

**MINUTES OF THE BLAYNEY SHIRE COUNCIL ORDINARY MEETING  
HELD IN THE CHAMBERS, BLAYNEY SHIRE COUNCIL COMMUNITY  
CENTRE, ON 19 SEPTEMBER 2016, COMMENCING AT 6.00 PM**

Present: Crs S Ferguson (Mayor), G Braddon OAM, A Ewin, D Kingham,  
S Oates, K Radburn and D Somerville

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**

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>
Cr Kingham	Pecuniary	19	101	Planning Proposal: Rural and Large Lot Residential Lands, Item 1(d)	Cr Kingham may own land affected by the planning proposal

**CONFIRMATION OF MINUTES**

**1609/001**

**RESOLVED**

That the Minutes of the Ordinary Council Meeting held on 15  
August 2016, being minute numbers 1608/001 to 1608/015 be  
confirmed.

(Radburn/Braddon)  
**CARRIED**

**MATTERS ARISING FROM THE MINUTES**

Nil

**EXECUTIVE SERVICES REPORTS**

**ELECTION OF MAYOR AND DEPUTY MAYOR**

The General Manager as Returning Officer for the Mayoral and Deputy Mayor Elections took the Chair.

**ELECTION OF MAYOR**

One nomination for the position of Mayor was received from Cr Scott Ferguson, nominated by Cr Shane Oates and seconded by Cr David Somerville.

There being only one nomination Cr Ferguson was declared duly elected as Mayor.

**ELECTION OF DEPUTY MAYOR**

One nomination for the position of Deputy Mayor was received from Cr Allan Ewin, nominated by Cr Shane Oates and seconded by Cr David Kingham.

There being only one nomination Cr Ewin was declared duly elected as Deputy Mayor.

**Councillor Ferguson took the Chair**

**COUNCIL MEETING DATES**

**1609/002**

**RESOLVED**

That the meeting dates and times for Ordinary Meetings of Council for the next 6 months be adopted as follows;

Monday 24 October 2016

Monday 21 November 2016

Monday 19 December 2016

Monday 20 February 2017

Monday 20 March 2017

(Oates/Somerville)

**CARRIED**

**COUNCIL COMMITTEE MEETING DATES**

**1609/003**

**RESOLVED**

That the meeting dates and times for Council S355 Committee meetings for the next 6 months, as detailed in the report, be adopted.

(Radburn/Ewin)

**CARRIED**

**1609/004** **NSW EMERGENCY SERVICES PROPERTY LEVY**  
**RESOLVED**

1. That Council receives and notes the report in regards to the NSW Emergency Services Property Levy which is being collected by local government with council rates from 1 July 2017.
2. That Council endorses the General Manager signing the Memorandum of Understanding with NSW Treasury for the upfront payment of \$11,380 to facilitate the land classification task by 31 December 2016.

(Oates/Ewin)  
**CARRIED**

**1609/005** **CHANGES TO NSW RURAL FIRE SERVICE FUNDING**  
**METHODOLOGY**  
**RESOLVED**

1. That Council write to the Minister for Emergency Services and Local Government in regards to RFS requesting:
  - That future rises be limited to the rate cap and the cost of emergency services be included in the IPART consideration of rate rises for Local Government;
  - Clarification be provided on the standard to which the NSW RFS is heading with respect to facilities, equipment and training and how this compares to the standard of fire cover which was the previous objective; and,
  - Given that Council budgets are already in place that the implementation of the new funding allocation methodology be deferred 1 year to effectively take the increases through the IP&R process.
2. That Council supports the member Council's contribution apportionment within the Canobolas RFS Zone be based on the current historical split; and that costs of the approved capital program be allocated directly on a year by year basis to the LGA where the capital projects are being delivered.

(Radburn/Ewin)  
**CARRIED**

**CORPORATE SERVICES REPORTS****REPORT OF COUNCIL INVESTMENTS AS AT 31 AUGUST  
2016****1609/006****RESOLVED**

1. That the report indicating Council's investment position as at 31 August 2016 be received.
2. That the certification of the Responsible Accounting Officer be received and the report be adopted.

(Somerville/Braddon)

**CARRIED****DRAFT STATEMENT OF FINANCIAL REPORTS BY COUNCIL  
2015/2016****1609/007****RESOLVED**

1. That the statement in accordance with Section 413(2)(c) of the Local Government Act 1993, and Clause 215 of the Local Government (General) Regulation (2005) for the General Purpose Financial Statements for the year ending 30 June 2016 be made.
2. That the statement in accordance with the requirements of the Code of Accounting Practice in relation to the Special Purpose Financial Statements for the year ending 30 June 2016 be made.
3. That the statements be signed by the Mayor, Deputy Mayor, the General Manager and the Responsible Accounting Officer.
4. That the General Purpose Financial Statements and Special Purpose Financial Statements be referred to audit and Intentus Chartered Accountants be invited to complete the audit as per the requirements of Section 413(1) of the Local Government Act (1993) and Local Government (General) Regulation (2005).
5. That the transfers in \$2,290m and transfers out \$160k; being a net transfer in of \$2,130m to Council's external restrictions be approved.
6. That the transfers in \$1,609m and transfers out \$608k; being a net transfer in of \$1,001m to Council's Internal Restrictions, the purposes for which as detailed in Schedule 1 be approved.

(Braddon/Kingham)

**CARRIED**

**DRAFT REPORT ON REVIEW OF THE LOCAL  
GOVERNMENT RATING SYSTEM****1609/008****RESOLVED**

1. That the Council receive and note the report on the draft report of the Local Government rating System; and
2. a) That Council prepare a submission in response to the draft report on the Review of the Local Government Rating System.  
b) Council expresses concern over the proposed removal of the pensioner rebate scheme.

(Radburn/Somerville)

**CARRIED****ADOPTION OF PAYMENT OF EXPENSES AND THE  
PROVISION OF FACILITIES TO THE MAYOR AND  
COUNCILLORS POLICY****1609/009****RESOLVED**

1. That the Payment of Expenses and the Provision of Facilities to the Mayor and Councillors policy, as amended, be adopted and included in Council's policy register.
2. That Council submit its policy with the Council resolution and any submissions to the Office of Local Government.

(Braddon/Somerville)

**CARRIED****REPEAL OF DISASTER MANAGEMENT RECOVERY PLAN  
POLICY****1609/010****RESOLVED**

That Council endorse the repeal of Policy 9H Disaster Management Recovery Plan and the Policy Register be updated.

(Oates/Somerville)

**CARRIED****INFRASTRUCTURE SERVICES REPORTS****DIRECTOR INFRASTRUCTURE SERVICES MONTHLY  
REPORT****1609/011****RESOLVED**

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

(Oates/Ewin)

**CARRIED**

**ERROWANBANG ROAD - MID-WESTERN HIGHWAY LAND ACQUISITION****1609/012****RESOLVED**

That Council approve the acquisition of lands in order to formalise the road reserve over the current Errowanbang Road “physical” alignment between the Mid-Western Highway and the Belubula River.

(Braddon/Kingham)

**CARRIED**

**PURCHASE OF 2 X 4 WHEEL DRIVE TRACTORS****1609/013****RESOLVED**

A motion was moved by Cr Kingham; seconded by Cr Braddon, that this item be moved to a closed meeting session at the finalisation of the Business Paper agenda.

**CARRIED**

**MINUTES OF THE BLAYNEY SHIRE SPORTS COUNCIL MEETING HELD THURSDAY 18 AUGUST 2016****1609/014****RESOLVED**

1. That the Minutes of the Blayney Shire Sports Council Meeting, held on 18 August 2016, be received and noted.
2. That sports council advises all user groups that the use of, or parking of motor vehicles on sporting grounds is not approved, in accordance with Blayney Shire Council Licence Agreement – Section 19, and at the discretion of Blayney Shire Council for special events and subject to prevailing conditions.

(Kingham/Oates)

**CARRIED**

**MINUTES OF THE BLAYNEY TRAFFIC COMMITTEE**  
**MEETING HELD FRIDAY 19 AUGUST 2016**

1609/015

**RESOLVED**

1. That the Minutes of the Blayney Traffic Committee Meeting held on Friday, 19 August 2016, be received and noted.
2. That Council investigate current signage along the Spring Terrace Road bus route and install appropriate signage.
3. That Orange Cycle Club as part of their conditions item (d) need to notify the Police directly not through Council.
4. That Council's Road Safety Officer and RMS Safety Arounds Schools Officer investigate parking around Blayney Public School on 1<sup>st</sup> September and report to be tabled at the next Blayney Shire Traffic Committee Meeting.
5. That Council write to Newcrest Orange Challenge advising that their submission for the 2017 Challenge will need to be received by Council prior to the LTC Meeting on 21 October 2016.
6. That Council write to Orange Cycle Club advising approval of events February to December 2017 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). Implementation of Traffic Control Plans 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.

(Radburn/Ewin)  
**CARRIED**

**ELECTRONIC MINUTES OF THE BLAYNEY TRAFFIC  
COMMITTEE MEETING HELD WEDNESDAY 7 SEPTEMBER  
2016**

1609/016

**RESOLVED**

1. That the Minutes of the Blayney Traffic Committee Meeting, held on 7 September 2016, be received and noted.
2. That the Local Traffic Committee recommends that Council supports the 2016 Carcoar Cup Running Festival event, subject to the following conditions:
  - a. Development and implementation of a Traffic Management Plan which shall include a Traffic Control Plan. All implementation and Traffic Control works and Plans are to be completed by persons qualified to do so.
  - b. Approval is to be obtained from NSW Police, with all instructions issued by Police complied with and obeyed.
  - c. 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.
  - d. The Event Organiser is to notify all Emergency Services of the event and associated road closures, including Blayney Hospital.
  - e. The Event Organiser is to notify all business proprietors and residents affected by the event at least 7 days prior to the event.
  - f. The Event Organiser is to provide and publish the direct contact number of the event organiser/clerk of the course, for in the event of an emergency, residents and emergency services may need to access the route.
  - g. 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 2 event.
  - h. The Event Organiser will, advertise the temporary road closures, at least seven days prior to the event, in the local media.
  - i. The requirement to not place permanent markings on the road way (as per Section 138 of Roads Act 1993) and provide Council with a Risk Assessment for the person(s) marking the road.

(Radburn/Oates)  
**CARRIED**



**DISPOSAL OF MANDURAMA RURAL FIRE SHED****1609/017 RESOLVED**

1. That Council approve
  - a. the sale of the existing Mandurama Rural Fire Station structure, by public tender, and,
  - b. that all funds raised be returned to the Mandurama Rural Fire Service Brigade for provision of equipment as determined by them.

(Kingham/Ewin)

**CARRIED****PLANNING AND ENVIRONMENTAL SERVICES REPORTS****CR DAVID KINGHAM LEFT THE MEETING, THE TIME BEING 07:02 PM****PLANNING PROPOSAL: RURAL AND LARGE LOT RESIDENTIAL LANDS****1609/018 RESOLVED**

1. That Council, following consideration of the submissions received during the community consultation, proceed to endorse the amendment to the Blayney Local Environmental Plan 2012 (BLEP 2012) by:
  - a. Transferring all land which is shown as “Deferred Matter” in BLEP 2012 (land is zoned 1(c) Rural Small Holdings under the Blayney Local Environmental Plan 1998) in the vicinity of Forest Reefs Road, Millthorpe, to R5 Large Lot Residential under the Blayney Local Environmental Plan 2012, with a Minimum Lot Size of 2 Hectares.
  - b. Transferring all land which is shown as “Deferred Matter” in BLEP 2012 (land is zoned 1(c) Rural Small Holdings under the Blayney Local Environmental Plan 1998) in the vicinity of Browns Creek Road Blayney, to R5 Large Lot Residential under the Blayney Local Environmental Plan 2012, with a Minimum Lot Size of 20 Hectares.
  - c. Rezone Lot 300 DP750390 from RU2 Rural Landscape to R5 Large Lot Residential under the Blayney Local Environmental Plan 2012.
  - d. Extending the period of time specified in Clause 4.2A (4) of the Blayney Local Environmental Plan 2012 from 3 to 5 years,
  - e. Incorporating a new standard instrument boundary adjustment clause to permit simple boundary adjustments in rural areas on lots below the minimum lot size and/or greater than 10% variations in lot size.
  - f. Amending Clause 4.2A (3)(c) to add the words ‘under an environmental planning instrument’ before the words ‘before this Plan’, and,

2. If points 1a) and 1b) are adopted, to revoke Blayney Local Environmental Plan 1998.
3. That Council, in exercising its delegation under Section 59 of the Environmental Planning and Assessment Act 1979, as endorsed by NSW Planning & Environment in the Gateway Determination, forward the relevant documents to Parliamentary Counsel for opinion, to make amendments to Blayney Local Environmental Plan 2012 as detailed above and the making of a Local Environmental Plan.

(Radburn/Oates)

**CARRIED**

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

<b>FOR</b>	<b>AGAINST</b>
Councillor Ewin	
Councillor Braddon	
Councillor Oates	
Councillor Somerville	
Councillor Ferguson	
Councillor Radburn	
<b>Total (6)</b>	<b>Total (0)</b>

**CR DAVID KINGHAM RETURNED TO THE MEETING, THE TIME BEING 07:08 PM**

**CENTREPOINT SPORT & LEISURE CENTRE - SWIMMING POOLS AND PLANT INFRASTRUCTURE UPGRADE**

1609/019

**RESOLVED**

That Council proceed to undertake community consultation on the proposed upgrading works of the swimming pools and plant infrastructure at CentrePoint Sport and Leisure Centre Blayney.

(Oates/Radburn)

**CARRIED**

**MINUTES OF THE BLAYNEY SHIRE CEMETERY FORUM MEETING HELD THURSDAY 1 SEPTEMBER 2016**

1609/020

**RESOLVED**

That Minutes of the Blayney Shire Cemetery Forum Meeting, held on 1 September 2016, be received and noted.

(Braddon/Radburn)

**CARRIED**

**MINUTES OF THE BLAYNEY SHIRE ACCESS ADVISORY COMMITTEE MEETING HELD THURSDAY 1 SEPTEMBER 2016**

1609/021

**RESOLVED**

That the Minutes of the Blayney Shire Access Committee Meeting, held on 1 September 2016 be received and noted.

(Oates/Somerville)

**CARRIED**

**CLOSED MEETING****1609/022 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:

**PURCHASE OF 2 X 4 WHEEL DRIVE TRACTORS**

*This matter is considered to be confidential under Section 10A(2) (c) (di) (diii) 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;*

(Braddon/Oates)

**CARRIED**

**PURCHASE OF 2 X 4 WHEEL DRIVE TRACTORS****RECOMMENDED:**

1. That Council accept to replace its 2 John Deere 5720 tractors with the quotation provided by Hutcheon and Pearce for the supply of 2 John Deere 6095MC tractors for a cost of \$147,666.90 (excl. GST) and dispose of 2 John Deere 5720 tractors via trade in to Hutcheon and Pearce for \$35,000 (excl. GST)
2. That Council approve the vote of expenditure of \$147,666.90 (excl. GST) and income of \$35,000 (excl. GST) into the 2016/17 budget from the Plant Reserve.

(Radburn/Somervaille)

**MOTION LOST**

**1609/023 RESOLVED**

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

(Braddon/Kingham)


**CARRIED**

**AT THE RE-OPENING OF THE MEETING TO THE PUBLIC, THE MAYOR ANNOUNCED THE OUTCOME OF THE RECOMMENDATION IN REGARDS TO THE PURCHASE OF 2 X 4 WHEEL DRIVE TRACTORS, THE MOTION OF WHICH WAS LOST**

There being no further business, the meeting concluded at 8.20pm

The Minute Numbers 1609/001 to 1609/024 were confirmed on 24 October 2016 and are a full and accurate record of proceedings of the Ordinary Meeting held on 19 September 2016.

Per.



Deputy  
Mayor.

Cr S Ferguson  
**MAYOR**



Mrs R Ryan  
**GENERAL MANAGER**