

**MINUTES OF THE BLAYNEY SHIRE COUNCIL ORDINARY MEETING
HELD IN THE COUNCIL CHAMBERS,
ON 11 MARCH 2013, COMMENCING AT 6.00 PM**

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

Acting General Manager (Mr A Franze), Director Infrastructure Services (Mr G Baker), Director Planning & Environmental Services (Mr L Rodwell) and Executive Assistant (Mrs A McKellar).

Acknowledgement of Traditional Landowners

Recording of Meeting

CONFIRMATION OF MINUTES

1303/001 RESOLVED:
That the Minutes of the Ordinary Council Meeting held on 11 February 2013, being minute numbers 1301/001 to 1301/017 be confirmed. (Somerville/Oates)

APOLOGIES

That it be noted that Cr Allan Ewin was Approved Leave, for the March 2013 Meeting (Minute 1301/004).

DISCLOSURES OF INTEREST

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

Councillor/Staff	Interest	Item	Pg	Report	Reason
Oates	Pecuniary	06	18	Refusal of Development Application No. 203/2012	Engaged with applicant to undertake future residential renovations
Ferguson	Pecuniary	06	18	Refusal of Development Application No. 203/2012	Working on Project

CORPORATE SERVICES REPORTS

REPORT OF COUNCILS INVESTMENTS AS AT 31 JANUARY 2013

1303/002 RESOLVED:
1. That the report indicating Council's investment position as at 31 January 2013 be received and noted. (Radburn/Kingham)

REPORT OF COUNCIL INVESTMENTS AS AT 26 FEBRUARY 2013**1303/003****RESOLVED:**

1. That report indicating Council's investment position as at 26 February 2013 be received and noted.
2. That the certification of the Responsible Accounting Officer be noted and the report be adopted. (Radburn/Kingham)

2012 ELECTION EXPENSES**1303/004****RESOLVED:**

1. That the report on the 2012 Election expenses be noted. (Oates/Radburn)

ENGINEERING SERVICES REPORTS**BLAYNEY SHIRE BRIDGES****1303/005****RESOLVED:**

1. That the report on Rural Fire Service concerns over Blayney Shire bridges be noted, and Councillors indicate an interest in attending a meeting to discuss the matter further.
2. That the Mayor initiate a meeting with the key stakeholders that include Zone Manager, RFS Group Captains, Blayney Shire Councillors and staff. (Braddon/Somervaille)

TRUCK AND DOG PURCHASE**1303/006****RESOLVED:**

1. That Council accept the tender provided by Inland Truck Centres – Dubbo for the supply of a Kenworth Tipping Truck and Dog Trailer for a total of \$325,498.80 (exc. GST) to replace Plant Nos. 49 and 159.
2. That Council approve the purchase from Inland Truck Centres – Dubbo of an additional Dog Trailer for a total of \$73,984.00 (ex GST) to replace Councils existing Pig Trailer (Plant No. 160).
3. That Council vote expenditure, in the amount of \$309,483 to the 2012/13 budget funded from the Plant Reserve. (Oates/Radburn)

ENVIRONMENTAL SERVICES REPORTS

Cr Oates declared a Pecuniary Interest and left the Chambers.

Cr Ferguson declared a Pecuniary Interest and left the Chambers.

Cr Braddon assumed the Chair

REFUSAL OF DEVELOPMENT APPLICATION NO.203/2012 - ERECTION OF A TOURIST INFORMATION SIGN - 3481 MID WESTERN HIGHWAY, BLAYNEY**1303/007****RESOLVED:**

1. That Council refuse Development Application 203/2012 for the following reasons:
 - i. The "tourist facility" the subject of this signage does not

fall within the definition as set down under the Model Provision, that is:

“an establishment providing for holiday accommodation or recreation and may include a boat shed, boat landing facilities, camping ground, caravan park, holiday cabins, hotel, house boat, marina, motel, playground, refreshment room, water sport facilities or a club used in conjunction with any such activities.

- ii. The sign does not fall within the provisions of State Environmental Planning Policy No.64 (Advertising and Signage), for a tourist information sign.
 - iii. The proposed signage threatens the safety of the travelling public in the vicinity of an intersection, as it has the potential to distract drivers negotiating the intersection.
 - iv. The signage would compromise the rural landscape and the visual amenity of the approaches to the township of Blayney.
2. That Council seek to undertake an advertising sign analysis of the industrial precinct, and incorporate provision into the draft comprehensive development control plan which might allow industrial estate directory signage to be erected in an appropriate location within the Blayney industrial estate.

(Kingham/Radburn)

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

FOR	AGAINST
Councillor Braddon	
Councillor Kingham	
Councillor Somerville	
Councillor Radburn	
Total (4)	Total (0)

Councillor Oates & Ferguson returned to the meeting, Cr Braddon vacated the Chair and Cr Ferguson recommenced the position of Chair.

**CARCOAR CEMETERY BOUNDARY ADJUSTMENT,
CARCOAR ROAD, CARCOAR**

1303/008

RESOLVED:

1. That a survey be undertaken with a view to formalising a boundary adjustment between the Carcoar General Cemetery and Lot 4, DP1085417.
2. That Council negotiate with Mr Benson in regard to survey, terms of compensation and/or land offset, and fencing.
(Oates/Braddon)

**MARRANGAROO EAST PTY LTD - DA59/2011 - CLASS 1
PROCEEDINGS IN LAND AND ENVIRONMENT COURT**

1303/009

RESOLVED:

1. That Council note the contents of this report regarding the

lodgement, by Campbell Paton and Taylor, of Class 1 Proceedings in the NSW Land and Environment Court regarding an appeal against “deemed or actual refusal of application to modify development consent (S96(6) Environmental Planning and Assessment Act 1979)”. (Braddon/Radburn)

PROPOSED SECTION 94/94A PLAN FOR BLAYNEY SHIRE COUNCIL

1303/010

RESOLVED:

1. That Council note the preparation and contents of the Draft Plan and place the Draft Blayney Local Infrastructure Contributions Plan 2012 on public exhibition for twenty eight (28) days in accordance with the provisions of Environmental Planning and Assessment Regulations 2000, Division 2, Part 28.
2. That written comments be invited to be submitted to Council, to be considered by Council prior to further overview and consideration of adoption of the Draft Plan.

(Kingham/Braddon)

PLANNING PROPOSAL - REZONING, 32 CHARLES STREET, BLAYNEY

1303/011

RESOLVED:

1. That the information be noted. (Radburn/Braddon)

COMMITTEE REPORTS

MINUTES OF THE BLAYNEY TRAFFIC COMMITTEE MEETING HELD ON FRIDAY 15 FEBRUARY 2013

1303/012

RESOLVED:

1. That the recommendations of the Blayney Traffic Committee meeting held on 15 February 2013 be adopted. (Oates/Kingham)

There being no further business, the meeting concluded at 6.55 pm

The Minute Numbers 1303/001 to 1303/012 were confirmed on 8 April 2013 and are a full and accurate record of proceedings of the Ordinary Meeting held on 11 March 2013.

Cr S Ferguson
MAYOR

Mr A Franze
ACTING GENERAL MANAGER