

MINUTES OF THE BLAYNEY SHIRE COUNCIL ORDINARY MEETING
HELD IN THE COUNCIL CHAMBERS,
ON 8 JULY 2013, 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 (Mr G Wilcox), Acting Director Corporate Services (Mr C Hodge), Acting Director Infrastructure Services (Mr N Skelly), Director Planning & Environmental Services (Mr L Rodwell) and Executive Assistant (Mrs A McKellar).

ACKNOWLEDGEMENT OF COUNTRY

In honour of Naidoc Week, Nyree Reynolds presented the Acknowledgement of Country to the traditional custodians of the land.

RECORDING OF MEETING STATEMENT

CONFIRMATION OF MINUTES

1307/001 RESOLVED:
That the Minutes of the Ordinary Council Meeting held on 17 June 2013, being minute numbers 1306/001 to 1306/030 be confirmed. (Radburn/Ewin)

APOLOGIES

Nil

DISCLOSURES OF INTEREST

The General Manager reported he had not received any Disclosure of Interest forms

MAYORAL MINUTE

COMMUNITY ENERGY EFFICIENCY PROGRAM ROUND 2

Council was advised today that it has been successful in achieving two grants from the Federal Government, under the Community Energy Efficiency Program Round 2.

One grant is for \$236,793 for energy efficiency improvements to the CentrePoint complex and the second grant is for \$93,680 for energy efficiency improvements at the sewer treatment plant.

I will be in a position to make more information available in the near future when Council signs the funding agreement.

MARTHA STREET & MID WESTERN HIGHWAY INTERSECTION

That Council make a submission to the Road & Maritime Services and the local Member in regards to improving the Martha Street corner on the Mid West Highway.

GENERAL MANAGER'S REPORTS**CENTROC'S SUBMISSION TO LOCAL GOVERNMENT REVIEW PANEL**

1307/002

RESOLVED:

1. That Council note the CENTROC submission made to the Review Panel into Local Government Reform. (Radburn/Ewin)

WBC STRATEGIC ALLIANCE'S RESPONSE TO INDEPENDENT REVIEW PANEL - TWENTY STEPS PAPER

1307/003

RESOLVED:

1. That Council note the Alliance response. (Oates/Somerville)

CORPORATE SERVICES REPORTS**REPORT OF COUNCIL INVESTMENTS AS AT 25 JUNE 2013**

1307/004

RESOLVED:

1. That the report indicating Council's investment position as at 25 June 2013 be received and noted.
2. That the certification of the Responsible Accounting Officer be noted and the report be adopted. (Kingham/Radburn)

PAYMENT OF EXPENSES AND THE PROVISION OF FACILITIES TO THE MAYOR AND COUNCILLORS POLICY

1307/005

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. (Braddon/Somerville)

REVIEW OF AGENCY INFORMATION GUIDE

1307/006

RESOLVED:

1. That Council adopt the Agency Information Guide and Proactive Release Program for the ensuing 12 months and make it available through Council's website. (Ewin/Oates)

LEHMAN BROTHERS CLASS ACTION

1307/007

RESOLVED:

1. That the report on the 'Lehman Brothers Class Action' be received and noted. (Radburn/Braddon)

CONSTITUTIONAL RECOGNITION OF LOCAL GOVERNMENT

1307/008

RESOLVED:

1. That the report on Constitutional Recognition of Local Government be noted. (Radburn/Braddon)

INFRASTRUCTURE SERVICES REPORTS**WBC ALLIANCE SEALING TENDER 8/2013**

1307/009

RESOLVED:

1. That Council accept the tender from Downer EDI Works trading as Downer Australia for the Sprayed Bituminous Sealing Contract – 2013/2015, Contract No. 8/2013 in the amount of \$8,282,705
2. That Council authorise the signing, and attachment of the Council Seal to the contract documents. (Kingham/Radburn)

PLEASE NOTE ITEM 9) CROWN ROAD TRANSFERS – TOWN OF BLAYNEY WAS MOVED FOR DISCUSSION AFTER THE CLOSED COMMITTEE ITEM.

COMMUNITY BUILDING PARTNERSHIP PROGRAM

1307/010

RESOLVED:

1. That Council support the preparation of a grant submission to the Community Building Partnership program for works at King George Oval, as identified in the Director Infrastructure Services report. (Radburn/Ewin)

WESTERN NSW ROAD PLAN

1307/011

RESOLVED:

1. That the information on Council's submission to the Western NSW Road Plan Project be received and noted. (Braddon/Oates)

PLANNING AND ENVIRONMENTAL SERVICES REPORTS**PROPOSED NAPIER OVAL TOILET BLOCK**

1307/012

RESOLVED:

1. That the proposed Napier Oval toilet block be referred to the Blayney Shire Sports Council for information and consideration of the priority of the proposal in its consideration of the list of sports ground improvements.
2. That Council require user groups to enter into a user agreement, with Council, to open and close the proposed toilet block on the days of use of Napier Oval. (Kingham/Oates)

**1307/013 AVAILABILITY OF VACANT LAND IN BLAYNEY TOWNSHIP
RESOLVED:**

1. That the report on the availability of vacant land in Blayney township be received and noted; and
2. That Council provide information to identified landowners on the process of subdivision and development of their land for residential use. (Ewin/Radburn)

**1307/014 NETWASTE TENDER 145/534/984/1 - TENDER FOR
COLLECTION AND RECYCLING OF SCRAP METAL FOR
COUNCILS IN THE NETWASTE REGION
RESOLVED:**

1. That the Contract be awarded to Sims Metal Management.
2. That Council confirm its involvement in the Contract to the NetWaste Projects Coordinator and execute the Contract documents as appropriate. (Braddon/Kingham)

COMMITTEE REPORTS**1307/015 MINUTES OF THE BLAYNEY SHIRE SPORTS COUNCIL
MEETING HELD ON THURSDAY 13 JUNE 2013
RESOLVED:**

1. That the recommendations of the Blayney Shire Sports Council meeting held on 13 June 2013 be adopted. (Kingham/Oates)

**1307/016 MINUTES OF THE BLAYNEY TRAFFIC COMMITTEE
MEETING HELD ON FRIDAY 21 JUNE 2013
RESOLVED:**

1. That the recommendations of the Blayney Traffic Committee meeting held on 21 June 2013 be adopted. (Radburn/Braddon)

CLOSED MEETING

- 1307/017** **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: (Radburn/Oates)

CONFIDENTIAL MEETING REPORTS**SALE OF LAND FOR UNPAID RATES AND CHARGES**

This matter is considered to be confidential under Section 10A(2) (a) (b) of the Local Government Act, as it deals with personnel matters concerning particular individuals; AND the personal hardship of any resident or ratepayer.

1307/018 RESOLVED:

- 1) That the report on the Sale of Land for Unpaid Rates and Charges be received and noted.
- 2) That Council, pursuant to Section 713 of the Local Government Act, 1993:
 - a) Sell the listed properties at a public auction to be held at the Blayney Shire Council Chambers on Friday 8 November, 2013 commencing at 10:00 am; and
 - b) Authorise Council staff to proceed with the necessary arrangements pertaining to the sale of the properties as set out by the Local Government Act 1993.
 - c) Authorise the Mayor and general Manager to set the reserve price on the day of auction
- 3) That Council not withdraw any property from the sale unless all unpaid rates and charges are paid in full.
- 4) That Council undertake Land Title searches to verify land descriptions and owners for the preparation of Sale documents.
- 5) That Council advertise all land in accordance with the Local Government Act, 1993.
- 6) That Council call for quotations for auctioneers and land conveyance/solicitor to conduct the auction and prepare the land sale documents. (Kingham/Ewin)

REQUEST FOR INFORMATION DA230/2012

This matter is considered to be confidential under Section 10A(2) (a) of the Local Government Act, as it deals with personnel matters concerning particular individuals.

1307/019 RESOLVED:

1. That the Council advise the applicant that they have undertaken a review of the requests for information sent to Council and considered the actions taken of authorities acting on their behalf and advise that the development application and associated documents are available for viewing at Council's office; and
2. That the Council advise it has approved this application subject to conditions and is unable to withdraw this Development Application.
3. That Council staff shall not be responding to further correspondence on the development application as approved.
4. That a delegation of three Councillors be available to meet with the residents. (Radburn/Kingham)

GENERAL MANAGERS' PERFORMANCE REVIEW

This matter is considered to be confidential under Section 10A(2) (a) of the Local Government Act, as it deals with personnel matters concerning particular individuals.

1307/020 RESOLVED:

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

public. (Radburn/Oates)

1307/021 **CROWN ROAD TRANSFERS - TOWN OF BLAYNEY**
RESOLVED:

1. That Council approve the transfer of those Crown Road reserves, identified as Items A, D, G and H, in the Director Infrastructure Services report to Council as public road.
2. Council grant authority for the use of the Common Seal on any necessary documentation, should it be required, to give effect to this resolution. (Radburn/Oates)

There being no further business, the meeting concluded at 8.03 pm

The Minute Numbers 1307/001 to 1307/021 were confirmed on 12 August 2013 and are a full and accurate record of proceedings of the Ordinary Meeting held on 8 July 2013.

Cr S Ferguson
MAYOR

Mr GA Wilcox
GENERAL MANAGER