

**MINUTES OF THE BLAYNEY SHIRE COUNCIL ORDINARY MEETING  
HELD IN THE CHAMBERS, BLAYNEY SHIRE COUNCIL COMMUNITY  
CENTRE, ON 16 MAY 2016, COMMENCING AT 6.00 PM**

Present: Crs G Braddon OAM, A Ewin (Chair), D Kingham, S Oates and D Somerville

Attending: General Manager (Mrs R Ryan), Director Corporate Services (Mr A Franze), Director Infrastructure Services (Mr G Baker), Director Planning & Environmental Services (Mr M Dicker) and Executive Assistant to the General Manager (Mrs L Ferson)

**ACKNOWLEDGEMENT OF COUNTRY**

**RECORDING OF MEETING STATEMENT**

**APOLOGIES**

**1605/001 RESOLVED:**  
That the apologies tendered on behalf of Crs Scott Ferguson and Kevin Radburn, be accepted. (Oates/Kingham)

**DISCLOSURES OF INTEREST**

Nil

**PUBLIC FORUM**

Vince Harris – Agenda Item No. 13 – Development Application 165/2015 – Erection of a Dwelling – Lot 40 DP 263360, 37 Graham Lane, Millthorpe

**DEPUTY MAYORAL MINUTE**

The Mayor attended the Mitchell Conservatorium 2016 Scholarship Winners Concert on the weekend and presented our 4 scholarship winners with certificates being George Sargent, Chloe Begbie, Jaide Goodworth and Mia Davis. Council received a certificate of recognition for our contribution to the scholarship program.

**CONFIRMATION OF MINUTES**

**MINUTES OF THE PREVIOUS MEETING HELD ON MONDAY  
18 APRIL 2016**

**1605/002 RESOLVED:**  
That the Minutes of the Ordinary Council Meeting held on 18 April 2016, being minute numbers 1604/001 to 1604/018 be confirmed. (Oates/Somerville)

**MATTERS ARISING FROM THE MINUTES**

Nil

**EXECUTIVE SERVICES REPORTS****1605/003** **MILLTHORPE RAILWAY STATION OVERFLOW CAR PARK**  
**RESOLVED:**

That Council agree to the terms and conditions of the proposed Licence Agreement with Transport for NSW for the land being part of Lot 14 Section C DP/1713 for the purposes of a car park and authorise the Mayor and General Manager to affix the Council seal to the Licence Agreement. (Somerville/Kingham)

**1605/004** **BLAYNEY SHOWGROUND EQUESTRIAN SPORTS**  
**FACILITIES UPGRADE**  
**RESOLVED:**

That Council endorse the Blayney Showground Equestrian Sports Facilities Upgrade Plan and Projects. (Kingham/Oates)

**1605/005** **TOWN AND VILLAGE COMMUNITY PLANS**  
**RESOLVED:**

1. That Council note the Integrated Planning and Community Engagement Strategy and work undertaken in developing individual Community Plans for Carcoar, Millthorpe, Lyndhurst, Mandurama, Blayney, Newbridge and Neville.
2. That Council formally thank Mr Phil Cram from The Stokehouse Carcoar, for his contribution and facilitation of community workshops throughout the shire.  
(Braddon/Somerville)

**1605/006** **MINUTES OF THE CULTURAL CENTRE WORKING GROUP**  
**MEETING HELD ON MONDAY 2 MAY 2016**  
**RESOLVED:**

That the minutes of the Cultural Centre Working Group Meeting, held on Monday 2 May 2016, be received.  
(Kingham/Somerville)

**CORPORATE SERVICES REPORTS****1605/007** **REPORT OF COUNCIL INVESTMENTS AS AT 30 APRIL 2016**  
**RESOLVED:**

1. That the report indicating Council's investment position as at 30 April 2016 be received.
2. That the certification of the Responsible Accounting Officer be received and the report be adopted. (Somerville/Braddon)

**1605/008** **QUARTERLY BUDGET REVIEW STATEMENT – MARCH 2016**  
**RESOLVED:**

1. That the Quarterly Budget Review Statement for the quarter ending 31 March 2016 be received.
2. That the supplementary votes of \$144k proposed in the Quarterly Budget Review Statement be adopted resulting in unfavourable adjustments of \$467k for Net Continuing

Operations and (\$323k) favourable adjustments for Capital Expenditure. (Braddon/Kingham)

**ADOPTION OF 2016/17 OPERATIONAL PLAN AND 2016/17 - 2019/20 DELIVERY PROGRAM FOR EXHIBITION**

1605/009

**RESOLVED:**

1. That Council endorses the Draft 2016/17 Operational Plan; and
2. That the 2016/17 – 2019/20 Delivery Program and 2016/17 Operational Plan be placed on public exhibition for a period of 28 days. (Oates/Somerville)

**COMMUNITY FINANCIAL ASSISTANCE POLICY AMENDMENT**

1605/010

**RESOLVED:**

That Council adopt the Community Financial Assistance Policy, as amended to include the financial assistance payment claim timeframe by 30 June of the following financial year, be included in Council's policy register. (Somerville/Oates)

**INFRASTRUCTURE SERVICES REPORTS**

**DIRECTOR INFRASTRUCTURE SERVICES MONTHLY REPORT**

1605/011

**RESOLVED:**

That the Director of Infrastructure Services Monthly report for May 2016 be received and noted. (Kingham/Somerville)

**PURCHASE OF MOTOR GRADER**

1605/012

**RESOLVED:**

1. That Council accept the quotation from Westrac Pty. Ltd. for the supply of one (1) 140M Motor Grader for a purchase cost of \$436,636 (exc. GST).
2. That Council approve the disposal of the existing 12H grader via private auction. (Braddon/Kingham)

**BLAYNEY SHIRE ACTIVE MOVEMENT STRATEGY**

1605/013

**RESOLVED:**

That Council approve the placement of the draft Active Movement Strategy on Public Exhibition for a period of 28 days. (Braddon/Oates)

**PLANNING AND ENVIRONMENTAL SERVICES REPORTS**

**DEVELOPMENT APPLICATION 165/2015 - ERECTION OF A DWELLING - LOT 40 DP 263360, 37 GRAHAM LANE, MILLTHORPE**

1605/014

**RESOLVED:**

That Council refuse Development Application 165/2015 for a proposed dwelling on Lot 40 DP 263360, 37 Graham Lane, Millthorpe, because:

- Council is not satisfied that the applicant has adequately addressed the matters set down under Clause 4.6 (3) of the Blayney LEP 2012; and
- The proposal is not in the public interest because it is inconsistent with the objectives within the RU1 zone, and inconsistent with the objectives of the 100ha standard.

The reasons for refusal are elaborated upon as follows:

- a) The proposal does not align with Council's structured and planned strategic approach to the location of lifestyle allotments under the Rural and Industrial Land Use Strategy 2008.
- b) The development has the potential to create a precedent for the establishment of lifestyle blocks within the entire RU1 Primary Production zone of the Blayney Shire Local Government Area with no strategic rationale, is inconsistent with the State Environmental Planning Policy (Rural Lands) 2008, is inconsistent with the objectives of the Blayney LEP 2012, is inconsistent with the RU1 zone objectives and inconsistent with the 100ha development standard objectives.
- c) The development is proposed in isolation, with no strategic analysis of supply and demand for rural residential allotments, and no analysis of the environmental impacts of soil capability and service provision in the context of future development of the surrounding lots.
- d) The development has the potential to create landuse conflict with adjoining agricultural landuses, having regard for current and future agricultural activities, and the efficient and effective operation of agricultural land.
- e) The proposal has the potential to have an adverse visual impact on the locality, with no indication of possible mitigation measures. (Somerville/Oates)

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

<b>FOR</b>	<b>AGAINST</b>
Councillor Braddon	
Councillor Ewin	
Councillor Kingham	
Councillor Oates	
Councillor Somerville	
<b>Total (5)</b>	<b>Total (0)</b>

### CLOSED MEETING

**1605/015 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:

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**LAND ACQUISITION FOR ROAD RE-ALIGNMENT BETWEEN 459 AND 489 ERROWANBANG ROAD - SMITH**

*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.*

**LAND ACQUISITION FOR ROAD RE-ALIGNMENT BETWEEN 459 AND 489 ERROWANBANG ROAD - CONNELLY**

*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.*

**LAND ACQUISITION FOR ROAD RE-ALIGNMENT BETWEEN 489 AND 550 ERROWANBANG ROAD - PLATT**

*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. (Oates/Somerville)*

**CONFIDENTIAL MEETING REPORTS**

**LAND ACQUISITION FOR ROAD RE-ALIGNMENT BETWEEN 459 AND 489 ERROWANBANG ROAD - SMITH**

1605/016

**RESOLVED:**

1. That Council approve the acquisition of Land for the purpose of road re-alignment, being part of Lot 18 DP 750359 as required for road re-alignment safety improvements along the Errowanbang Road and the land be classified as public road, as detailed in the Director of Infrastructure Services report.
2. That Council authorise the Mayor and General Manager to affix the Council Seal to associated transfer documents required to facilitate acquisition. (Braddon/Oates)

**LAND ACQUISITION FOR ROAD RE-ALIGNMENT BETWEEN 459 AND 489 ERROWANBANG ROAD - CONNELLY**

1605/017

**RESOLVED:**

1. That Council approve the acquisition of Land for the purpose of road re-alignment, being part of Lot 78 DP 750359 as required for road re-alignment safety improvements along the Errowanbang Road and the land be classified as public road, as detailed in the Director of Infrastructure Services report.

2. That Council authorise the Mayor and General Manager to affix the Council Seal to associated transfer documents required to facilitate acquisition. (Oates/Somerville)

**LAND ACQUISITION FOR ROAD RE-ALIGNMENT BETWEEN 489 AND 550 ERROWANBANG ROAD - PLATT**

**1605/018 RESOLVED:**

1. That Council approve the acquisition of Land for the purpose of road re-alignment, being part of Lot 2 DP 1071270 as required for road re-alignment safety improvements along the Errowanbang Road and the land be classified as public road, as detailed in the Director of Infrastructure Services report.
2. That Council authorise the Mayor and General Manager to affix the Council Seal to associated transfer documents required to facilitate acquisition. (Braddon/Oates)

**1605/019 RESOLVED:**

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

**AT THE RE-OPENING OF THE MEETING TO THE PUBLIC, THE DEPUTY MAYOR ANNOUNCED THE OUTCOMES OF RESOLUTION NUMBERS 1605/016 TO 1605/018.**

There being no further business, the meeting concluded at 7.17pm.

The Minute Numbers 1605/001 to 1605/019 were confirmed on 20 June 2016 and are a full and accurate record of proceedings of the Ordinary Meeting held on 16 May 2016.



Cr S Ferguson  
**MAYOR**



Mrs R Ryan  
**GENERAL MANAGER**