

MINUTES OF THE BLAYNEY SHIRE COUNCIL ORDINARY MEETING
HELD IN THE COUNCIL CHAMBERS,
ON 11 JULY 2011, COMMENCING AT 6.00 PM

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

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

ACKNOWLEDGEMENT OF COUNTRY

The Mayor welcomed Mr Graeme Fleming, General Manager from Cabonne Shire Council who would be providing support to the Acting General Manager during the meeting.

CONFIRMATION OF MINUTES

1107/001 RESOLVED:

1. That the Minutes of the Ordinary Council Meeting held on 20 June 2011, being minute numbers 1106/001 to 1106/027 be confirmed, subject to the inclusion of the statement that the *Mayor requested the Director return to his seat and remain in the Chambers for the rest of the meeting*, which was moved by Councillor Bell and support by Councillor Radburn.(Ferguson/Radburn)

1107/002 RESOLVED:

1. That the Minute of the Extraordinary Council Meeting held on 30 June 2011, being minute numbers 1106E/001 be confirmed, subject to the list of those present, recording Councillor Reeks as being in attendance at the meeting. (Radburn/Bell)

APOLOGIES

1107/003 RESOLVED:

1. That apologies, tendered on behalf of Cr A Ewin, be received. (Ferguson/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	10	54	Ongoing Funding of the Blayney Shire Community Centre	Possible subcontractor
Radburn	Pecuniary	10	54	Ongoing Funding of the Blayney Shire Community Centre	Employed by possible subcontractor

MAYORAL MINUTES
ENGAGEMENT OF INTERIM (TEMPORARY) GENERAL
MANAGER

1107/004 RESOLVED:

1. That Council approve the engagement of Mr Alan McCormack as Interim (Temporary) General Manager commencing on Wednesday 13 July 2011, for a period of 3 - 4 months, subject to the appointment of the permanent General Manager. (Radburn/Ferguson)

REQUEST TO AMEND MINUTES OF 9 MAY 2011

1107/005 RESOLVED:

1. That Council agree to confirm that the original Minutes of the Ordinary meeting of 9 May 2011, with particular reference to Minute number 1105/017 read:

DRAFT BLAYNEY LOCAL ENVIRONMENTAL PLAN
(FOR PUBLIC EXHIBITION)

1105/017 RESOLVED:

1. *That Council Resolves that the Draft Plan is consistent with the adopted land use strategies for the Blayney Shire including, but not limited to, the Councils of Blayney, Cabonne and Orange City (July 2008) Sub-Regional Rural and Industrial Land Use Strategy and the Blayney Shire Council (March 2011) Blayney Settlement Strategy.*
2. *Approves Draft BLEP2011 as set out in Attachments 1-3 to this report for the purpose of public exhibition in accordance with the provisions of the EP&A Act;*
3. *Forwards the Draft Plan to the Director-General of the Department of Planning requesting that a certificate pursuant to Section 65 of the EP&A Act be issued to allow public exhibition of the Draft Plan;*
4. *In seeking a certificate under Section 65, forwards all relevant supporting documentation indicating the actions taken to fulfill responsibilities under the EP&A Act including, but not limited to Consultation (Section 62), and compliance with the relevant Ministerial Directions (Section 117), Planning Circulars, State Environmental Planning Policies ('SEPPs'), and land use strategies adopted by Blayney Shire Council;*
5. *Seeks the Director-General's opinion that the inconsistencies between the Draft Plan and any Ministerial Directions or Planning Circulars are, for the reasons identified, of minor significance or can be addressed at a later date;*
6. *Upon receipt of a certificate under Section 65, Council exhibits the Draft Plan for a minimum period of eight (8) weeks unless it falls within December 2011 or January 2012 in which case an additional month be added to the exhibition period;*

7. Provides the General Manager with the delegation to make minor technical and policy amendments to the adopted Draft Plan arising out of the pre-Section 64 consultation with the Department of Planning or as required in a Section 65 Certificate to exhibit the Draft Plan;
8. Requires the Draft Plan be reconsidered by Council in the event that significant policy changes are sought by the Department of Planning prior to the issue of a Section 65 Certificate;
9. Endorses the Community Engagement Plan for the Draft Plan to manage consultation processes for the Draft Plan.
10. With the following additional 4 amendments
 - a. That the minimum lot size for subdivision in the Village Zone for Mandurama remain at 1,000 sq mtrs.
 - b. That the Village Zone Boundary in Neville be moved to include the blocks fronting Crouch Street, Neville, between the Neville Siding through to Bathurst Street, being Lot 8 DP 37459; Lot 9 DP 37459; Lot 2 DP 770036; Lot 10 DP 152398; Lot 11 DP 152398; Lot 12 DP 326206; Lot 12A DP 326206; Lot 7 DP 152398; Lot 1 Sec 2 DP 37459; Lot 2 Sec 2 DP 37459; Lot 3 Sec 2 DP 37459; Lot 4 Sec 2 DP 37459; Lot A DP 157689.
 - c. That the premises in Adelaide Street Blayney, currently trading as Emms Mooney & Co, being Lot 6 Sec 8 DP 758121; be included in the business zone.
 - d. That the proposed E3 Zone (water catchment areas) have a minimum lot size of 100 hectares. (Braddon/Ewin)

REASON regarding 10 d) the minimum subdivision lot size be reduced to a minimum lot size of 100 hectares to maintain continuity with our adjoining local government areas.

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

FOR

AGAINST

Councillor Kingham

Councillor Ewin

Councillor Reeks

Councillor Braddon

Councillor Bell

Councillor Ferguson

Councillor Radburn

Total (7)

Total (0)

Director Environmental & Planning left the Chambers at 7.00pm.

NOTICES OF MOTION**AMENDED MINUTES OF 11/05/2011****RECOMMENDED:**

1. That the original unamended minutes 1105/001 to 1105/020 of May 9 2011 Ordinary Meeting of Blayney Shire Council be adopted as a true record of that meeting.

Mayor sought to have the Notice of Motion withdrawn, based upon it no longer being necessary, and had been dealt with in the Mayoral Minute, and then moved on.

CORPORATE SERVICES REPORTS**REQUEST FOR LEAVE - CR A EWIN****1107/006****RESOLVED:**

1. That Council confirm the request from Cr Ewin of a Leave of Absence for the July Ordinary Meeting of Council. (Radburn/Bell)

REPORT OF COUNCIL INVESTMENTS AS AT 30 JUNE 2011**1107/007****RESOLVED:**

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

PAYMENT OF EXPENSES AND PROVISION OF FACILITIES TO COUNCILLORS**1107/008****RESOLVED:**

1. 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. (Reeks/Bell)

RURAL DOCTORS ASSOCIATION OF AUSTRALIA**1107/009****RESOLVED:**

1. That Council send a letter of support for an urgent review of the Australian Standard Geographic Classification – Remoteness Area (ASGC-RA) system to the Federal Minister and Shadow Minister for Health, and the Federal Member for Calare. (Radburn/Bell)

ENGINEERING SERVICES REPORTS**PROPOSED FUN RUN - ST JOSEPHS PRIMARY SCHOOL****1107/010****RESOLVED:**

1. That Council approves the undertaking of the 2011 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) 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.
2. The temporary closure of Adelaide Street from the Mid Western Highway to Glasson Street, Glasson Street, Hill Street from Adelaide Street to its western end, Gerty Street, Marshalls Lane from the western side of the intersection with Radburn Street to its most northern end, Lawson Street, Tolbar Street and Lowe street, between 9.00am and 11.30am Sunday 20 November 2011. (Radburn/Bell)

PROPOSED SCHOOL BUS ROUTE EXTENSION - LONG SWAMP ROAD

1107/011

RESOLVED:

1. That the report of the Blayney Traffic Committee be received and Council approves the application for a school bus route extension along Long Swamp Road from Carbine Road into Cabonne Shire, subject to the following conditions
 - a. Bus stops at individual properties is restricted and shall be formally assessed by Blayney Shire Council prior to approval being granted.
 - b. Approval being provided by Cabonne Council.
(Reeks/Radburn)

COMMITTEE REPORTS

LACHLAN REGIONAL TRANSPORT COMMITTEE - 7 MAY 2011

1107/012

RESOLVED:

1. That the Minutes of the Lachlan Regional Transport Committee, held on Saturday 7 May 2011, be received and noted. (Braddon/Bell)

QUESTIONS WITH NOTICE

Councillors Radburn and Reeks declared a Pecuniary Interest and left the Chambers.

ONGOING FUNDING OF THE BLAYNEY SHIRE COMMUNITY CENTRE

Mr Mayor

Will you guarantee that you will not support an extension of the existing special rate or a new rate variation to fund the ongoing maintenance or depreciation of the new Community Centre?

That Mayor confirmed that he will not be supporting the extension of the existing special rate or a new rate variation to fund the ongoing maintenance or depreciation of the new Community Centre. Provisions within the budget will be put in place to deal with maintenance.

There being no further business, the meeting concluded at 6.43pm.

The Minute Numbers 1107/001 to 1107/012 were confirmed on 8 August 2011 and are a full and accurate record of proceedings of the Ordinary Meeting held on 11 July 2011.

Cr BR Kingham
MAYOR

Mr GS Baker
ACTING GENERAL MANAGER