

MINUTES OF THE BLAYNEY SHIRE COUNCIL ORDINARY MEETING
HELD IN THE COUNCIL CHAMBERS,
ON 10 OCTOBER 2011, COMMENCING AT 6.14 PM

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

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

ACKNOWLEDGEMENT OF COUNTRY

CONFIRMATION OF MINUTES

1110/001 RESOLVED:

That the Minutes of the Ordinary Council Meeting held on 12 September 2011, being minute numbers 1109/001 to 1109/036 be confirmed. (Bell/Ferguson)

1110/002 RESOLVED:

That the Minutes of the Extraordinary Council Meeting held on 22 September 2011, being minute numbers 1109E/001 to 1109E/003 be confirmed. (Ewin/Bell)

DISCLOSURES OF INTEREST

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

Councillor /Staff	Interest	Item	Pg	Report	Reason
Reeks	Pecuniary	2	4	DA13/2011 Construction of Additions to an Existing Workshop and Consolidation of 3 Allotments at 14 Hill Street, Blayney	Owner
Kingham	Non Pecuniary	8	12	Request for Waiver of Charges – Millthorpe Garden Ramble	Wife is secretary of the Millthorpe Garden Ramble Committee
Bell	Non Pecuniary	30	1 Confidential Report	Attempted Order	Named in the report
Braddon	Pecuniary	30	1 Confidential Report	Attempted Order	Close personal friend of person named in report

CORPORATE SERVICES REPORTS

Presentation by Brett Hanger from Hill Rogers Spencer Steer.

2010/2011 GENERAL PURPOSE FINANCIAL STATEMENTS

1110/003 RESOLVED:

1. That Council adopt the 2010/2011 General Purpose Financial Reports and accept the Auditor's Report, as submitted by Hill

Rogers Spencer Steer Assurance Partners.
(Ferguson/Reeks)

CADIA EAST VOLUNTARY PLANNING AGREEMENT

1110/004

RESOLVED:

1. That this report be received and noted. (Radburn/Reeks)

**DA13/2011 CONSTRUCTION OF ADDITIONS TO AN
EXISTING WORKSHOP AND CONSOLIDATION OF 3
ALLOTMENTS AT 14 HILL STREET, BLAYNEY**

Councillor Reeks declared an Interest and left the Chambers.

1110/005

RESOLVED:

1. That recommendations 1 and 2, as submitted to the September Meeting and which appear in the Report below, be adopted.
2. That Council staff work through the three recommendations contained in that Report with the applicants to ensure the applicants have a knowledge of the process to be followed.
3. That Council takes no action and informs Mr Reeks that Council has decided to take no action but does not condone the carrying out of development without prior development consent where such consent is required and would seriously consider taking prosecution proceeding if further development was carried out by Mr Reeks without prior development consent where such consent is required. (Kingham/Radburn)

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

FOR

AGAINST

Councillor Kingham

Councillor Braddon

Councillor Ewin

Councillor Bell

Councillor Radburn

Councillor Ferguson

Total (5)

Total (1)

Councillor Reeks returned to the Chambers.

REGIONAL DEVELOPMENT AUSTRALIA (RDA)

1110/006

RESOLVED:

1. That this information be noted. (Ferguson/Radburn)

COMMUNITY BUILDING PARTNERSHIPS 2011

1110/007

RESOLVED:

1. That the information be noted;
2. That the information be advertised in Council's Bulletin;
3. That Council apply for \$20,000 for Showground Improvements, with Council to provide matching funding. (Ferguson/Radburn)

DISCLOSURES OF INTEREST BY DESIGNATED PERSONS**1110/008 RESOLVED:**

1. That Council “Disclosures by Councillors and Designated Persons” Returns as tabled be received. (Ferguson/Ewin)

ADOPTION OF BLAYNEY SHIRE TOURISM COMMITTEE CHARTER**1110/009 RESOLVED:**

1. That Council adopt the Blayney Shire Tourism Committee Charter. (Braddon/Ewin)

REQUEST FOR WAIVER OF CHARGES - MILLTHORPE GARDEN RAMBLE

Councillor Kingham declared an Interest and left the Chambers. Councillor Radburn assumed the Chair.

1110/010 RESOLVED:

1. That Council approve the request from Millthorpe Garden Ramble Committee for waiver of charges in the amount of \$709.02 associated with seating and tree plantings in June 2010. (Ferguson/Ewin)

Councillor Kingham returned to the Chambers and resumed the Chair.

BLAYNEY SHIRE ACCESS STRATEGY**1110/011 RESOLVED:**

1. That Council adopt the Blayney Shire Access Strategy and exhibit it for public comment for a period of 28 days. (Ferguson/Ewin)

ADOPTION OF AMENDED PLANNING FEES**1110/012 RESOLVED:**

1. That Council adopt the planning fees as amended for inclusion into Council's Fees & Charges as part of the 2011 – 2016 Management Plan. (Radburn/Bell)

BLAYNEY SHIRE YOUTH COUNCIL MEMORANDUM OF UNDERSTANDING**1110/013 RESOLVED:**

1. That Council endorse the Memorandum of Understanding between Blayney Shire Council and Blayney High School for a collaborative approach to the facilitation of Blayney Shire Youth Council.
2. That the Blayney Shire Youth Council Committee Charter as amended be adopted and exhibited for public comment for a period of 28 days. (Ferguson/Radburn)

INVESTMENT POLICY**1110/014 RESOLVED:**

1. That the draft Investment Policy be placed on public exhibition for a period of 28 days. (Braddon/Ewin)

REPORT OF COUNCIL INVESTMENTS AS AT 30 SEPTEMBER 2011

1110/015

RESOLVED:

1. That the Report indicating Council's Investment position as at 30 September 2011 be received and noted.
2. That the Certification of the Responsible Accounting Officer be noted and the Report be adopted. (Braddon/Ewin)

COMPARATIVE INFORMATION ON NSW LOCAL GOVERNMENT COUNCILS 2009/2010

1110/016

RESOLVED:

1. That the information on Comparative information on NSW Local Government Councils for 2009/2010 be noted. (Ferguson/Braddon)

PENSIONER AND HARDSHIP ASSISTANCE POLICY

1110/017

RESOLVED:

1. That the draft Pensioner and Hardship Assistance Policy be placed on public exhibition for a period of at least 28 days. (Radburn/Braddon)

RATES AND DEBTORS RECOVERY POLICY

1110/018

RESOLVED:

1. That the draft Rates and Debtors Recovery Policy be placed on public exhibition for a period of at least 28 days. (Braddon/Radburn)

CATEGORISATION OF LAND AS FARMLAND FOR RATING PURPOSES POLICY

1110/019

RESOLVED:

1. That the Categorisation of Land as Farmland for Rating Purposes Policy be adopted as part of Council's policy review process and be included in Council's policy register. (Radburn/Ewin)

ENGINEERING SERVICES REPORTS**CARCOAR CUP RUNNING FESTIVAL**

1110/020

RESOLVED:

1. That the report of the Blayney Traffic Committee be received and Council classify the Carcoar Cup Running Festival, (including only, the Marathon, Half Marathon and Carcoar to Creek events), to be held on Sunday 6 November 2011 as a Class 2 event, and the event be approved 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, including Blayney Hospital, of the event and associated road closures
 - 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 is to provide and publish the direct contact number for the event organiser/clerk of the course, for in the event of an emergency, residents and emergency services may need to access the route.
 - h. 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.
 - i. 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 2 event. (Radburn/Braddon)

BLAYNEY TO BATHURST (B2B) CYCLO SPORTIF CHALLENGE - REQUEST FOR SUPPORT

1110/021

RESOLVED:

1. That Council agrees to support and donate the fees of \$2300 associated with the requirements to successfully run the Rotary Club of Bathurst Daybreak Inc. Blayney to Bathurst Cyclo Sportif Challenge in accordance with the report. (Ferguson/Reeks)

CLOSURE AND SALE OF ROAD FOR DA2/2012

1110/022

RESOLVED:

1. That Council approve, in principle, the proposal to undertake the closing of the road serving as access to Lots 202 and 204 of DP 603351, and offering it for sale at a nominal fee to the landowners of these Lots if required by the applicant of DA2/2012. (Braddon/Ewin)

MILLTHORPE TENNIS COURTS - DEMOLITION OF OLD SHELTER AND SHED

1110/023

RESOLVED:

1. That Council approve the demolition of the existing Tennis Shelter and Shed at the Millthorpe Tennis Courts. (Radburn/Bell)

BLAYNEY SHIRE COUNCIL - ASSET MANAGEMENT PLANNING**1110/024 RESOLVED:**

1. That the Asset Management Planning update be received and noted. (Braddon/Ewin)

ENVIRONMENTAL SERVICES REPORTS**BLAYNEY SHIRE COUNCIL LIQUID TRADE WASTE POLICY**
1110/025 RESOLVED:

1. That the Blayney Shire Council Liquid Trade Waste Policy be adopted and that it be placed in Council's policy register and adhered to accordingly. (Braddon/Radburn)

HOUSEHOLD CHEMICAL CLEANOUT**1110/026 RESOLVED:**

1. That Council receive and note the report on Household Hazardous Waste. (Ferguson/Reeks)
- Councillor Braddon left the Chambers at 7.47pm and returned at 7.48pm.

COMMITTEE REPORTS**MINUTES OF THE BLAYNEY SHOWGROUND COMMITTEE MEETING - 9 AUGUST 2011****1110/027 RESOLVED:**

1. That the Minutes of the Blayney Shire Showground Committee Meeting, held on 9 August 2011 be received and noted. (Ferguson/Bell)

MINUTES OF THE BLAYNEY SHIRE ACCESS COMMITTEE MEETING - 11 AUGUST 2011**1110/028 RESOLVED:**

1. That the Minutes of the Blayney Shire Access Committee meeting, held on 11 August 2011 be received and noted. (Ewin/Ferguson)

MINUTES OF THE BLAYNEY SHIRE TOURISM COMMITTEE MEETING - 8 SEPTEMBER 2011**1110/029 RESOLVED:**

1. That the Minutes of the Blayney Shire Tourism Committee meeting held 8 September 2011 be received and noted. (Braddon/Bell)

MINUTES OF THE BLAYNEY SHIRE TOURISM COMMITTEE MEETING - 22 SEPTEMBER 2011**1110/030 RESOLVED:**

1. That the Minutes of the Blayney Shire Tourism Committee meeting held 22 September 2011 be received and noted.
2. That Council adopt the Blayney Shire Tourism Plan and it be

exhibited for public comment for a period of 28 days.
(Ewin/Radburn)

- FAREWELL**
1110/031 RESOLVED:
1. That this report be received and noted. (Ferguson/Reeks)

CLOSED MEETING

Councillors Braddon and Bell declared an Interest and left the Chambers.

- 1110/032 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/Ewin)

CONFIDENTIAL MEETING REPORTS

ATTEMPTED ORDER

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.

- 1110/033 RESOLVED:**
1. That this information be noted.
2. That Council be kept updated on this matter and any further developments be reported back to Council. (Ferguson/Ewin)

There being no further business, the meeting concluded at 8.29pm.

The Minute Numbers 1110/001 to 1110/033 were confirmed on 14 November 2011 and are a full and accurate record of proceedings of the Ordinary Meeting held on 10 October 2011.

Cr BR Kingham
MAYOR

Mr G Wilcox
GENERAL MANAGER