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PRESENT Clr K Duffy (in the Chair), Clrs G Dean, N Bleakley, R Dowling, L MacSmith, I Gosper, A Durkin, D Hyde, K Walker, 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 J Farr, for his unavoidable absence from the meeting.

MOTION (Durkin/Dean)

THAT the apology tendered by Clr J Farr be accepted and the necessary leave of absence be granted.

10/03/01 Carried

ITEM - 2 DECLARATIONS OF INTEREST

Proceedings in Brief

Clr Gosper declared an interest in Item 13 due to his daughter being employed at the centre by Dr Robin Williams and in item 4 of Closed due to being an adjoining landowner to the proposed HUB.

MOTION (Hyde/Wilcox)

THAT the Declarations of Interest be noted.

10/03/02 Carried

ITEM - 3 DECLARATIONS OF POLITICAL DONATIONS

Proceedings in Brief

There were NIL declarations of political donations.

ITEM - 4 MAYORAL MINUTE

Proceedings in Brief

The General Manager took on notice to provide a further report in relation to the Eugowra Flood Plain Strategy consultant's report.

Clr Duffy

- CTAC Workshop.

- Meeting with NSW Heritage Chair & others re Escort Rock.
- Canowindra Focus Meeting.
- Department, Industry & Investment Meeting – Land management & weeds.
- Waluwin Community Centre opening.
- Yeoval Heritage Community launch of the Henry Moore Sculpture.
- Meeting with senior staff from Minister Costa's & Jody McKay's office.
- Daroo Awards Manildra.
- CENTROC meeting Molong.
- Committee Day.
- Cudal Progress Association.
- WBC Meeting at Blayney.
- Meeting with Developer re Molong Golf Club subdivision.
- Addressed Molong Probus Club.
- Citizenship Ceremony.
- Local Government Shires Association Conference Cowra.
- Eugowra LEP Progress meeting.

Clr Dean

- Consultative committee meeting.
- Cabonne/Orange road safety meeting.
- Waluwin Community Centre opening.
- Committee meetings.
- GIS workshop.
- Cudal Progress meeting.
- Council meeting.

Clr Bleakley

- Traffic meeting at Cudal.
- Committee meeting.
- Acacia Lodge meeting.
- Meeting re Molong Golf Club subdivision.
- Gum Creek Bridge inspection.

Clr Dowling

- Committee meetings.
- Yeoval Progress meeting.

- WBC Meeting at Blayney.
- Gumble Hall Committee meeting re community hall funding.
- Met with Gumble & Cumnock residents re condition of gravel roads.
- LEP Village workshop – Eugowra.

Clr MacSmith

- Waluwin Community Centre opening.
- Cadia Consultation meeting.
- Mt Canobolas inspection re fire risks & fire hazards reduction works.
- Attended Canobolas Fire Management debrief re fires in 2010.
- Road inspections/discussions – Griffin Rd, Cargo Rd & Paling Yards Loop.
- Committee meetings.
- Cargo Progress Association meeting.

Clr Gosper

- Council meeting.
- Waluwin Community Centre opening.
- Committee meetings.
- Meeting re Molong Golf Club subdivision.
- Attended MAG meeting.

Clr Durkin

- Attended opening of Waluwin Centre.
- Attended committee meetings.
- Attended general council meeting.
- Ongoing meetings with BSG re: memorial park playground upgrade.
- Meeting with BSG re: medical centre for Canowindra.
- Attended AOFM Board meeting.

Clr Hyde

- Council meeting.
- HACC meeting.
- Eugowra RTC board meeting.
- Meeting with NSW Heritage Chair & others re Escort Rock.
- Waluwin Community Centre opening.
- LRTC meeting in Blayney.
- Eugowra Self Care Units meeting.

- Eugowra MPS Hospital meeting.
- Eugowra Promotion & Progress meeting.
- Eugowra Community meeting.

Clr Walker

- Pauls Lane.
- CTW meter malfunction.
- AOF Memorial Park Turf.
- Canowindra High School Cemetery.
- Waluwin Community Centre Opening.
- Meeting with John Cobb MP re 100yr railway anniversary.
- LRTC meeting in Blayney.
- Sports Trust update.
- Canowindra High School paint.
- Committee meetings.
- Driveway upgrade.
- Cowra Guardian - Longs Corner Estate.
- Sports Oval concerns.
- Wallington Wines public liability.
- Historical Society AGM.
- Stormwater – Tilga St
- Stormwater – Lucerne Foods.
- Stormwater – Mill St.

Clr Culverson

- CTAC workshop.
- Meeting with NSW Heritage Chair & others re Escort Rock – tabled letter of invitation from Mr B Noble.
- Serrated Tussock meeting at Lewis Ponds.
- Waluwin Community Centre opening.
- Unveiling of the Henry Moore sculpture at Yeoval.
- Daroo meeting Manildra.
- CENTROC meeting Molong.
- Committee meetings.
- MC&DPA.
- Mullion Creek Public School P & C meeting.

- ALGWA Conference Moree.
- Attended Woman's Day celebrations
- LEP community consultation meeting Eugowra.
- Ophir Trust meeting.

MOTION (Duffy/Hyde)

THAT:

1. The Mayoral Minute be adopted.
2. Council extend an offer of the Borenore Dam water to all interested parties and stakeholders with conditions and guidelines.
3. Council receive an immediate written update on the Eugowra Flood Plain Strategy by Lyle & Associates indicating the conclusion date for the draft.
4. Council request consultation by the Mayor, Director of Engineering & Technical Services and other interested Councillors with Mr B Lyall.
5. The LEP review strategy for Eugowra be revisited at a later date when the Flood Plain Strategy is complete.
6. The General Manager arrange for the Economic Development manager to meet with the Eugowra Progress Association as soon as possible.
7. Council Environmental staff make themselves available to residents of Eugowra regarding Flood Plain planning issues.
8. A media release be made advising residents of the current position.
9. Council conduct a workshop with the Eugowra community to determine their requests relating to flood liable land following the meeting with Mr Lyall.
10. \$300 be donated from the s356 vote to the Major Mitchell Reunion being arranged by Orange City Council.

10/03/03 Carried

ITEM - 5 CONFIRMATION OF THE MINUTES

Proceedings in Brief

Clr MacSmith requested that the minutes be amended so that Item 32 is to include part b) of his original motion which had been omitted so as to have a record of the fact that at the time that the Mayor offered the water to Orange City Council there was no resolution for Council to do so.

MOTION (Hyde/Culverson)

THAT the minutes of the Ordinary Meeting held on 15 February 2010 be adopted noting that Item 32 is to include part b) of his original motion which had been omitted so as to have a record of the fact that at the time that the Mayor offered the water to Orange City Council there was no resolution for

Council to do so.

10/03/04 Carried

ITEM - 6 BUSINESS PAPER ITEMS FOR NOTING

Proceedings in Brief

Clrs Duffy and Hyde called Item 8; Clr Gosper called Item 12; Clr Bleakley called Item 6; Clr Dowling called Item 10 and the General Manager called Item 5.

MOTION (Hyde/Gosper)

THAT:

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

10/03/05 Carried

ITEM - 7 APRIL 2010 COMMITTEE MEETINGS

Proceedings in Brief

Clr Dean commented that the SWS concepts discussion would require more time than was allowed for on the agenda and moved that a separate workshop be conducted for that purpose. In response to the General Manager advising that he would not be available to attend on the proposed date Clr Durkin requested that the General Manager document his comments and they be tabled on the day.

MOTION (Dean/Hyde)

THAT Council:

1. Confirm the arrangements for local inspections, Committee meetings and Finance Workshop in Canowindra on 6 April 2010.
2. Hold a workshop on Monday 12th of April 2010 In relation to SWS concepts in conjunction with the Kleem report.

10/03/06 Carried

ITEM - 8 AUSTRALIA WIDE RURAL LOBBY GROUP

Proceedings in Brief

The Mayor requested that all councillors be provided with a copy of the letter.

MOTION (Bleakley/Gosper)

THAT Council express an interest in joining the Australia Wide Rural Lobby Group and seek further information on the outcome of the forum held on 15 March 2010.

10/03/07 Carried

ITEM - 9 CORPORATE SERVICES POLICIES

MOTION (Durkin/Gosper)

THAT the actions as outlined in the report be adopted in relation to Council's Policy Manual.

10/03/08 Carried

It was noted the time being 10:07am Council was addressed by Ms Learne Spicer Trust Secretary, Ophir Reserve Trust.

The debate having proceeded for some time Clr Hyde moved that the motion be put.

PROCEDURAL MOTION

MOTION (Hyde/-)

THAT the Motion be put.

10/03/09 Carried

ITEM - 10 RESCISSION MOTION - OPHIR RESERVE

Proceedings in Brief

Ms Spicer spoke in relation to the letter submitted to the Mayor from the Ophir Reserve requesting that the following motion be rescinded and advised that Mr Peter Culverson had resigned his position from the Ophir Reserve Board due to the conflict of interest issues relating to Clr Culverson.

Considerable discussion followed at which time Clr Bleakley foreshadowed a Motion:

THAT Council write to the Ophir Reserve Board and express Council's disappointment with their decision not to support the motion carried by this Council.

MOTION (Culverson/Hyde)

THAT the Rescission Motion be received.

10/03/10 Carried

A division was called for which resulted as follows (noting the absence of Clr Farr - Apology):

For – Clrs Duffy, Dean, Gosper, Hyde, Walker & Culverson.

Against – Clrs Bleakley, MacSmith, Dowling, Durkin & Wilcox.

MOTION (Bleakley/Gosper)

THAT Council write to the Ophir Reserve Board and express Council's disappointment with their decision not to support the motion carried by this Council.

10/03/11 Carried

A division was called for which resulted as follows (noting the absence of Clr Farr - Apology):

For – Clrs Bleakley, MacSmith, Dowling, Gosper, Durkin & Wilcox.

Against – Clrs Duffy, Dean, Hyde, Walker & Culverson.

It was noted, the time being 10:41am the Mayor made presentations to the Youth of the Month for February, the Volunteer of the Month, and to a former Council employee who retired after 46 years of service.

It was noted, the time being 10:53am Council adjourned for morning tea, resuming at 11:13 am at which time a presentation was made to Council by the General Manager Telstra Western New South Wales.

ITEM - 11 WATER BRIEFING

Proceedings in Brief

The Director of Finance & Corporate Services Commented that the pipeline was a short-term fix, and the Lake Rowlands proposal will still be the long term solution. In response to a question from Clr Hyde the Director of Engineering & Technical Services advised that the pipe would mostly be on the edge of the road and that there would be no cost to Cabonne Council – all costs would be met by Orange City Council.

In response to a question as to what problems would be created for water users downstream the Director of Finance & Corporate Services advised that the amount to be taken out by Orange City Council was insufficient to have any impact downstream.

Clr Gosper commented that as Orange City Council were still selling water to Cadia Mine he will not be supporting the motion. Clr MacSmith also commented that Orange City Council should consider a moratorium on its developments in exchange for any help provided as ongoing development is only increasing the need for water.

Clr Duffy read out the consequences of Orange City Council applying level 6 water restrictions and reminded Council that if water is not shared the State Government would simply take over control.

MOTION (Dowling/Culverson)

THAT Council:

1. Accept and note the report and agree in principle to supporting Orange City Council's Part 3A application for an emergency pipeline to the Macquarie River.
2. Assist Orange City Council where available and applicable.
3. Write a letter of support to Orange City Council for their Macquarie River Emergency Pipeline Project.

10/03/12 Carried

A division was called for which resulted as follows (noting the absence of Clr Farr - Apology):

For – Clrs Duffy, Dean, Bleakley, MacSmith, Dowling, Hyde, Culverson & Wilcox.

Against – Clrs Gosper, Durkin & Walker.

ITEM - 12 LARRAS LEE AIRSTRIP

Proceedings in Brief

Clr Gosper commented that there were some errors in the report including that the RFS were only requesting \$48,000 and that in fact there was a nexus as all the brigades would be using the airport. The Director of Finance & Corporate Services commented that he had a letter from the RFS requesting the \$94,961 from section 94 funds noted in the report and left the Chambers to get said letter. Clr Gosper tabled an email in his possession which clarified the RFS intention was to obtain only \$48,000 as additional donations had been received.

In response to a statement by Clr Gosper the General Manager sought to clarify that section 94 contributions are Council funds to administer and do not belong to the Brigades.

MOTION (Gosper/Hyde)

THAT Council write to the Canobolas Zone of the NSW Rural Fire Service advising that it is prepared to release \$48,000 from the section 94 funds for the Larras Lee Airstrip.

10/03/13 Carried

It was noted the time being 11:55 am Clr Gosper declared an interest due to his daughter being employed by Dr Williams at the Waluwin Centre and left the Chambers.

In response to Clr MacSmith's request for clarification the Director of Finance & Corporate Services advised that under the Local Government Act a person does not have a pecuniary interest due to employment considerations, if employed by the Crown – as Clr MacSmith's wife is employed by GWAHS (State Government) no declaration of interest is required.

In response to a question from Clr Bleakley as to whether Council staff have an obligation to report Councillors who fail to declare an interest, the Director of Finance & Corporate Services advised that in relation to pecuniary interest the General Manager is obligated to report the matter to the Department of Local Government and in relation to a conflict of interest when a complaint is received the General Manager is required to refer the matter to an independent committee in accordance with the Code of Conduct.

ITEM - 13 WALUWIN COMMUNITY CENTRE

Proceedings in Brief

Clr Dowling commented that Council needs to take a more proactive role in

the management of the Waluwin Centre, being the owner; that Council should have a delegate on the s355 Centre Governance Committee for which he nominated Clr Bleakley and suggested a one month time frame be set for the matter to be resolved. The Director of Finance & Corporate Services advised that the GP representative was unclear as was the involvement of the Division of General Practitioners. It was then suggested that the committee could be set up with an interim representative.

In response to a question from Clr Bleakley the Director of Finance & Corporate Services advised that there were two bodies – one being the Centre Governance Committee which will act as landlord and manage a three year budget including eg painting.

MOTION (Durkin/Dowling)

THAT:

1. Clr Bleakley be Council's delegate to the Waluwin Centre Governance Committee.
2. Council receive a further report to the April Council meeting outlining the structure and membership of the Waluwin Centre Governance Committee.

10/03/14 Carried

It was noted the time being 12:06 pm Clr Gosper returned to the meeting.

ITEM - 14 CHANGE TO HOUSING LOAN POLICY

Proceedings in Brief

In response to a question from Clr Bleakley the General Manager advised that this policy related to some housing loans, from a time when Council provided home loans, that were still outstanding and that generally people now borrow from banks and other financial institutions.

MOTION (Durkin/Wilcox)

THAT Council's Housing Loan policy be amended to read:

"Council continue to impose an additional one percent (1%) interest on the Indicative Borrowing Rates-Borrowed by General Co Operatives (as advised in The Australian Financial Review) applicable together with a Management Fee per half year in respect of each advance made, subject to review should there be a dramatic increase in interest rates. The Management Fee is to be detailed in the Mortgage Document."

10/03/15 Carried

ITEM - 15 ASSESSMENT 2749.02000.0 RATES WRITE OFF

MOTION (Durkin/Culverson)

THAT rates and charges of \$3138.63 and interest currently at \$955.73 be written off.

10/03/16 Carried

ITEM - 16 POLICY DATABASE - RECORDS MANAGEMENT POLICY

MOTION (Gosper/Dowling)

THAT Council adopt the annexed draft Records Management Policy.

10/03/17 · Carried

**ITEM - 17 POLICY DATABASE - AUSTRALIA DAY OFFICIAL PARTY
TIMETABLE POLICY**

MOTION (Culverson/Hyde)

THAT:

1. An expression of interest be sent to other localities to indicate whether they have an interest in participating in future Australia Day celebrations
2. Council receive a further report to its May Council meeting.

10/03/18 · Carried

**ITEM - 18 POLICY DATABASE - DOG CONTROL, CEMETERIES AND
UNCOVERED LOADS**

MOTION (Durkin/Culverson)

THAT Council:

1. Delete the Fines for Uncovered Loads - Canowindra District Policy from its Policy database.
2. Delete the Matters to be Reported to Full Council policy from its Policy database.
3. Adopt the annexed draft Dog Control – Restricted Areas Policy.
4. Adopt the annexed draft Cabonne Cemeteries policy.

10/03/19 · Carried

ITEM - 19 CENTRAL WEST LIBRARIES COMMITTEE

Proceedings in Brief

The General Manager commented that if the increase in Council's contribution to Central West Libraries exceeds 2.6% Council should not be adopting the management plan.

MOTION (Culverson/Hyde)

THAT Council adopt the 2010/2011 Central West Libraries Management Plan subject to the percentage increase.

10/03/20 · Carried

ITEM - 20 LICENCES TO GRAZE CROWN RESERVES

Proceedings in Brief

Clr Gosper queried whether it was possible to only move point 3. of the recommendation to which the Administration Manager replied that as the licences were expiring in June the 12 month extensions was required to allow investigation. The General Manager requested that item 4 be amended to delete funding for the valuations to which the Administration Manager advised that if the funding was removed the project could not be done.

MOTION (Durkin/Dowling)

THAT Council:

1. Enter into temporary licence agreements with current licence agreement holders of the Reserves listed in the report for a 12 month period from the lapsing of the current agreements.
2. Undertake a review of the Crown Reserves currently licensed for grazing with a view to relinquishing trusteeship of those that cannot be used for public recreation.
3. Investigate relinquishing trusteeship of all Crown Reserves due to the financial burden on Council to administer same.
4. Fund the resources to allow a review for the above reserves from the 'Sundry Admin Expenses' vote.

10/03/21 Carried

**ITEM - 21 POLICY DATABASE - FAMILY DAY CARE POLICIES AND
COMMUNITY TRANSPORT POLICIES**

MOTION (Gosper/Durkin)

THAT Council adopt the draft Family Day Care Policies and draft Community Transport Policies.

10/03/22 Carried

ITEM - 22 ANZAC DAY

MOTION (Hyde/Dean)

THAT:

1. Advise all police officers in the towns and villages which are to conduct ANZAC Day marches that Council offers no objection to the temporary closure of the streets involved, subject to compliance with local police regulations.
2. Appoint Clr Culverson to attend the civic commemoration service in Orange on ANZAC Day 2010.

10/03/23 Carried

ITEM - 23 RESCISSION MOTION - MOLONG WATER SUPPLY

Proceedings in Brief

This item was withdrawn.

ITEM - 24 SENIORS WEEK

MOTION (Hyde/Gosper)

THAT Council Make the following contributions to Senior's Week Activities; Canowindra Lions Club trip \$272.00, Eugowra Lions Club luncheon and activities \$400.00, Molong Afternoon tea and activities \$400.00, Yeoval UPA Bus trips \$400.00.

10/03/24 Carried

ITEM - 25 COMMUNITY SERVICES COMMITTEE MEETING

MOTION (Hyde/Dean)

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

10/03/25 Carried

**ITEM - 26 ECONOMIC DEVELOPMENT & TOURISM COMMITTEE
MEETING**

MOTION (Durkin/MacSmith)

THAT the report and recommendations of the Economic Development and Tourism Committee Meeting of Cabonne Council held on 1 March 2010 be adopted.

10/03/26 Carried

**ITEM - 27 LACHLAN REGIONAL TRANSPORT COMMITTEE MEETING
MINUTES**

MOTION (Hyde/Gosper)

THAT Council approve the next Lachlan Regional Traffic Committee Meeting being hosted by Cabonne Council at Canowindra on the 8th May 2010.

10/03/27 Carried

ITEM - 28 TRAFFIC COMMITTEE MINUTES

MOTION (Hyde/MacSmith)

THAT the report and recommendations of the Traffic Committee meeting held on 24 February 2010 be noted.

10/03/28 Carried

ITEM - 29 WORKS COMMITTEE MEETING MINUTES

MOTION (Gosper/Dowling)

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

10/03/29 Carried

ITEM - 30 CARGO ROAD RTA SPEED ZONE REVIEW

Proceedings in Brief

The Mayor commented that he was to meet with the Minister for Roads the following Wednesday.

Clr Gosper wished to thank and commend the Director of Engineering & Technical Services for his work on this matter.

MOTION (Gosper/Culverson)

THAT Council:

1. Endorse letter of 3 March 2009 to RTA requesting consideration be given to points raised by Council in relation to the speed zone review on Cargo Road.
2. Revise the Roads Asset Management Plan to include Travel Speed as a level of service.
3. Include in the Road Safety Officer's reporting program, six monthly crash statistics to Council.
4. Prepare a road improvement program for Cargo Road including removal of trees in the clear zone and provision of guard fence and to seek special funding from State and Federal Government for the work.

10/03/30 Carried

ITEM - 31 FUNDING APPROVAL FOR MANILDRA SEWERAGE SCHEME

MOTION (Dowling/Culverson)

THAT Council:

1. Authorise the affixing of Council's Common Seal to the funding agreement for the Manildra Sewerage Scheme received in December 2009; and
2. Write to the Minister of Water thanking him and his department for their assistance with the project.

10/03/31 Carried

ITEM - 32 CANOWINDRA SKATE PARK TENDER PROCESS

MOTION (Walker/Hyde)

THAT Council authorise a selective tendering process for the design and construction of the Canowindra skate park to include those organisations that submitted written expressions of interest.

10/03/32 Carried

ITEM - 33 B-DOUBLE ACCESS - LOCAL CABONNE ROADS

Proceedings in Brief

Clr Dean raised the issue of the road between Orange Rd and Nathan St in Cudal which vehicles were using to fuel up – this was referred to the Traffic Committee.

MOTION (Bleakley/Culverson)

THAT:

1. Council request the Roads and Traffic Authority to gazette the Local and Regional Roads as listed in the report as B Double access under the same conditions as in the trial period.
2. The issue of B Double access for Orange Rd and Nathan St in Cudal be referred to the Traffic Committee.

10/03/33 Carried

**ITEM - 34 B-DOUBLE ACCESS - FOUR MILE CREEK ROAD FROM CADIA
RD INTERSECTION TO NSW STATE FORESTS MT CANOBOLAS
PINE PLANTATION**

Proceedings in Brief

The General Manager commented that the rate payers should not be meeting the cost as NSW State Forest do not pay rates.

MOTION (Bleakley/Gosper)

THAT Council approve the use of B-Double Vehicles on Four Mile Creek Road from State Forests 'Spring Creek Rd' to the Cadia Road intersection providing:

1. NSW State Forests meet the full cost of vegetation removal.
2. NSW State Forests meet the full actual cost of widening the northern batter of the cutting located at 4.06km from Cadia Rd Intersection to improve east bound sight distance. Approx dimension say 200m x 3.0m x 5.0m.

10/03/34 Carried

ITEM - 35 ORANA HOUSE, CANOWINDRA

Proceedings in Brief

In response to the proposed motion by Clr Walker that the funding be granted the Director of Engineering & Technical Services asked whether there were

sufficient funds available; and the General Manager advised Council that it was setting a precedent.

MOTION (Walker/Durkin)

THAT funding request of \$2500 from the Canowindra Town Improvement Fund towards Orana House be granted.

10/03/35 Carried

**ITEM - 36 APPLICATION TO CLOSE AND PURCHASE UNFORMED
COUNCIL ROAD IN EAST MOLONG**

MOTION (Gosper/Dowling)

THAT Council support the closure of part Owen Street as per attached location map and follow the process as set by Council.

10/03/36 Carried

**ITEM - 37 ASSOCIATION OF MINING RELATED COUNCILS' FEBRUARY
MEETING - ROYALTIES FOR REGIONS**

MOTION (Hyde/Wilcox)

THAT:

1. The report be noted.
2. Council support the Association of Mining Related Council's proposal to develop a model for the return of mining royalties to regions, based on the successful WA system, and further more supports the circulation of the draft model to the NSW Government and Opposition for consideration as legislation.
3. Council advice the Association of Mining Related Councils of its support for the development of a draft model formulating the framework for implementation of legislation for NSW Royalties for Regions.

10/03/37 Carried

ITEM - 38 MODIFICATION APPLICATION DA 2006/251

Proceedings in Brief

Following discussion it was noted that there was a need to clarify the length of the 3m wide path and also whether the section 94 road contributions were for the road only or included the intersection.

It was noted Clr MacSmith commended both the Director of Environmental Services and Director of Engineering & Technical Services for their work on this matter.

MOTION (Gosper/Culverson)

THAT:

1. The report be noted.
2. Council approve the requested modification to amend the development consent cover notice to correct an error and an anomaly, amend condition 5 to require a s94 road contribution; amend condition 13 to require a performance bond of 5% of the value of the road works undertaken for the project; defer the review of Condition 19 until a detailed report can be prepared by Council's Director of Engineering and Technical Services on raw water supply options; amend conditions 37 and 42 to require a 4m wide ROW; require an additional condition of consent to provide a 3m wide concrete bicycle path to link the subdivision to Back Saleyards Road; and amend the consent to permit the subdivision to occur in stages subject to the relevant conditions of consent for each stage having been completed.
3. The path length be clarified.
4. The costs for the intersection being treated separately to the road upgrade be confirmed.

10/03/38 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 the absence of Clr Farr - Apology).

ITEM - 39 SUB-REGIONAL AND INDUSTRIAL STRATEGY STRATEGIC PLANNING REPORT

Proceedings in Brief

The Mayor commented that he recommended two additions to the listing. The Director of Environmental Services advised that the Rural SEPP 2008 enables Council to retain the LEP 100ha subdivision standard.

MOTION (Dowling/Wilcox)

THAT:

1. Council adopt the following documents:
 - (a) *Councils of Blayney, Cabonne and Orange City – Sub-Regional Rural and Industrial Land Use Strategy (July 2008) Final Strategy;*
 - (b) *Councils of Blayney, Cabonne and Orange City – Sub-Regional Rural and Industrial Land Use Strategy (February 2008) Issues Paper;* and
 - (c) *Councils of Blayney, Cabonne and Orange City – Sub-Regional Rural and Industrial Land Use Strategy (February 2008) Local Profile.*

2. Investigate establishing a village zone in Borenore.
3. Further review and investigate minimum lot sizes.

10/03/39 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 the absence of Clr Farr - Apology).

**ITEM - 40 ENVIRONMENTAL SERVICES AND SUSTAINABILITY
COMMITTEE MEETING**

MOTION (Durkin/Dean)

THAT the report and recommendations of the Environmental Services and Sustainability Committee Meeting of Cabonne Council held on 1 March 2010 be adopted and carried Motions be noted.

10/03/40 Carried

ITEMS FOR NOTATION

ITEM - 5 FINANCIAL HEALTH CHECK

Proceedings in Brief

The General Manager commented that this was the best result ever for Council: achieving a green light in all seven indicators.

ITEM - 6 RESOLUTIONS REGISTER - INFOCOUNCIL

Proceedings in Brief

Clr Bleakley expressed his disappointment in noting the number of entries of which he was aware were completed yet the register did not have an update. In response to a question from Clr Bleakley, the Director of Engineering & Technical Services advised that options with the Gelato Factory floor were explored, however the occupier had negotiated with the General Manager to do the works. It was noted that Council was in an open session so further discussion was not entered into.

ITEM - 8 RECLASSIFICATION OF MT CANOBOLAS ROAD

Proceedings in Brief

Clr Duffy advised he was meeting with the Minister for Roads the following Wednesday to present a DVD in relation to this matter and that he would also be raising the matter concerning the Nashdale Bridge.

In response to a question from Clr Dean the Mayor advised that whilst Orange City Council was supporting the project a representative would not be

attending with him.

ITEM - 10 YEOVAL AND CUMNOCK SECURE WATER SUPPLY

Proceedings in Brief

In response to a question from Clr Dowling the Director of Engineering & Technical Services advised that Council's applications for both items 9 & 10 were unsuccessful and that Council would continue to apply for other funding. He mentioned that he was going to speak with the General Manager in relation to having a professional application prepared.

ITEM - 12 PROCESSING TIMES

Proceedings in Brief

In response to a question from Clr Gosper the Director of Environmental Services advised that it was a monthly median and that she had recently cleared 7 old applications. Accordingly the processing time was higher than at equivalent times in previous years.

MATTERS OF URGENCY

MATTER OF URGENCY - EUGOWRA CHILD CARE CENTRE

Proceedings in Brief

Clr Hyde was given leave to raise this issue as a matter of urgency. The Mayor undertook to contact the Minister in relation to this matter.

MOTION (Hyde/Culverson)

THAT Council:

1. Support the child care project at Eugowra and provide funds immediately once funding is approved by the Federal Government.
2. Write to Mr J Cobb MP requesting an early determination in relation to the Eugowra Child Care Centre application.
3. Notify the child care centre of this resolution.

10/03/41 Carried

CONFIDENTIAL ITEMS

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

MOTION (Wilcox/Dowling)

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.

10/03/42 Carried

**ITEM - 2 ENDORSEMENT OF PROCEEDINGS OF CONFIDENTIAL
MATTERS CONSIDERED AT COMMITTEE OF THE WHOLE
MEETING**

RECOMMENDATION (Hyde/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 15 February 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 OUTSTANDING PUBLIC LIABILITY INSURANCE CLAIMS

RECOMMENDATION (Durkin/Culverson)

THAT the information be noted.

2. Carried

It was noted the time being 12:57pm Clr Gosper declared an interest due to being an adjoining landowner to the proposed HUB and left the Chambers.

*

ITEM - 4 WASTE MANAGEMENT

RECOMMENDATION (Dowling/Wilcox)

THAT:

1. The information be noted.
2. A further report be submitted to the April Council meeting.

3. Carried

It was noted the time being 1:00pm Clr Gosper rejoined the meeting.

**ITEM - 5 SEWER ACCOUNT 5403.00000.2 - TIME PAYMENT FOR
CUDAL PRE CONSTRUCTION LEVY**

RECOMMENDATION (Durkin/Culverson)

THAT the owner of sewer account 5403.00000.2 be granted a period of five years interest free to repay the Cudal Sewer Pre Construction Levy amount of \$5,250.00

4. Carried

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

RECOMMENDATION (Durkin/Wilcox)

THAT:

1. Council grant a period of five years for an interest free loan for the repayment of the Cudal Sewer Pre Construction levy for assessment 2663.00000.4.
2. That further investigation is done for the connection of the Anglican Church at Cudal to the sewerage system.

5. Carried

* **ITEM - 7 REQUEST FOR CONSIDERATION OF INTEREST ON WATER
SEWER - ACCOUNT 923.01000.3**

RECOMMENDATION (Bleakley/Gosper)

THAT:

1. Council install a water flow restrictor to the property relating to assessment number 923.0100.3 forthwith.
2. The owner of account 923.0100.3 be advised that after 12 months, provided the regular payment of \$110.00 per fortnight is received, that interest accrued on rates and water/sewer account from February, 2007 will be written off and reviewed again after a further 12 months.
3. When proof that the leak has been repaired is received by Council, adjust the water/sewer account to calculate water usage for 2008, 2009 & 2010 on the average usage for the three previous years.

6. Carried

A division was called for which resulted in the following (noting the absence of Clr Farr – apology):

For – Clrs Dean, Bleakley, MacSmith, Dowling, Gosper, Durkin, Walker & Wilcox.

Against – Clrs Duffy, Hyde & Culverson.

* **ITEM - 8 OUTSTANDING CUDAL SEWER ACCOUNTS - RESOLUTION
TO NOT CHARGE INTEREST**

RECOMMENDATION (Dean/Gosper)

THAT the information be noted.

7. Carried

* **ITEM - 9 SEWER ACCOUNT 5492.00000.4 REQUEST FOR EXEMPTION**

FROM CUDAL SEWER CHARGES

RECOMMENDATION (Dean/Culverson)

THAT:

1. The owner of sewer account 5492.00000.4 be advised that no exemption will be given for the vacant land sewer charge.
2. The Memorandum of Understanding for the use of Council's building, the Old Corden Store in Main Street, Cudal be amended to acknowledge the sewer charges.

8. Carried

*

ITEM - 10 NEW CANOWINDRA SES BUILDING

RECOMMENDATION (Durkin/Walker)

THAT:

1. Council acknowledges the benefits, costs and requirements as outlined by the Director Engineering & Technical Services in his report.
2. Council make an offer to the owner as per the amount noted in the proceedings in brief for the purchase of the former National Auctions shed and land as is.
3. Council advertise for sale and/or lease the block of land currently occupied by the SES in Ryall Street.
4. Council offer for sale as either a single block or two individual blocks, the block of land currently owned and utilised by Council for its staff in Gaskill Street Canowindra.
5. Council offer for sale, the block of land in North Street Canowindra that was proposed to be used as the location for the purpose built SES shed.
6. Council invite the owner of the former 'National Auctions Shed' to the April works committee meeting to be held in Canowindra and to meet with interested Councillor's, General Manager, Director of Finance & Corporate Services and the Director of Engineering & Technical Services to discuss the purchase details.
7. Following the purchase of the former National Auctions Shed, that Council request the SES to provide their preferred layout plan for the floor space area.
8. The shortfall amount in the budget, (approximately \$200,000) be sourced from the capital reserve funds.
9. An appropriate MOU for the use/operation of the building be developed prior to occupation eg use of the administration office.

9. Carried

ITEM - 11 EASTERN AREA WASTE COLLECTION UPDATE REPORT

RECOMMENDATION (Culverson/Bleakley)

THAT Council:

1. Not pursue provision of a waste and recycling service in the eastern areas of Cabonne at this stage.
2. Educate ratepayers and residents in the eastern areas of Cabonne on the existing services available for waste and recyclables disposal.
3. Enter into discussions with current private contractors to extend their service provision.

10. Carried

It was noted the time being 1:33pm the Chair resumed the Ordinary meeting.

REPORT & RESOLUTIONS OF CLOSED COMMITTEE OF THE WHOLE

MOTION (Bleakley/Hyde)

THAT the Report and Recommendations of the Closed Committee of the Whole Meeting held on Monday 15 March, 2010 be adopted.

10/03/43 Carried

There being no further business, the meeting closed at 1:34pm.

CHAIRMAN.

Chairman of the Ordinary Meeting of Cabonne Council held on the 19 April, 2010 at which meeting the listed minutes were confirmed and the signature hereon was subscribed.