

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

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

General Manager (Mr G Wilcox), Director Corporate Services (Mr A Franze), Director Infrastructure Services (Mr G Baker), Director Planning and Environmental Services (Mr L Rodwell) and Administrative Officer (Miss L Fuller).

ACKNOWLEDGEMENT OF COUNTRY

RECORDING OF MEETING STATEMENT

APOLOGIES

1311/001 RESOLVED:
That apologies, tendered on behalf of Cr Braddon, be accepted. (Ewin/Kingham)

CONFIRMATION OF MINUTES

1311/002 RESOLVED:
That the Minutes of the Ordinary Council Meeting held on 14 October 2013, being minute numbers 1310/001 to 1310/030 be confirmed. (Radburn/Somerville)

DISCLOSURES OF INTEREST

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

Councillor/ Staff	Interest	Item	Pg	Report	Reason
Somerville	Non Pecuniary	1	2	Confidential Meeting Report – Lehman Bros. Class Action Agreement	Employed by the law firm that has prepared the Power of Attorney document.

PUBLIC FORUM

Irene Jones – Chair of B2B and Member of Rotary Club of Bathurst Daybreak

Jacqueline Crompton – NBN Co and Ericson – Development Application No.47/2013 – Telecommunication Facility at 24 Elliott Street, Millthorpe

GENERAL MANAGER'S REPORTS**SPECIAL RATE VARIATION**

1311/003

RESOLVED:

1. That Council apply to IPART for a Special Rate Variation of 6% across all rating categories for 2 years starting 2014/2015 financial year excluding existing Special Rate Variations in place;
2. That Council modifies its Long Term Financial Plan to project rate increases of 6% for Farmland rate category and 10% for all other categories, excluding existing Special Rate Variations in place, for 4 years starting financial year 2016/2017;
3. That Council undertake a review of the rating structure to combine rate groups and review the base rate for the new rate descriptions;
4. That Council provide advice through the local media and councils newsletters as to the decision of Council on the special rate variation; and
5. That Council work with Village committees and NSW Farmers to consider, review and develop the future special rate variation from 2016/2017. (Radburn/Somerville)

CORPORATE SERVICES REPORTS**REPORT OF COUNCIL INVESTMENTS AS AT 30 OCTOBER 2013**

1311/004

RESOLVED:

1. That the report indicating Council's investment position as at 30 October 2013 be received and noted.
2. That the certification of the Responsible Accounting Officer be noted and the report be adopted. (Kingham/Oates)

QUARTERLY PERFORMANCE REPORT - SEPTEMBER 2013

1311/005

RESOLVED:

1. That the Quarterly Review of Council's 2013/2014 Operational Plan including quarterly budget review as at 30 September 2013 be noted.
2. That the adjustments to votes of income and expenditure and restricted cash (reserves) be adopted. (Ewin/Somerville)

ADOPTION OF WORKPLACE HEALTH AND SAFETY POLICY

1311/006

RECOMMENDED:

1. That the Workplace Health and Safety policy be adopted and included in Council's policy register. (Radburn/Oates)

SURVEY ON FUTURE DELIVERY OF SERVICES

1311/007

RESOLVED:

1. That Council note the Survey on Future Delivery of Services report. (Oates/Radburn)

1311/008 **ENDORSEMENT OF COMMUNITY REPRESENTATIVE**
RESOLVED:

1. That the appointment of Mr Bruce Gordon to the Economic Development Committee as community representative be endorsed. (Radburn/Kingham)

PLANNING AND ENVIRONMENTAL SERVICES REPORTS

1311/009 **NETWASTE - REGIONAL TENDER FOR WASTE SERVICES**
RESOLVED:

1. That the report be received for information.
(Ewin/Somervaille)

LATE REPORTS

1311/010 **DEVELOPMENT APPLICATION NO.47/2013 -**
TELECOMMUNICATION FACILITY AT 24 ELLIOTT STREET,
MILLTHORPE
RESOLVED:

1. That Council approve the application at the Bowling Club site subject to the original conditions recommended to the September 2013 Council meeting.
2. That the applicant submit a landscape plan to Council for approval. (Kingham/Oates)

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

FOR	AGAINST
Councillor Ewin	
Councillor Oates	
Councillor Kingham	
Councillor Somervaille	
Councillor Ferguson	
Councillor Radburn	
Total (6)	Total (0)

COMMITTEE REPORTS

1311/011 **MINUTES OF THE BLAYNEY TRAFFIC COMMITTEE**
MEETING HELD ON 25 OCTOBER 2013
RESOLVED:

1. That the recommendations of the Blayney Traffic Committee meeting held on 25 October 2013 be adopted.
(Radburn/Oates)

**MINUTES OF THE BLAYNEY SHIRE ECONOMIC
DEVELOPMENT COMMITTEE MEETING HELD ON 10
OCTOBER 2013**

1311/012

RESOLVED:

1. That the recommendations of the Blayney Shire Economic Development Committee meeting held on 10 October 2013 be adopted.
2. That the Blayney Shire Economic Development Committee Charter be adopted. (Radburn/Kingham)

1311/013

FINANCIAL ASSISTANCE COMMITTEE**RESOLVED:**

1. That the recommendations for contributions of Insurance and Rates be endorsed. (Somerville/Ewin)

CLOSED MEETING

1311/014

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: (Oates/Radburn)

CONFIDENTIAL MEETING REPORTS

Councillor Somerville declared an interest and left the Chambers at 6.57pm.

LEHMAN BROS. CLASS ACTION AGREEMENT

This matter is considered to be confidential under Section 10A(2) (g) of the Local Government Act, as it deals with advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.

1311/015

RESOLVED:

1. That Council approve the Settlement Agreement in substantially the terms tabled; and
2. That Council execute the Power of Attorney under Council's Common Seal and authorise any Attorney under it to execute the Settlement Agreement in substantially the terms tabled on behalf of Council. (Ewin/Radburn)

1311/016

RESOLVED:

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

Councillor Somerville returned to the Chambers at 7.20pm.

There being no further business, the meeting concluded at 7.21pm.

The Minute Numbers 1311/001 to 1311/016 were confirmed on 9 December 2013 and are a full and accurate record of proceedings of the Ordinary Meeting held on 11 November 2013.

Cr S Ferguson
MAYOR

Mr GA Wilcox
GENERAL MANAGER