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PRESENT Clr K Duffy (in the Chair), Clrs G Dean, N Bleakley, L MacSmith, I Gosper, A Durkin, D Hyde, K Walker, J Farr, J Culverson and S Wilcox.

Also present were the General Manager, Director of Finance & Corporate Services, Director of Engineering & Technical Services, Director of Environmental Services and Administration Manager.

ITEMS FOR DETERMINATION

ITEM - 1 APPLICATIONS FOR LEAVE OF ABSENCE

Proceedings in Brief

An apology was tendered on behalf of Clr R Dowling, for his unavoidable absence from the meeting.

MOTION (Wilcox/Hyde)

THAT the apology tendered by Clr R Dowling be accepted and the necessary leave of absence be granted.

10/02/01 Carried

ITEM - 2 DECLARATIONS OF INTEREST

Proceedings in Brief

Clr Gosper declared at interest in item 13 of Determination due to his daughter being an employee at the Waluwin Centre; Clr Culverson declared an interest in item 24 of Determination due to her Father in Law being Vice Chair of The Ophir Trust; Clr Duffy declared an interest in item 8 of Closed due to his son being named in that report.

MOTION (Wilcox/Hyde)

THAT the Declarations of Interest be noted.

10/02/02 Carried

ITEM - 3 MAYORAL MINUTE

Proceedings in Brief

Clr Duffy

- Citizenship Ceremony
- Cadia Valley Operations meeting
- Meeting with the Mayor of Cowra regarding tourism & water
- Welcome to the new Anglican Priest at Eugowra
- Extraordinary meeting
- Policy Review Workshop
- LEP Workshop
- National Farmers Federation meeting

- Australia Day celebrations – Cumnock, Cargo, Eugowra, Molong, Canowindra & Cudal
- Cherry Festival meeting in Orange
- Cargo Road Community meeting
- Committee Day
- Borenore Dam Water offer – an explanation of the circumstances for the offer being made was given.
- Daroo meeting
- Tumut Shire Council Visit
- Farewell dinner for Roger Dunn
- Beyond the Drought Seminar
- Central Tablelands Water at Grenfell
- Business Enterprise Centre meeting
- WBC Climate Change workshop
- Canowindra Pool meeting – discussion led to separate Motion below.
- Cherry Festival meeting
- Mullion Creek & District Progress Association

Clr Dean

- Extraordinary, Council, Committee and Workshop meetings
- Australia Day celebrations – Cargo, Eugowra & Cudal
- Cargo Road Community meeting
- Tumut Shire Council Visit
- Cudal Progress Association meeting
- Policies workshop

Clr MacSmith

- Extraordinary, Council & Committee meetings
- Australia Day celebrations – Cargo
- Cargo Road Community meeting
- Augmentation of new Minister for Cudal, Cargo, Manildra & Toogong at Manildra Anglican Church

Clr Gosper

- Extraordinary, Council, Committee & Workshop meetings
- Policies workshop
- Australia Day celebrations – Cumnock, Molong & Yeoval
- Meeting with Rob Staples Director of Engineering & Technical Services, Cabonne Council's Chief Weed Officer & Clr Dowling looking at Class 4 weeds
- Inspections at Canowindra
- Onsite meeting Molong Skate Park
- Cargo Road Community meeting
- Tumut Shire Council Visit
- Farewell dinner for Roger Dunn
- Macquarie Valley Weeds Advisory Committee meeting
- Canobolas Zone Rural Fire Service Liaison Committee meeting at

Cowra

Clr Durkin

- Site inspection at National Auctions shed and extraordinary meeting
- Committee meetings
- Board meeting AOFM
- Meeting with Mayor, Director ETS and Canowindra Pool Action Committee
- Meeting with BSG about future direction for Canowindra medical centre
- Numerous service requests

Clr Hyde

- Meeting regarding storm water problems at Eugowra
- Meeting at Eugowra Travellers Rest
- Attended the welcome to the new Anglican Minister at Eugowra
- Inspections at Canowindra
- Extraordinary, Council & Committee meetings
- Policies workshops
- Eugowra Hospital working construction committee meeting
- Eugowra Museum committee meeting
- Australia Day celebrations – Eugowra
- Cabonne Heritage Committee meeting
- Eugowra Promotions & Progress Association meetings

Clr Walker

- Meeting regarding Tilga St flood water
- Meeting regarding oval fence
- Meeting River Bank Gallery Signs
- SES
- Meeting regarding water
- Meeting regarding B Doubles
- Eugowra Rd meeting
- Policies workshop
- Inspections at Canowindra
- Extraordinary, Council & Committee meetings
- Cargo Road Community meeting
- Australia Day celebrations at Cargo and Canowindra
- Meeting regarding cemetery concerns
- Cudal Caravan Park meeting
- Canowindra Food Basket meeting
- Health Centre meeting
- Meeting regarding Longs Corner Estate block purchase

Clr Culverson

- Inspections at Canowindra

- Extraordinary, Council & Committee meetings
- Policies workshops
- MC & DPA meetings
- Molong, Manildra & Canowindra Libraries Tour
- Australia Day celebrations – Mullion Creek, Cargo, Eugowra, Molong, Cudal & Canowindra
- Cargo Road User community meeting
- Daroo meeting Manildra
- Tumut Shire Council Visit
- Beyond the Drought Dinner Forbes

Clr Wilcox

- Australia Day celebrations – Mullion Creek

MOTION (Duffy/Culverson)

THAT:

1. The Mayoral Minute be adopted.
2. The balance of the RLCIP money be spent on paths, soft fall and landscaping and the VEP money be spent on playground equipment in relation to the Mullion Creek and District Progress Association.
3. Council immediately repair or replace the village entrance sign at Cudal on the Canowindra Rd with funds from "Entrance Signs Maintenance Reserve".

10/02/03 Carried

MAYORAL MINUTE - ADDITIONAL ITEM: CANOWINDRA POOL

Proceedings in Brief

The General Manager & Director of Finance & Corporate Services advised that it was not good practice to vote funds for expenditure without knowing which projects are competing for funding and without a final estimate.

MOTION (Duffy/Culverson)

THAT:

1. Council engage a consultant to provide and develop an options plan and a professional assessment of the Canowindra pool and its precinct as soon as possible.
2. Council allocate the required total funds for the stage 1 upgrading of the Canowindra pool in 2010/11.
3. Council fund the options plan and pool assessment from the Current Future Capital Works Fund.
4. Upon receipt of the options plan and pool assessment Council liaise with the Canowindra Pool Action Group.

10/02/04 Carried

A division was called for which resulted as follows (noting the absence of Clr

Dowling - Apology):

For – Clrs Duffy, Dean, Durkin, Walker, Farr & Culverson.

Against – Clrs Bleakley, MacSmith, Gosper, Hyde & Wilcox.

ITEM - 4 DECLARATIONS OF POLITICAL DONATIONS

Proceedings in Brief

There were NIL declaration of political donations.

ITEM - 5 CONFIRMATION OF THE MINUTES

MOTION (Hyde/Gosper)

THAT the minutes of the Ordinary Meeting held on 21 December 2009 and the Extraordinary Meeting held on 18 January 2010 be adopted noting that on page 3 of the Ordinary minutes the Councillor activities listed for Clr Gosper from “Yeoval Progress Association Meeting” onward should actually be listed beneath Clr Dowling’s name; and on page 18 of the Extraordinary minutes the last paragraph should read “Chairman of the Ordinary meeting...”

10/02/05 Carried

ITEM - 6 BUSINESS PAPER ITEMS FOR NOTING

Proceedings in Brief

Clr Bleakley called items 2, 3, 4, 6, 10 & 12; Clr Hyde called item 12; Clr MacSmith called items 1, 8, & 12; Clr Duffy called item 13 and the Director of Finance & Corporate Services called item 5.

MOTION (Farr/Culverson)

THAT:

1. Councillors consider the items called.
2. The balance of the items be noted.

10/02/06 Carried

ITEM - 7 SHIRES ASSOCIATION - 2010 E-DIVISION CONFERENCE

Proceedings in Brief

Several Councillors put forward ideas for motions to be submitted to the E Division conference and requested that the General Manager word them appropriately.

MOTION (Culverson/Hyde)

THAT:

1. Council representatives attend the E Division Conference to be held in Molong on Friday 26 March 2010.
2. Council give consideration to the formulation of any appropriate

Motion/s to be submitted to the E Division Conference.

3. Council receive a report to the March Council with appropriately worded motions.

10/02/07 Carried

ITEM - 8 CODE OF CONDUCT GUIDELINES

MOTION (Bleakley/Wilcox)

THAT Council note the issues covered in the Code of Conduct briefing and subsequent follow up actions.

10/02/08 Carried

ITEM - 9 BYNG/EMU SWAMP RURAL FIRE BRIGADE STATION

MOTION (Gosper/Culverson)

THAT Council enter into a lease with Talbri Pty Ltd for a 99 year lease to enable construction of a new Byng/Emu Swamp Rural Fire Brigade Station.

10/02/09 Carried

ITEM - 10 SHIRES ASSOCIATION OF NSW

MOTION (Bleakley/Wilcox)

THAT the information be noted.

10/02/10 Carried

ITEM - 11 COMPLAINTS MANAGEMENT POLICY

MOTION (Farr/Gosper)

THAT Council adopt the annexed draft Complaints Management Policy.

10/02/11 Carried

**ITEM - 12 QUARTERLY BUDGET REVIEW FOR THE PERIOD FROM 1ST
OCTOBER 2009 TO 31ST DECEMBER 2009**

MOTION (Farr/Hyde)

THAT the variances noted in this budget review be endorsed by Council and that Council's 2009/2010 Budget be amended to reflect the changes.

10/02/12 Carried

It was noted the time being 10:25am Clr Gosper declared an interest due to his daughter being an employee at the Waluwin Centre and left the Chambers.

**ITEM - 13 WALUWIN COMMUNITY CENTRE - GRID CONNECT SOLAR
PHOTOVOLTAIC (PV) GENERATOR SYSTEM**

MOTION (Durkin/Bleakley)

THAT Council actively promote use of Solar and alternative energy throughout the Cabonne Local Government Area.

10/02/13 Carried

It was noted the time being 10:26am Clr Gosper rejoined the meeting.

ITEM - 14 LOCAL GOVERNMENT REMUNERATION TRIBUNAL

Proceedings in Brief

It was agreed that a submission should be forwarded to the Tribunal based on the time, demands and travel requirements to carry out the role of a Councillor/Mayor providing supporting evidence.

Councillors were to provide details to the General Manager or Administration Manager quickly noting the closing date for submissions as 19 February 2010.

MOTION (Durkin/Bleakley)

THAT Council advise the General Manager or Administration Manager of any supporting evidence to support a submission to be forwarded to the Local Government Remuneration Tribunal based on the time, demands and travel requirements that it wishes to refer to the Local Government Remuneration Tribunal prior to the closing date of 19 February 2010.

10/02/14 Carried

It was noted the time being 10:32am the Mayor made a presentation to the Youth of the Month for December 2009, followed by a presentation to the Volunteer of the Month for February followed by a presentation to Laurence Dolbell for Outstanding Service to Cabonne Council, followed by a presentation to Clr Farr for his selection as Local Citizen of the Year 2009.

It was noted the time being 10:44am Council adjourned for morning tea at which time the Mayor officially launched the Daroo Awards for 2010.

Council resumed at 11:07am at which time item 29 was addressed next and Mr Whiteley addressed Council.

**ITEM - 29 REQUEST TO MODIFY CONDITIONS OF CONSENT -
DEVELOPMENT APPLICATION 2010/46 FOR A DWELLING UPON
LOT 281 DP 750139, PALING YARD LOOP, CUDAL**

Proceedings in Brief

Some discussion was held in relation to the request for the S94 road contributions to not be applied with arguments both in favour and against the proposal. It was noted Clr Farr stressed his concerns about setting a precedent in relation to the s94 road contributions not being applied.

In response to a question from Clr Bleakley the Director of Environmental Services confirmed that the approval was for only one dwelling which meant that either the existing dwelling would have to be made uninhabitable if the

applicant proposed to build a further dwelling or submit a DA for dual occupancy.

RECOMMENDATION (Farr/Hyde)

THAT:

1. The report be noted, and
2. Condition 4 of Development Consent 2010/46 be amended to read:
The applicant, at their own cost, is required to have a restriction placed on the sale of land burdening lots 157, 275, 280 and 281 in DP 750139. The terms of the section 88b instrument are to require all lots to be sold together and benefiting Cabonne Council.

AMENDMENT (Culverson/Gosper)

THAT:

1. Condition 7 of the development content 2010/46 be deleted.
2. Condition 4 of Development Consent 2010/46 be amended to read:
The applicant, at their own cost, is required to have a restriction placed on the sale of land burdening lots 157, 275, 280 and 281 in DP 750139. The terms of the section 88b instrument are to require all lots to be sold together and benefiting Cabonne Council.
3. A condition be added to development consent 2010/46 to the effect that the existing dwelling be rendered uninhabitable.

The amendment was put and carried becoming the motion, the motion was put and carried.

MOTION (Culverson/Gosper)

THAT:

1. Condition 7 of the development content 2010/46 be deleted.
2. Condition 4 of Development Consent 2010/46 be amended to read:
The applicant, at their own cost, is required to have a restriction placed on the sale of land burdening lots 157, 275, 280 and 281 in DP 750139. The terms of the section 88b instrument are to require all lots to be sold together and benefiting Cabonne Council.
3. A condition be added to development consent 2010/46 to the effect that the existing dwelling be rendered uninhabitable.

10/02/15 Carried

The Chair called for a Division of Council as required under Section 375A (3) of the Local Government Act.

The Division resulted as follows (noting the absence of Clr Dowling - Apology):

For – Clrs Duffy, Bleakley, MacSmith, Gosper, Durkin & Culverson.

Against – Clrs Wilcox, Farr, Walker, Hyde & Dean.

ADDITIONAL ITEM - SECTION 94 ROAD CONTRIBUTIONS

MOTION (Farr/Walker)

THAT Council's s94 Road Contributions Plan be referred to the Environmental Services & Sustainability Committee for review in relation to its application with existing dwellings.

10/02/16 Carried

It was noted the time being 11:35am the Executive Officer of CENTROC made a presentation to Council until 12:25pm at which time item 15 was addressed next.

ITEM - 15 ADOPTION OF COUNCIL'S EXISTING POLICIES

MOTION (Durkin/Gosper)

THAT Council:

1. Adopt the policies listed in the annexure as "Policies to be readopted" to be included in Council's Policy database.
2. Authorise the policies listed in the annexure "Policies recommended for deletion" to be removed from Council's Policy database.
3. Adopt the current policies and receive further reports in relation to policies listed in the annexure "Policies to be reviewed and reported to Council".

10/02/17 Carried

ITEM - 16 POLICY DATABASE - APOLOGY; OHS; AND WORKPLACE SAFETY AUDITS AND INSPECTIONS

MOTION (Durkin/Gosper)

THAT Council adopt the following annexed draft policies :

1. Apology policy;
2. Occupational Health and Safety Policy; and
3. Work Place Safety Audits and Inspections Policy

10/02/18 Carried

ITEM - 17 GOVERNMENT INFORMATION (PUBLIC ACCESS) ACT ("GIPA")

MOTION (Durkin/MacSmith)

THAT Council include the above clauses relating to access to information under the Government Information (Public Access) Act on all relevant contracts it enters into.

10/02/19 Carried

ITEM - 18 CODE OF MEETING PRACTICE

Proceedings in Brief

The Administration Manager advised that no submissions were received by the closing date.

MOTION (Durkin/Gosper)

THAT Council adopt the draft Code of Meeting Practice policy.

10/02/20 Carried

**ITEM - 19 2009/2010 MANAGEMENT PLAN - SECOND QUARTERLEY
REVIEW TO 31 DECEMBER 2009**

MOTION (Gosper/Durkin)

THAT the update of the Management Plan to the 31 December 2009, as presented be adopted.

10/02/21 Carried

**ITEM - 20 2010 NSW LOCAL CITIZEN OF THE YEAR AUSTRALIA POST
COMMEMORATIVE STAMP**

Proceedings in Brief

It was noted that the presentation to Clr Farr was made during the morning tea break.

MOTION (Hyde/Dean)

THAT Council endorse and present the commemorative stamp sheet to Clr Farr in recognition of his contribution to Cabonne.

10/02/22 Carried

ITEM - 21 COMMUNITY SERVICES COMMITTEE MEETING

MOTION (Gosper/Hyde)

THAT the report and recommendations of the Community Services Committee Meeting of Cabonne Council held on 1 February 2010 be adopted.

10/02/23 Carried

**ITEM - 22 ECONOMIC DEVELOPMENT & TOURISM COMMITTEE
MEETING**

MOTION (Culverson/Hyde)

THAT:

1. The report and recommendations of the Economic Development and Tourism Committee Meeting of Cabonne Council held on 1 February 2010 be adopted.
2. A report be submitted to Council in relation to a tourism based tour of the eastern are of Cabonne proposing a date for same.

10/02/24 Carried

**ITEM - 23 LOCAL GOVERNMENT AND SHIRES ASSOCIATIONS 2010
WATER MANAGEMENT CONFERENCE**

MOTION (Gosper/Dean)

THAT:

1. Council nominate the Mayor and any interested Councillors to attend the 2010 Water Management Conference.
2. Climate change be included on the agenda and Councillors forward any additional ideas for inclusion on the agenda to the Director of Engineering & Technical Services.

10/02/25 Carried

ITEM - 24 OPHIR RESERVE - IMPROVEMENTS TO CAUSEWAY

MOTION (Culverson/Wilcox)

THAT Council:

1. Defer applying to the Land and Property Management Authority until the funding application by the Ophir Trust is determined.
2. Carry out detailed estimate for the upgrade of the concrete causeway.
3. Assist the Trust by supporting a delegation to Commissioner Warwick Watkins.

10/02/26 Carried

MOTION (Wilcox/Bleakley)

THAT all interested parties, including but not limited to Departments of Land and Fisheries, Ophir Trust, Cabonne Heritage Committee, Orange City Council and Cabonne Council representatives be invited to a forum to discuss their interest and possible funding opportunities with a view to development of and "Ophir Strategic Plan" for the next 5-10 years which all parties can work towards to be held by 30 June 2010.

10/02/27 Carried

ITEM - 25 CANOWINDRA POOL WALL MURAL

Proceedings in Brief

In response to Cllr Durkin's motion which deleted the deferral of the work until the amenities block has been completed from the recommendation the Director of Engineering & Technical Services requested it be noted that the new mural may be damaged whilst the upgrade takes place for example through ladders or scaffolding. Allowing the mural to be done first would certainly make the upgrade more difficult and could add costs to the job.

MOTION (Durkin/Culverson)

THAT Council approve the new art work and funding to the amount of \$5,000 from the Canowindra Town Improvements Fund.

10/02/28 Carried

ITEM - 26 REQUEST FOR REFUND OF ADMINISTRATION FEE PAID

MOTION (Farr/Culverson)

THAT Council NOT reimburse the application fee to the applicant.

10/02/29 Carried

**ITEM - 27 OBJECTIONS TO THE CLOSURE OF PUBLIC ROAD RESERVE
ALONG BANK STREET, MOLONG**

MOTION (Farr/Bleakley)

THAT Council:

1. Endorse the closure of the public road reserve through Lot 21 DP in Section 23, DP 758693;
2. Write to the Department of Lands advising them that it wishes to continue with the road closure application for the public road reserve through Lot 21 in Section 23, DP 758693.

10/02/30 Carried

ITEM - 28 WORKS COMMITTEE MEETING MINUTES

MOTION (Gosper/Dean)

THAT the report and recommendations of the Works Committee held on Monday 1 February 2010 be adopted.

10/02/31 Carried

**ITEM - 30 MODIFICATION OF DA 2006/251 SUBDIVISION OF LOT 11 DP
546140, EUCHAREENA ROAD , MOLONG.**

Proceedings in Brief

The Director of Environmental Services spoke on the report noting condition 19 in relation to water supply which required each allotment to enter into a raw water supply agreement with Council – she noted that the last line required the words "irrigation use is not permitted" to be deleted.

The Director of Engineering & Technical Services also commented on the water supply stressing that the key was to manage the supply of raw water through permanent restrictions by Council which would be varied as needed. He further commented that unrestricted use would quickly see the dam emptied.

Some discussion ensued as to whether the restrictions would impact on the land value and saleability to which it was agreed that the restrictions (which are not full time) should be disclosed up front.

MOTION (Farr/Gosper)

THAT:

1. Council vary its water supply policy to allow a raw water supply to the development.
2. Council amend the notice of approval of a 73 lot subdivision and update owner details.
3. Council grant consent to modified application DA 2006/251 for the 73 lot rural residential subdivision of Lot 11 DP 546140, Euchareena Road, Molong subject to the attached amended conditions.
4. That condition 19 relating to section 88b instrument requiring a water tank and a private agreement for raw water be amended to remove the reference to irrigation not being permitted and be subject to development of guidelines for domestic use of raw water.

10/02/32 Carried

The Chair called for a Division of Council as required under section 375A (3) of the Local Government Act.

The Division resulted in a unanimous vote for the motion, noting that Cllr Dowling (apology) was not present.

MOTION (Farr/Durkin)

THAT:

1. A report be submitted to the March Works Committee in relation to the connection costs, developer charges, yield & usage availability relating to the proposed sub division.
2. Copies of any reports or policies relating to being able to or not being able to provide water be included in the report.

10/02/33 Carried

It was noted that time being 1:08pm Council adjourned for lunch resuming at 1:54pm.

**ITEM - 31 ENVIRONMENTAL SERVICES AND SUSTAINABILITY
COMMITTEE MEETING**

MOTION (Durkin/Wilcox)

THAT the report and recommendations of the Environmental Services and Sustainability Committee Meeting of Cabonne Council held on 1 February 2010 be adopted and carried Motions be noted, noting that item 7 Cllr MacSmith who had left the room having declared an interest was shown to have voted for the motion.

10/02/34 Carried

ITEM - 32 NOTICE OF MOTION - MOLONG WATER SUPPLY

Proceedings in Brief

Initial discussion related to point (a) of the motion following which it was agreed that all stakeholders should be included. In relation to point (b) the

Mayor commented that the offer was not by him but rather by Council. Cllr MacSmith noted the explanation by the Mayor in his Mayoral Minute as to why the offer was made and without "wishing to go on with it" stressed the need for more communication by the Mayor with Councillors and Staff noting that the day before the water was offered there had been a Council meeting where everyone could have been consulted. Cllr Gosper also supported the need for consultation noting that some Councillors had been contacted after the Orange City Council Mayor had already received the offer from the Cabonne Mayor.

The General Manager noted that there is no Council resolution authorising the sale of water and requested that if it was Council's intention to do so that it resolve that way.

PROCEDURAL MOTION (Farr/-)

THAT the motion be put.

10/02/35 Carried

MOTION (MacSmith/Wilcox)

THAT Council set up a meeting consisting of the General manager, Director of Engineering & Technical Services, interested Councillors and all other stakeholders for Molong Creek, to formulate a policy of water use, for water from Cabonne water storages at the earliest possible time.

10/02/36 Carried

MOTION (Farr/Culverson)

THAT Council endorse the offer to sell water from the Borenore Creek Dam to the Orange City Council.

10/02/37 Carried

ITEMS FOR NOTATION

It was noted item 20 of notation was addressed next. At this time Cllr Durkin declared an interest due to his employer being the NSW Police, however the Director of Finance & Corporate Services advised that under the provisions of the Local Government act as a State Government employee he did not have an interest in a matter simply by being an employee (s443).

ITEM - 20 CARGO ROAD 80 KM/H SPEED ZONE

Proceedings in Brief

The Director of Engineering & Technical Services spoke on the report and raised his concerns on the analysis used by the RTA to determine the crash statistics. He noted that the RTA had agreed to review Cargo Road in segments.

MOTION (Gosper/Durkin)

THAT Council receive a further report at its March Council meeting.

10/02/38 Carried

ITEM - 1 WBC ACTIVITIES UPDATE REPORT

Proceedings in Brief

Clr MacSmith advised that his question related to a \$50,000 allocation which had been addressed by the CENTROC presenter.

It was noted the time being 2:22pm that Clr Dean and the Director of Engineering & Technical Services declared an interest due to being Directors of Credit Unions and left the Chambers.

ITEM - 2 INVESTMENTS & RATES SUMMARIES

Proceedings in Brief

In response to a question from Clr Bleakley the Director of Finance & Corporate Services advised that Council's current investment practice was utilising a \$1 million amounts in Credit Unions as the Government security applied to same.

It was noted the time being 2:24pm Clr Dean and the Director of Engineering & Technical Services rejoined the meeting.

It was noted the time being 2:24pm Clr Gosper declared an interest due to his daughter being an employee at the Waluwin Centre and left the Chambers.

ITEM - 3 WALUWIN COMMUNITY CENTRE

Proceedings in Brief

In response to a question from Clr Bleakley as to why no management committee was in place yet, the Director of Finance & Corporate Services advised that whilst a legal document existed which detailed who the committee should comprise of, GWAHS had not yet provided a nominee for that committee.

MOTION (Durkin/Wilcox)

THAT a report on outstanding issues for the Waluwin Centre be submitted to the next Council meeting.

10/02/39 Carried

It was noted the time being 2:27pm Clr Gosper rejoined the meeting.

**ITEM - 4 2009 COMMUNITY CONSULTATION MEETINGS - ACTION
STATUS REPORT UPDATE**

Proceedings in Brief

In response to a comment from Clr Bleakley that the action status reports were not being updated, he noted some actions he knew had been resolved but the completion was not noted on the report, the Director of Finance & Corporate services advised that the matter had been noted and the General Manager was to send a memo.

ITEM - 5 CANOBOLAS ZONE LIAISON COMMITTEE - ZONING

Proceedings in Brief

The Director of Finance & Corporate Services commented that this should have been in the Determination section of the business paper with a recommendation that the policy be deleted.

MOTION (Gosper/Durkin)

THAT the Canobolas Zone Liaison Committee Zoning Policy be deleted.

10/02/40

Carried

**ITEM - 6 QUARTERLY BUDGET REVIEW TO THE 31ST DECEMBER
2009**

Proceedings in Brief

Clr Bleakley advised that he had called the Item as he wished to have a copy of the Quarterly Budget Review which he had since received.

ITEM - 8 RESOLUTIONS REGISTER - INFOCOUNCIL

Proceedings in Brief

In response to a question from Clr MacSmith relating to the Gelato Factory the General Manager undertook to provide an update in Closed.

In response to discussion relating to allowing electronic access to Councillors of the Resolutions Register the Director of Finance & Corporate Services advised that the software was proprietary and not subject to modification by Council.

MOTION (Duffy/Farr)

THAT Council receive a report in relation to electronic access to the InfoCouncil Resolutions Register by Councillors.

10/02/41

Carried

ITEM - 10 CABONNE TRAINEE AND APPRENTICE PROGRAM

Proceedings in Brief

In response to a request from Clr Bleakley for quarterly or six monthly reports in relation to the trainees and apprentices the General Manager advised that certain aspects could be operational matters however he would include a mention in the General Manager's memo as to their employment status.

It was noted the time being 2:38pm Clr Gosper declared an interest due to being a neighbour to the proposed HUB site and left the Chambers.

**ITEM - 12 ORANGE RESOURCE RECOVERY AND WASTE PROJECT -
ORANGE CITY COUNCIL RESPONSE TO SUBMISSIONS**

Proceedings in Brief

In response to a question from the Mayor as to whether a letter to the Minister reconfirming Cabonne's position in relation to the Hub had been sent, the General Manager was fairly confident that it had been, but would double check.

Clrs Bleakley, MacSmith & Hyde called the item due to their concerns in relation to Orange City Council's responses to issues raised by Cabonne Council.

MOTION (Hyde/Bleakley)

THAT Council make a submission to the Department of Planning outlining Council's dissatisfaction with Orange City Council's responses which were considered to be inadequate.

10/02/42 Carried

**ITEM - 13 UPDATE ON WASTE SERVICE PROVISION TO THE EASTERN
AREA OF CABONNE**

Proceedings in Brief

In response to a question from Clr Duffy the Director of Environmental Services advised that her understanding was that Council be seeking more information to allow a decision to be made on waste service provisions to the Eastern Area. She did not recall a resolution to award a contract. The General Manager undertook to check whether a resolution had been previously carried in this regard.

MATTERS OF URGENCY

There were NIL matters of urgency.

CONFIDENTIAL ITEMS

**ITEM - 1 CARRYING OF COUNCIL RESOLUTION INTO CLOSED
COMMITTEE OF THE WHOLE MEETING**

MOTION (Gosper/Dean)

THAT Council now hereby resolve into Closed Committee of the Whole for the purpose of discussing matters of a confidential nature relating to personnel or industrial matters, personal finances and matters the publicity of which Council considers would be prejudicial to the Council or the individuals concerned and that the press and public be excluded from the meeting in accordance with the conditions of Council's Confidentiality Policy AND FURTHER that as reports to the Closed Committee of the Whole are likely to be confidential and their release prejudicial to the public interest and the provisions of Council's confidentiality policy, that copies of these reports not be made available to the press and public.

10/02/43 Carried

ITEM - 2 ENDORSEMENT OF PROCEEDINGS OF CONFIDENTIAL

**MATTERS CONSIDERED AT COMMITTEE OF THE WHOLE
MEETING**

RECOMMENDATION (Durkin/Gosper)

THAT the Committee endorse the accuracy of the Report of the Proceedings of Confidential Matters at the Closed Committee of the Whole Meeting held on 21 December 2010 and the Extraordinary Meeting held 18 January 2010 and notes that the recommendations recorded in the Official Ordinary Minutes of that meeting are sufficient to state the general effect of the proceeding in Closed Committee.

1. Carried

* **ITEM - 3 MAYORAL MINUTE - SNOWY WORKS & SERVICES**

RECOMMENDATION (Durkin/Wilcox)

THAT:

1. The meeting planned for the 19th February 2010 be put off, with the General Manager calling for a directors meeting to discuss the merits, costs and implications of Cabonne Council undertaking a similar system to that seen on the visit to Tumut and that the Director of Engineering & Technical Services then report back to the Works Committee meeting for April with a report outlining which areas he recommends, the cost and overall benefit to Cabonne Council in accordance with the Kleem report.
2. This report and the result of the April Works Committee then be placed before the April Council meeting for discussion and/or a workshop.

The Mover and Secunder agreed to vary the wording of the initial recommendation as follows.

RECOMMENDATION (Durkin/Wilcox)

THAT a workshop be held in conjunction with an Extraordinary Council Meeting on April Committees day to consider the SWS concept in conjunction with the Kleem report.

2. Carried

RECOMMENDATION (Duffy/Hyde)

THAT Council write to the Minister asking for a dispensation should the majority of Councillors declare an interest in relation to the Molong Limestone Quarry if required.

3. Carried

* **ITEM - 4 SNOWY WORKS AND SERVICES**

* **ITEM - 5 OUTSTANDING PUBLIC LIABILITY INSURANCE CLAIMS**

RECOMMENDATION (Durkin/Wilcox)

THAT the information be noted.

4. Carried

* **ITEM - 6 CUDAL UNITING CHURCH - SEWER PRE CONSTRUCTION
LEVY - ASSESSMENT 2663.00000.4**

RECOMMENDATION (Durkin/Wilcox)

THAT:

1. Council consider a term longer than three years for an interest free loan for the repayment of the Cudal Sewer Pre Construction levy.
2. That further investigation is done for the connection of the Anglican Church at Cudal to the sewerage system.

AMENDMENT (Farr/Gosper)

THAT:

1. Council receive a report in relation to responses received to letters sent forewarning about the Cudal Sewer Pre Construction Levy.
2. Council write to the applicant advising that the matter is under review.

The Amendment as put and carried becoming the Motion, the Motion was put and carried.

RECOMMENDATION (Farr/Gosper)

THAT:

1. Council receive a report in relation to responses received to letters sent forewarning about the Cudal Sewer Pre Construction Levy.
2. Council write to the applicants advising that the matter is under review.

5. Carried

* **ITEM - 7 REQUEST FOR CONSIDERATION OF WATER CONSUMPTION
COSTS - ACCOUNT 4239.20000.1**

RECOMMENDATION (Bleakley/Wilcox)

THAT the owner of account 4239.20000.0 be advised that no reduction will be made for water consumption costs and interest accrued during the investigation be written off when full payment of the account is made.

6. Carried

It was noted the time being 3:05pm Clr Duffy declared an interest due to his son being named in the report and left the Chambers.

ITEM - 8 DEBT RECOVERY REPORT OF OUTSTANDING RATES DEBTS

PROCEDURAL MOTION (Hyde/Wilcox)

THAT in the absence of the Mayor and Deputy Mayor, that Clr Farr be elected

to the Chair.

7. Carried

RECOMMENDATION (Bleakley/Wilcox)

THAT the ratepayers in the annexure attached be advised in writing that if payment of their account is not made, or a satisfactory arrangement for payment is not made within seven days of the correspondence that Council intends to issue a Statement of Claim for the recovery of all monies owed to Council.

8. Carried

It was noted the time being 3:07pm Clr Duffy rejoined the meeting and resumed the Chair.

ITEM - 9 QUARRY REVIEW COMMITTEE MEETING

RECOMMENDATION (Gosper/Dean)

THAT the report and recommendations of the Quarry Review Committee held on Monday 1 February 2010 be adopted.

9. Carried

* **ITEM - 10 LAND DEVELOPMENT SUB-COMMITTEE MEETING**

RECOMMENDATION (Bleakley/Hyde)

THAT the report and recommendations of the Land Development Sub Committee Meeting of Cabonne Council held on 1 February 2010 be adopted noting the correction of an additional item relating to Long Point Estate which should read "Longs Corner Estate" and an amendment to item 2 recommendation to read "THAT a report be presented to the March Council meeting in open Council".

10. Carried

MATTER OF URGENCY - LAND SALES INCENTIVES

RECOMMENDATION (Farr/Walker)

THAT Council extend incentives and the \$10,000 rebate applicable to the Molong & Canowindra Residential Estate for all purchasers to 30 June 2010 except for Lot 8 at Longs Corner Estate Canowindra.

11. Carried

It was noted the time being 3:19pm the Chair resumed the ordinary meeting.

REPORT & RESOLUTIONS OF CLOSED COMMITTEE OF THE WHOLE

MOTION (Culverson/Farr)

THAT the Report and Recommendations of the Closed Committee of the

Whole Meeting held on Monday 15 February, 2010 be adopted.

10/02/44 Carried

There being no further business, the meeting closed at 3:20pm.

CHAIRMAN.

Chairman of the Ordinary Meeting of Cabonne Council held on the 15 March 2010 at which meeting the listed minutes were confirmed and the signature hereon was subscribed.