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Cr S Ferguson  
**MAYOR**

  
\_\_\_\_\_  
Mrs ~~R-Ryan~~ **G Baker**  
**Acting GENERAL MANAGER**