

TABLE OF CONTENTS

| | |
|--|----|
| ITEMS FOR DETERMINATION..... | 1 |
| ITEM - 1 APPLICATIONS FOR LEAVE OF ABSENCE | 1 |
| ITEM - 2 DECLARATIONS OF INTEREST | 1 |
| ITEM - 3 DECLARATIONS OF POLITICAL DONATIONS | 1 |
| ITEM - 4 CONFIRMATION OF THE MINUTES | 1 |
| ITEM - 5 MAYORAL MINUTE | 1 |
| ITEM - 6 BUSINESS PAPER ITEMS FOR NOTING | 5 |
| ITEM - 7 LOCAL GOVERNMENT ASSOCIATION AND SHIRES ASSOCIATION - LEGAL ASSISTANCE POLICY AND GUIDELINES REVIEW | 5 |
| ITEM - 8 MACQUARIE VALLEY WEEDS ADVISORY COMMITTEE NEW FUNDING ARRANGEMENTS - MOU WITH CABONNE COUNCIL..... | 5 |
| ITEM - 9 SHIRES ASSOCIATION OF NSW ANNUAL CONFERENCE 2010 | 6 |
| ITEM - 10 NOTICE OF MOTION - YEAR OF WOMEN IN LOCAL GOVERNMENT | 6 |
| ITEM - 11 OPHIR RESERVE TRUST DELEGATE | 6 |
| ITEM - 12 NATIONAL GENERAL ASSEMBLY - 2010 | 7 |
| ITEM - 13 LOCAL GOVERNMENT REFERENCE GROUP FORUM..... | 7 |
| ITEM - 14 POLICY DATABASE - LEASEBACK MOTOR VEHICLES - FEES & CHARGES | 7 |
| ITEM - 15 2009/2010 MANAGEMENT PLAN - THIRD QUARTERLEY REVIEW TO 31 MARCH 2010..... | 8 |
| ITEM - 37 RESCISSION MOTION - DA 2007/138 FOR SEVEN LOT RURAL SUBDIVISION, KANGAROOBIE LANE | 8 |
| ITEM - 16 2010/11 DRAFT MANAGEMENT PLAN & BUDGET..... | 11 |
| ITEM - 17 REQUEST FOR ASSISTANCE WITH LEGAL COSTS - MURRAY SHIRE COUNCIL | 11 |
| ITEM - 18 PECUNIARY INTEREST RETURNS - MEDIA & COMMUNICATIONS OFFICER..... | 12 |
| ITEM - 19 POLICY DATABASE - BUILDING SERVICES CORPORATION, AMUSEMENT DEVICES, KEEPING OF ANIMALS AND POULTRY, CANOWINDRA LIONS CLUB - LEASE OF RAILWAY STATION..... | 12 |
| ITEM - 20 POLICY DATABASE - WASTE COLLECTION DISTRICTS POLICY AND SCARE GUNS POLICY..... | 12 |
| ITEM - 21 COMMUNITY SERVICES COMMITTEE MEETING | 13 |

| | |
|---|----|
| ITEM - 22 ECONOMIC DEVELOPMENT & TOURISM COMMITTEE MEETING..... | 13 |
| ITEM - 23 BELLS LINE EXPRESSWAY GROUP..... | 13 |
| ITEM - 24 MOLONG CREEK AND WATER SUPPLY | 13 |
| ITEM - 25 WORKS COMMITTEE MEETING MINUTES | 14 |
| ITEM - 26 QUARRY COMMITTEE MEETING MINUTES..... | 15 |
| ITEM - 27 MOORBEL HALL | 15 |
| ITEM - 28 CABONNE COUNCIL CARAVAN PARKS FUTURE MANAGEMENT | 16 |
| ITEM - 29 MORRIS PARK, CANOWINDRA | 16 |
| ITEM - 30 CANOWINDRA MEN'S SHED LEASE ON OLD CANOWINDRA SCOUT HALL..... | 16 |
| ITEM - 31 CANOWINDRA AND MOLONG SWIMMING POOLS | 16 |
| ITEM - 32 CABONNE COUNCIL CARAVAN PARK COMMITTEE MEETING..... | 17 |
| ITEM - 33 ENVIRONMENTAL SERVICES AND SUSTAINABILITY COMMITTEE MEETING | 17 |
| ITEM - 34 DEVELOPMENT APPLICATION 2010/124 FOR A PROPOSED SHED AT LOT 7 IN DEPOSITED PLAN 1966422, JASON STREET (OFF SPEEDY STREET), MOLONG..... | 17 |
| ITEM - 35 CONDITIONS OF CONSENT - DA 2007/138 - FOR A SEVEN (7) LOT SUBDIVISION OF LOT 245 DP 756890 AND LOT 1 DP 591097, KANGAROOBIE ROAD, MARCH | 17 |
| ITEM - 36 NOTICE OF MOTION - MAYORAL MINUTE | 17 |
| ITEM - 38 SNOWY WORKS AND SERVICES WORKSHOP..... | 18 |
| ITEM - 39 KLEEM REPORT WORKSHOP | 18 |
| ITEMS FOR NOTATION..... | 18 |
| ITEM - 1 INVESTMENTS & RATES SUMMARIES | 18 |
| ITEM - 3 WALUWIN COMMUNITY CENTRE..... | 19 |
| ITEM - 4 BORENORE RAILWAY STATION LAND | 19 |
| ITEM - 5 2009 COMMUNITY CONSULTATION MEETINGS - ACTION STATUS REPORT UPDATE | 19 |
| ITEM - 6 RESOLUTIONS REGISTER - INFOCOUNCIL - ACCESS BY COUNCILLORS..... | 20 |
| ITEM - 7 2010 LGSA TOURISM CONFERENCE - DELEGATES REPORT | 20 |
| ITEM - 10 EUGOWRA FLOOD STUDY REVIEW | 20 |
| ITEM - 11 SPEED ZONE REVIEW CARGO ROAD | 21 |

| | |
|---|-----------|
| MATTERS OF URGENCY | 21 |
| CONFIDENTIAL ITEMS | 21 |
| ITEM - 1 CARRYING OF COUNCIL RESOLUTION INTO CLOSED COMMITTEE OF THE WHOLE MEETING | 21 |
| ITEM - 2 ENDORSEMENT OF PROCEEDINGS OF CONFIDENTIAL MATTERS CONSIDERED AT COMMITTEE OF THE WHOLE MEETING | 21 |
| ITEM - 3 OUTSTANDING PUBLIC LIABILITY INSURANCE CLAIMS | 21 |
| ITEM - 5 WASTE MANAGEMENT | 22 |
| ITEM - 6 REQUEST FOR FINANCIAL ASSISTANCE | 22 |
| ITEM - 7 REQUEST FOR CONSIDERATION OF WATER CONSUMPTION COSTS ACCOUNT | 22 |
| ITEM - 8 CONTRACT FOR THE INSTALLATION OF ON-PROPERTY WORKS AS PART OF THE MANILDRA SEWERAGE SCHEME | 22 |
| ITEM - 9 LAND DEVELOPMENT SUB-COMMITTEE MEETING | 23 |
| ITEM - 10 ACQUISITION OF LAND ADJOINING MANILDRA LANDFILL | 23 |
| ITEM - 4 ANNUAL REVIEWS | 23 |
| REPORT & RESOLUTIONS OF CLOSED COMMITTEE OF THE WHOLE | 23 |

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 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

There were Nil applications for leave of absence.

ITEM - 2 DECLARATIONS OF INTEREST

Proceedings in Brief

Clr Gosper declared an interest in Item 5 of Closed due to being an adjoining land owner to the proposed Hub site; and Clr Culverson declared an interest in Items 35 and 37 due to the objector being her Father-in-law.

MOTION (Durkin/Wilcox)

THAT the Declarations of Interest be noted.

10/04/04 Carried

ITEM - 3 DECLARATIONS OF POLITICAL DONATIONS

Proceedings in Brief

There were Nil declarations of political Donations.

ITEM - 4 CONFIRMATION OF THE MINUTES

MOTION (Farr/Gosper)

THAT the minutes of the Ordinary Meeting held on 15 March 2010, the Extraordinary Meeting held on 22 March 2010 and the Extraordinary Meeting held on 6 April 2010 be adopted.

10/04/05 Carried

ITEM - 5 MAYORAL MINUTE

Proceedings in Brief

Clr Duffy

- CTAC Meeting

- Meeting with the Minister for Road & Transport
- Meeting with NSW Surveyor General
- Cumnock Presentation LEP
- Waste to Art Exhibition Molong
- National Harmony Day Clergate
- Central West Garden Expo
- Cabonne Works tour
- Daroo Committee meeting
- E Division Conference Molong
- Meeting with Orange City Council Mayor, National Farmers Federation & local growers re flying foxes
- Canowindra LEP
- Cabonne water meeting
- Meeting with the Minister for Ageing & Disabilities
- Tullamore Irish Festival
- Committee meetings
- Cancer Care West Rally, NSW Governor General Maree Basheer
- Kleem Report workshop
- 100 Mile Dinner
- Ophir Trust, Dept of Industry & Investment
- Cabonne, Blayney, Orange BEC meeting
- Eugowra Flood Plain review
- Cook Off challenge
-

Youth Of The Month

Announced as Sarah Clunes

Volunteer of the Month

Announced as Callie Saul

Clr Dean

- Cabonne bus tour
- Committee meetings
- Cudal Progress meeting
- Kleem Report workshop

- Council meeting

Clr Bleakley

- Cumnock Village strategy
- One Stop Health Shop
- Sheep Dog Trial official opening
- Clergate School Harmony Day
- Waste to Art exhibition
- Molong Skate Park working bee
- Shire Tour
- Molong Village Strategy
- One Stop Health Shop
- E Division conference
- Kleem Report/Tumut presentation
- Canowindra Village strategy
- Molong Water/Molong Creek
- Committee meetings
- One Stop Health Shop
- MAG

Clr Gosper

- Council meeting
- Cumnock Village workshop
- Molong Skate Park working bee
- Shire Tour/Extraordinary meeting
- Canowindra Village strategy
- Molong Creek & dams stakeholders meeting
- Committee meetings
- Kleem Report/Snowy Works & Services presentation
- MAG monthly meeting
- Molong Yarn Market meeting

Clr Dowling

- CTAC meeting
- Molong Sheep Dog Trials morning tea
- Cumnock Village workshop
- Molong Village workshop

- Cumnock Progress Association meeting
- Cumnock Progress Association luncheon
- Molong Creek & water supply meeting
- Yeoval Progress meeting
- Committee meetings
- Kleem Report/Snowy Works & Services presentation
- Meeting with Department of Fisheries

Clr Hyde

- Cumnock Land settlement workshop
- Heritage meeting
- Shire tour
- Molong land settlement workshop
- E Division conference
- Canowindra land settlement workshop
- Molong Dam stakeholders meeting
- Heritage meeting
- MPS hospital meeting
- Kleem Report/Snowy Works & Services workshop
- Eugowra Flood review meeting

Clr Walker

- Business Chamber meeting
- Railway Centenary meeting
- Shire tour
- Molong Land settlement workshop
- Belmore St
- Canowindra LEP workshop
- National Auction inspection
- Giveaway south Canowindra
- Committee meetings
- Kleem Report/Snowy Works & Services workshop
- Cemetery concerns
- River Bank Gallery wall mural
- Canowindra Real Estate

- Council meeting

Clr Wilcox

- CTAC meeting
- E Division Conference
- Committee meetings/inspections
- Kleem Report/Snowy Works & Services workshop
- Ophir site inspection
- Council meeting

MOTION (Duffy/Farr)

THAT the Mayoral Minute be adopted.

10/04/06 Carried

ITEM - 6 BUSINESS PAPER ITEMS FOR NOTING

Proceedings in Brief

Clr Bleakley called items 3, 4 and 1; Clr MacSmith called Items 1; 5 and 6, Clr Gosper called Item 6; Clr Hyde called Items 1 and 10; and Clr Wilcox called Items 4 and 7.

MOTION (Dowling/Wilcox)

THAT:

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

10/04/07 Carried

**ITEM - 7 LOCAL GOVERNMENT ASSOCIATION AND SHIRES
ASSOCIATION - LEGAL ASSISTANCE POLICY AND GUIDELINES
REVIEW**

MOTION (Bleakley/Wilcox)

THAT:

1. Council submit any comments/feedback in relation to the Local Government Association and the Shires Association's review of the Legal Assistance Policy and Guidelines to the Administration Manager supporting the current policy and seek feedback on the response received from across the industry.
2. Any feedback/comments submitted to the Administration Manager be further reported to Council.

10/04/08 Carried

ITEM - 8 MACQUARIE VALLEY WEEDS ADVISORY COMMITTEE NEW

FUNDING ARRANGEMENTS - MOU WITH CABONNE COUNCIL

Proceedings in Brief

The General Manager advised that the agreement was basically another form of strategic alliance. In response to a question from Cllr Bleakley, the General Manager advised that the salary for the project officer would not be paid from the \$108,000, but rather would be reimbursed through grants received. The Director of Finance & Corporate Services added that salary payments would also be funded from contribution fees paid by all involved councils.

MOTION (Gosper/Wilcox)

THAT:

1. Council agree in principle for the drafting of an MOU between Cabonne Council, MVWAC and MVWAC member Councils for the administration of the NSW Weeds Action Program and authorise appropriate action for the MOU to be executed.
2. That the final MOU be reported to Council prior to execution.

10/04/09 Carried

ITEM - 9 SHIRES ASSOCIATION OF NSW ANNUAL CONFERENCE 2010

MOTION (Bleakley/Dean)

THAT Council be represented at the 2010 Shires Association Annual Conference, and that Cllr Duffy as Mayor be the Delegate with the General Manager as Advisor and Cllrs Dowling and Hyde as Observers.

10/04/10 Carried

ITEM - 10 NOTICE OF MOTION - YEAR OF WOMEN IN LOCAL GOVERNMENT

MOTION (Duffy/Durkin)

THAT in this the Year of Women in Local Government, Cabonne Council formally acknowledge the role played by women, both as elected representatives and staff.

10/04/11 Carried

ITEM - 11 OPHIR RESERVE TRUST DELEGATE

Proceedings in Brief

Pursuant to Cllr Dowling moving a Motion that Cllr Wilcox be Council's Delegate to the Ophir Reserve Trust Board the Mayor moved an Amendment and tabled a letter from the Ophir Reserve dated 16th March 2010.

In speaking against the Amendment Cllr Wilcox advised she was going to ask the basis for the Recommendation noting the letter being tabled. She advised she had received legal advice and as she is entitled to natural justice she asked the basis for any allegations and noted she is entitled time to defend

herself against any allegations with sufficient time to respond to them after seeking further legal advice.

MOTION (Dowling/Bleakley)

THAT Council's delegate to the Ophir Reserve Trust be Clr Wilcox.

AMENDMENT (Duffy/Hyde)

THAT Council's delegate to the Ophir Reserve Trust be Clr Culverson with Clr Duffy as the alternate.

The Amendment was put and lost.

A Division was called:

For: Clrs Duffy, Hyde and Culverson;

Against: Clrs Dean, Bleakley, MacSmith, Dowling, Gosper, Durkin, Walker, Farr and Wilcox.

The Motion was put and Carried.

MOTION (Dowling/Bleakley)

THAT Council's delegate to the Ophir Reserve Trust be Clr Wilcox.

10/04/12 Carried

ITEM - 12 NATIONAL GENERAL ASSEMBLY - 2010

MOTION (Gosper/Wilcox)

THAT Council:

1. Submit motions relating to the following for consideration at the 2010 National General Assembly:
 - a. Climate change funding;
 - b. Water saving and security;
 - c. Skills shortage.
2. Submit additional motions as authorised by the General Manager and Mayor, subject to research of existing policies.
3. Authorise the General Manager and Mayor to attend the National General assembly.

10/04/13 Carried

ITEM - 13 LOCAL GOVERNMENT REFERENCE GROUP FORUM

MOTION (Dowling/Wilcox)

THAT Council appoint Clr MacSmith as delegate and Clr Gosper as alternate delegate to represent Council on the Local Government Reference Group.

10/04/14 Carried

ITEM - 14 POLICY DATABASE - LEASEBACK MOTOR VEHICLES - FEES

& CHARGES

Proceedings in Brief

In response to a question from Cllr Bleakley the Director of Engineering & Technical Services advised that the leaseback rates in Council's Fees & Charges were required in the interim, while the draft Leaseback Vehicles policy was completed. The Director of Finance & Corporate Services further advised that any variation to the Fees & Charges needed to be advertised at the end of which period the policy could be changed.

It was noted that the return on investment based on car resale was a higher concern to some councillors than environmental concerns.

MOTION (Bleakley/Wilcox)

THAT Council:

1. Note the disparity between the litres/100km and Green Vehicle Guide star rating systems.
2. Adopt Leaseback of Staff Vehicles Categories and Rates as per the report for the 2010/2011 Council's Fees and Charges.
3. Receive a further report to May Council in relation to a draft policy for Leaseback Vehicles which addresses the current policy.

10/04/15 Carried

**ITEM - 15 2009/2010 MANAGEMENT PLAN - THIRD QUARTERLEY
REVIEW TO 31 MARCH 2010**

Proceedings in Brief

Cllr Bleakley commented that councillors had been advised that the only measure of a General Manager's performance was against the Management Plan, and he felt that the reporting on progress of actions in the Plan was dismal: similarly the progress on the Resolutions Register. He further commented that to go through the Management Plan progress report was a tedious task and at the very least it should be expected that the progress report be accurate and up to date.

MOTION (Bleakley/Wilcox)

THAT the update of the Management Plan to the 31 March 2010, as presented be adopted.

10/04/16 Carried

It was noted the time being 10:12am Item 37 was addressed next. Cllr Culverson declared an interest due to the objector to the development being her father-in-law and left the Chambers.

**ITEM - 37 RESCISSION MOTION - DA 2007/138 FOR SEVEN LOT RURAL
SUBDIVISION, KANGAROOBIE LANE**

Proceedings in Brief

The Mayor spoke in relation to this matter noting changes to his foreshadowed motion adding a point 3 that “the unformed crown road located north of Lot 220 DP 756890 to the boundary of proposed Lot 5 converted to a public road” and the addition of a condition requiring a \$24,000 bond/bank guarantee as well as a reference to “Council” rather than the “Environmental Services Committee” and with the word “support” being replaced with “approved” at point 1.

Clr MacSmith was granted leave to draw a plan on the white board in an attempt to clarify the difference in the options being put to the Councillors to determine. In response to a question from the Mayor Clr MacSmith advised he had spoken to both the developer and objector in an attempt to see whether a suitable agreement could be reached in relation to road access.

The Director of Environmental Services was then asked to comment on Clr MacSmith’s explanation of the two options being considered. The Director explained that there were now actually 4 options with the new one being proposed by the Mayor which required Council to purchase the Crown Road. The General Manager reminded Council of its policy not to buy Crown Roads when they are only to service one property.

In response to an enquiry the Director of Environmental Services and Director of Engineering & Technical Services advised that they believe the upgrade costs for the both the north and south unformed Crown Roads were approximately the same. Further in relation to the upgrade costs for the 750m of Smith Road Director of Engineering & Technical Services advised that he estimated it would cost approximately \$40,000.

At this time Clr Bleakley foreshadowed an amendment that Council receive a further report in relation to the actual costs of the road upgrades. This was later withdrawn.

MOTION (Duffy/Hyde)

THAT the Rescission Motion be received.

10/04/17 Carried

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

For: Clrs Duffy, Dean, Gosper, Hyde, Walker, Farr

Against: Clrs Bleakley, MacSmith, Dowling, Durkin & Wilcox

MOTION (Duffy/Farr)

THAT:

1. Council approve Development application 2007/0138 Subdivision of lot 245 DP756890 AND Lot 1 DP591097 Kangarooie Road, Subject to the attached Draft Conditions, and that
2. Access to proposed Lot 5 of the subdivision be via Mulyan Road then traversing Smith Road, on the eastern side of Lots 220 and 221 DP756890, and then the Crown Road reserve on the northern side of Lot 220 DP 756890, subject to the draft conditions of

development consent that extends along the southern boundary of Lot 221 DP756890.

3. The unformed Crown Road located north of Lot 220 DP756890 to the boundary of proposed Lot 5 be converted to a public road and that the conditions include a \$24,000 bond/bank guarantee.

AMENDMENT (MacSmith/Wilcox)

THAT

1. Council approve Development application 2007/0138 Subdivision of lot 245 DP756890 AND Lot 1 DP591097 Kangarooie Road, Subject to the Draft Conditions provided to the Environmental Services & Sustainability Committee pertaining to option 3.
2. Access to proposed Lot 5 of the subdivision be via Mulyan Road then traversing Smith Road, on the eastern side of Lots 220 and 221 DP756890, and then the Crown Road reserve on the southern side of Lot 220 DP 756890 subject to conditions of consent including those addressing dust and landscaping..
3. The unformed Crown Road located south of Lot 220 DP756890 to the boundary of proposed Lot 5 be converted to a public road and that the conditions include a \$24,000 bond/bank guarantee.

The amendment was put and lost.

A division was called for which resulted as follows (noting the absence of Clr Culverson – declared interest):

For: Clrs MacSmith, Dowling, Durkin & Wilcox.

Against: Clrs Duffy, Dean, Bleakley, Gosper, Hyde, Walker & Farr.

It was noted Clr Bleakley withdrew his foreshadowed amendment.

The motion was put and carried.

MOTION (Duffy/Farr)

THAT:

1. Council approve Development application 2007/0138 Subdivision of lot 245 DP756890 AND Lot 1 DP591097 Kangarooie Road, Subject to the attached Draft Conditions, and that
2. Access to proposed Lot 5 of the subdivision be via Mulyan Road then traversing Smith Road, on the eastern side of Lots 220 and 221 DP756890, and then the Crown Road reserve on the northern side of Lot 220 DP 756890, subject to the draft conditions of development consent that extends along the southern boundary of Lot 221 DP756890.
3. The unformed Crown Road located north of Lot 220 DP756890 to the boundary of proposed Lot 5 be converted to a public road and that the conditions include a \$24,000 bond/bank guarantee.

10/04/18 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 Culverson – declared interest):

For: Clrs Duffy, Dean, Bleakley, Gosper, Hyde, Walker & Farr.

Against: Clrs MacSmith, Dowling, Durkin & Wilcox

It was noted at this time Conditions of Consent were handed out and Clr Bleakley noted a point of order objecting to the handing out of the Conditions of Consent after the vote was conducted. Clr MacSmith noted that the Conditions of Consent were different to those previously distributed at the Environmental Services & Sustainability Committee.

In response to the Mayor stating that he had emailed the condition of consent to those councillors who signed the rescission Motion Clr Bleakley replied that he had not received any conditions of consent./

In response to a question by Clr Dowling as to whether it was legal to hand out the Conditions after the event the Mayor directed that he address his question to the General Manager after the meeting.

At this time Clrs Bleakley, Dowling, Gosper, MacSmith, Wilcox & Durkin requested that their names be recorded in the minutes as objecting to the manner in which the conditions were handed out.

It was noted the time being 11:10am Clr Culverson rejoined the meeting.

It was noted the time being 11:12am the Mayor presented the Volunteer of the Month award to Callie Saul and Council adjourned for morning tea at 11:20am.

It was noted the time being 11:44am Council resumed (noting the absence of Clr Culverson and the Director of Environmental Services) at which time item 16 was addressed next.

ITEM - 16 2010/11 DRAFT MANAGEMENT PLAN & BUDGET

MOTION (Bleakley/Durkin)

THAT Council:

1. Receive a copy of the Draft Management Plan on April Council meeting day.
2. Hold extraordinary Council meetings on 3 May 2010 and 7 June 2010 as required for the Management Plan process.

10/04/19 Carried

**ITEM - 17 REQUEST FOR ASSISTANCE WITH LEGAL COSTS - MURRAY
SHIRE COUNCIL**

MOTION (Farr/Bleakley)

THAT Council contribute \$179.29 towards assistance with legal costs incurred in relation to Murray Shire Council.

10/04/20 Carried

**ITEM - 18 PECUNIARY INTEREST RETURNS - MEDIA &
COMMUNICATIONS OFFICER**

Proceedings in Brief

The General Manager commented that only Council can endorse designated persons.

MOTION (Gosper/Farr)

THAT Council endorse the position of Communications & Media Officer as “designated” and therefore incumbents are required to complete a Pecuniary Interest Return.

10/04/21 Carried

**ITEM - 19 POLICY DATABASE - BUILDING SERVICES CORPORATION,
AMUSEMENT DEVICES, KEEPING OF ANIMALS AND POULTRY,
CANOWINDRA LIONS CLUB - LEASE OF RAILWAY STATION.**

MOTION (Farr/Bleakley)

THAT Council:

1. Delete the Building Services Corporation Policy.
2. Delete the Amusement Devices Policy.
3. Delete the Keeping of Animals and Poultry Policy.
4. Delete the Canowindra Lions Club – Lease of Railway Station Policy.

10/04/22 Carried

**ITEM - 20 POLICY DATABASE - WASTE COLLECTION DISTRICTS
POLICY AND SCARE GUNS POLICY**

Proceedings in Brief

Some discussion ensued in relation to the Draft Scare Guns Policy and the hours of operation being extended to 10pm. It was noted that policy makes provision for the General Manager to extend the hours of operations to which the Mayor requested that the authority should be extended to include the General Manager and Mayor.

MOTION (Farr/Hyde)

THAT Council:

1. Adopt the draft Waste Collection Districts Policy; and
2. Adopt the Draft Scare Guns Policy with an amendment to (c) to read: “that the General Manager and Mayor be authorised to extend the hours of operation of scare guns for limited periods where particular pests require such an extension”.

10/04/23 Carried

It was noted the time being 11:48am Clr Culverson & Director of Environmental Services joined the meeting.

ITEM - 21 COMMUNITY SERVICES COMMITTEE MEETING

Proceedings in Brief

The General Manager suggested that Council should be taking all efforts to assist the Company as it is an important community service.

MOTION (Hyde/Dowling)

THAT:

1. The report and recommendations of the Community Services Committee Meeting of Cabonne Council held on 6 April 2010 be adopted.
2. Council follow up discussions held with Canowindra Cabs.
3. Council endorse a meeting including the Deputy Mayor, local Councillors & Staff members with Cabonne Cabs proprietors.

10/04/24 Carried

ITEM - 22 ECONOMIC DEVELOPMENT & TOURISM COMMITTEE MEETING

MOTION (Durkin/Dowling)

THAT:

1. The report and recommendations of the Economic Development and Tourism Committee Meeting of Cabonne Council held on 6 April 2010 be adopted.
2. Council authorise Clr Hyde to attend the Community Economic Development conference at Broken Hill.

10/04/25 Carried

ITEM - 23 BELLS LINE EXPRESSWAY GROUP

MOTION (Durkin/Hyde)

THAT Council write to the relevant NSW and Australian Government and Opposition Ministers and Shadow Ministers seeking support of the Bells Line Expressway.

10/04/26 Carried

ITEM - 24 MOLONG CREEK AND WATER SUPPLY

Proceedings in Brief

The Director of Engineering & Technical Services advised that whilst

recommendations 1 - 6 were resolved at the community meeting, recommendation 4 would have to be withdrawn as it was contrary to another Council resolution. Should Councillors wish to retain resolution 4 a rescission motion will be required relating to the previous Council Motion to sell.

In relation to item 1 the Director of Engineering & Technical Services advised that he was to meet with the Fisheries in relation to water quality issues.

MOTION (Gosper/Hyde)

THAT:

1. Council consider releases from Borenore Dam for environmental flow. Release to be monitored to establish volume required to "pulse" down stream to Molong.
2. Council investigate the extent of water extraction from the Molong Creek & Tributaries catchment to the junction with Bell River. The investigation to include dams, pumps and bores.
3. Council consider existing residents outside the village area who may also wish to connect to raw water supply when reviewing its water supply policy.
4. Cabonne Council to write to OCC asking for the REF currently being prepared for Lake Canobolas (water supply to Orange) to consider environment flows below Lake Canobolas and the protection of riparian rights.
5. Council write to all those people and organizations who registered an item for the meeting thanking them for their interest in this matter.
6. Council received a further report advising the results of the water tests at the lower levels of Borenore Dam.

10/04/27 Carried

ITEM - 25 WORKS COMMITTEE MEETING MINUTES

Proceedings in Brief

In response to a question from Cllr Dean the Director of Engineering & Technical Services advised that the proposed expenditure was to bring the depot up to a standard where it could be partially leased out as previously resolved eg. Security fencing.

MOTION (Gosper/Dowling)

THAT the report and recommendations of the Works Committee held on Tuesday 6th April of Cabonne Council be adopted.

AMENDMENT (Hyde/Dean)

THAT:

1. The report and recommendations of the Works Committee held on Tuesday 6th April of Cabonne Council be adopted.
2. An amount of \$28,000 be added to the budget for improvements to

the Ash St Depot.

3. The General Manager be authorised to negotiate a lease for the Ash St Depot.

The amendment was put and carried becoming the motion.

MOTION (Hyde/Dean)

THAT:

1. The report and recommendations of the Works Committee held on Tuesday 6th April of Cabonne Council be adopted.
2. An amount of \$28,000 be added to the budget for improvements to the Ash St Depot.
3. The General Manager be authorised to negotiate a lease for the Ash St Depot.

10/04/28 Carried

It was noted that the time being 12:12pm that the WBC Project Officer addressed Council until 12:32pm. It was noted at this time Clr Durkin left the meeting.

ITEM - 26 QUARRY COMMITTEE MEETING MINUTES

Proceedings in Brief

In response to a question from Clr Farr the Director of Engineering & Technical Services commented that blasted rock on the ground could be considered an asset to which Clr Farr added it should certainly not be treated as a negative impact on the quarry operations. He requested that this be noted in the minutes.

MOTION (Dean/Wilcox)

THAT the report and recommendations of the Quarry Review Committee held on Tuesday 6th of Cabonne Council 2010 be adopted.

10/04/29 Carried

ITEM - 27 MOORBEL HALL

MOTION (Walker/Hyde)

THAT subject to not receiving direction from the Council as to the consideration of any particular matter by the Council itself and subject to the requirements of the Local Government Act 1993 and Regulations thereunder and any express policy of the Council or regulations of any public authority other than the Council and pursuant to the powers conferred on Council by s377 of the *Local Government Act 1993*, the Moorbel Hall Committee be authorised to exercise or perform on behalf of the Council the powers, authorities, duties and functions as follows:

- the care, control and management of Moorbel Hall.

10/04/30 Carried

**ITEM - 28 CABONNE COUNCIL CARAVAN PARKS FUTURE
MANAGEMENT**

Proceedings in Brief

In response to a request from Cllr Dean that this matter should be determined by the Caravan Park Committee the Director of Engineering & Technical Services commented that it may be inappropriate as the committee includes the Caravan Park Managers.

MOTION (Dean/Bleakley)

THAT the matter be referred to the Caravan Park Committee.

10/04/31 Carried

ITEM - 29 MORRIS PARK, CANOWINDRA

Proceedings in Brief

The Director of Engineering & Technical Services advised that the recommendation would need to be changed as the Canowindra Town Improvement funds cannot be used for maintenance purposes.

MOTION (Walker/Culverson)

THAT Council advise the Canowindra Garden Club that it cannot approve funding from the Canowindra Town Improvement Fund for maintenance purposes and that the Garden Club is encouraged to apply for CIP funding for upgrading instead.

10/04/32 Carried

**ITEM - 30 CANOWINDRA MEN'S SHED LEASE ON OLD CANOWINDRA
SCOUT HALL**

MOTION (Bleakley/Farr)

THAT Council :

1. Authorise the General Manager to affix Council's seal and sign the three year lease for the Canowindra Scout Hall from expiry of the previous lease.
2. Write to the Canowindra Men's Shed acknowledging work done by them to date.

10/04/33 Carried

ITEM - 31 CANOWINDRA AND MOLONG SWIMMING POOLS

MOTION (Farr/Walker)

THAT tenders for the operation and management of the Canowindra Swimming Pool and the Molong Swimming Pool for the 2010 – 2011, 2011 –

2012 and 2012 – 2013 be advertised.

10/04/34 Carried

ITEM - 32 CABONNE COUNCIL CARAVAN PARK COMMITTEE MEETING

MOTION (Farr/Hyde)

THAT the minutes of the Cabonne Council Caravan Park Committee meeting be noted.

10/04/35 Carried

**ITEM - 33 ENVIRONMENTAL SERVICES AND SUSTAINABILITY
COMMITTEE MEETING**

MOTION (Farr/MacSmith)

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.

10/04/36 Carried

**ITEM - 34 DEVELOPMENT APPLICATION 2010/124 FOR A PROPOSED
SHED AT LOT 7 IN DEPOSITED PLAN 1966422, JASON STREET
(OFF SPEEDY STREET), MOLONG.**

MOTION (Farr/Wilcox)

THAT the development application be approved with standard conditions.

10/04/37 Carried

The Chair called for a Division of Council as required under Section 375A (3) of the Local Government Act which resulted in a unanimous vote for the motion (noting the absence of Clr Durkin – left the meeting).

**ITEM - 35 CONDITIONS OF CONSENT - DA 2007/138 - FOR A SEVEN (7)
LOT SUBDIVISION OF LOT 245 DP 756890 AND LOT 1 DP 591097,
KANGAROOBIE ROAD, MARCH**

Proceedings in Brief

This matter was addressed with item 37.

ITEM - 36 NOTICE OF MOTION - MAYORAL MINUTE

MOTION (Dowling/Wilcox)

THAT the Motion be received.

10/04/38 Carried

MOTION (Dowling/Wilcox)

THAT in future all Mayoral minutes be tabled at the meeting and distributed to all Councillors prior to further consideration.

10/04/39

Carried

It was noted the time being 1:10pm Council adjourned for lunch resuming at 2:03pm. It was noted Clr MacSmith did not rejoin the meeting and the temporary absence of Clr Hyde & Director of Environmental Services was noted until 2:05pm.

ITEM - 38 SNOWY WORKS AND SERVICES WORKSHOP

MOTION (Dean/Wilcox)

THAT:

1. A further workshop is conducted to closely examine options for the provision of works and services and further that the Director of Engineering & Technical Services prepare a paper examining the existing functions of the department with levels of responsibilities and accountability.
2. An update report be provided to May Council meeting.

10/04/40

Carried

ITEM - 39 KLEEM REPORT WORKSHOP

MOTION (Dowling/Wilcox)

THAT the relevant Director undertake the following actions:

1. Director of Engineering & Technical Services to provide status report on CIP and LAIP projects
2. Director of Engineering & Technical Services to monitor "local pricing" for goods and services
3. Senior Staff to implement inter departmental managers meetings and for these meetings to follow QBR's
4. Director of Environmental Services to review access and availabilities of the DA kits
5. Director of Environmental Services to review templates in consultation with CDU.

10/04/41

Carried

ITEMS FOR NOTATION

ITEM - 1 INVESTMENTS & RATES SUMMARIES

Proceedings in Brief

This item was called by Clr MacSmith who had to unexpectedly leave the meeting.

It was noted the time being 2:10pm Clr Gosper having declared an interest due to his daughter being employed at the Waluwin Centre left the Chambers.

ITEM - 3 WALUWIN COMMUNITY CENTRE

Proceedings in Brief

In response to request for clarification from Clr Dowling the Director of Finance & Corporate Services confirmed that there was no conflict of interest with Clr MacSmith as his wife is employed by a third party working at the Waluwin Centre.

MOTION (Bleakley/Dowling)

THAT:

1. The General Manager ensure a governance committee is in place for the Waluwin Centre by 1 July 2010.
2. Clr MacSmith be an alternative delegate to the Waluwin Governance Committee.

10/04/42 Carried

It was noted the time being 2:15pm Clr Gosper rejoined the meeting.

ITEM - 4 BORENORE RAILWAY STATION LAND

Proceedings in Brief

Clr Wilcox advised that she had received letters from the Local Brigade advising that they were requesting time to reconsider this site as they may wish to work in together with the Men's Shed and the National Field Days committee on a common site. Further she has received a letter from the current lessee of the property advising that he had a lease over the Railway Station land property. The General Manager advised that that conflicted with advice received from David Hoadley of the RFS and suggested that the Local Brigade needed to consult with the RFS. He suggested a further report to Council was required.

ITEM - 5 2009 COMMUNITY CONSULTATION MEETINGS - ACTION STATUS REPORT UPDATE

Proceedings in Brief

Clr MacSmith called this item but was required to leave the meeting unexpectedly. Clr Bleakley took the opportunity to raise the off street parking behind the supermarket at Molong which he advised the owner was agreeable to and required signage be erected. The Director of Engineering & Technical Services undertook to arrange same having confirmed the conditions of consent with the Director of Environmental Services.

Additionally in response to a request from Clr Bleakley that parking be

reserved near the shops for caravans & motorhomes the Director of Engineering & Technical Services undertook to investigate the matter.

**ITEM - 6 RESOLUTIONS REGISTER - INFOCOUNCIL - ACCESS BY
COUNCILLORS**

Proceedings in Brief

Clr Bleakley asked for an update from the Mayor in relation to item 26 on page 41 pertaining to the Australian Working Dog Hall of Fame which the Mayor advised that Federal funding was subject to a collaborative effort between Orange City Council, Cabonne and other regional parties. Clr Bleakley asked that an update be provided to the Resolutions Register.

Clr Bleakley also raised closed item 10 on page 42, item 14 on page 42 pointing out that the status comments were not up to date.

Clr Gosper raised the item on page 53 in relation to the Gelato Factory noting the most recent comment dated 11 March 2010 was "still waiting". The Director of Engineering & Technical Services advised he had a discussion with the tenant who had recently upgraded the floor in his shop at Parkes and was proposing to treat the floor at the factory in a similar way. Clr Bleakley noted that there was still no security agreement signed.

In response to a question from Clr Culverson the Director of Finance & Corporate Services advised that the tenant was paying rent but was refusing to pay the CPI increase.

Clr Gosper also raised issues on pages 54, 55 & 57 which required updates or completion. It was noted "Look Out" Road on page 55 should read "Long Point" Road.

Clr Hyde drew Council's attention to item 27 on page 66 which referred to a "traffic" committee which should read "transport" and the date of the meeting should be 15 May 2010 not 8 May 2010.

The Mayor reminded Councillors that the Resolutions Register issues should be discussed directly with the Directors.

ITEM - 7 2010 LGSA TOURISM CONFERENCE - DELEGATES REPORT

Proceedings in Brief

Clr Wilcox advised she was happy to answer questions in relation to the conference and showed Councillors some handouts.

It was noted the time being 2:40pm Clr Farr left the meeting

ITEM - 10 EUGOWRA FLOOD STUDY REVIEW

Proceedings in Brief

Clr Hyde sought leave to move the Item to Closed to which the Director of Finance & Corporate Services advised that the Local Government Act did not provide for moving an item into closed only to avoid embarrassment. Clr Hyde outlined a process and time frame for presenting the consultant's report

and inviting public comment. He also requested input from other Councillors.

ITEM - 11 SPEED ZONE REVIEW CARGO ROAD

Proceedings in Brief

This item was called by Clr Bleakley who withdrew his request to speak on the matter.

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 (Wilcox/Gosper)

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.

10/04/43 Carried

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

RECOMMENDATION (Gosper/Dean)

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 March 2010, the Extraordinary Meeting held 22 March 2010 and the Extraordinary Meeting held 6 April 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 (Dean/Wilcox)

THAT the information be noted.

2. Carried

It was noted Item 4 was to be considered last.

It was noted, the time being 12:34pm Clr Gosper declared an interest due to being an adjoining land owner to the proposed HUB site and left the Chambers.

* **ITEM - 5 WASTE MANAGEMENT**

RECOMMENDATION (Dowling/Bleakley)

That the information be noted.

3. Carried

It was noted, the time being 12:37pm Clr Gosper rejoined the meeting.

* **ITEM - 6 REQUEST FOR FINANCIAL ASSISTANCE**

Proceedings in Brief

The Director of Finance & Corporate Services advised that it was his understanding the Clrs Durkin & Walker wished to withdraw the item, which Clr Walker confirmed.

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

RECOMMENDATION (Gosper/Dean)

THAT fifty percent of consumption costs, being \$779.60, be written off, on receipt of the balance of account and that interest accrued also be written off.

4. Carried

* **ITEM - 8 CONTRACT FOR THE INSTALLATION OF ON-PROPERTY
WORKS AS PART OF THE MANILDRA SEWERAGE SCHEME**

RECOMMENDATION (Dowling/Walker)

THAT Council:

1. Accept the tender from A Plus Plumbing for the Installation of on-property works for the Manildra Sewerage Scheme at a tendered price of \$801,475.00 + GST subject to confirmation of funding assistance from the Department of Water and Energy.
2. Authorise the signing and attachment of Council's seal to the contract.

5. Carried

ITEM - 9 LAND DEVELOPMENT SUB-COMMITTEE MEETING

RECOMMENDATION (Hyde/Walker)

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

6. Carried

* **ITEM - 10 ACQUISITION OF LAND ADJOINING MANILDRA LANDFILL**

RECOMMENDATION (Hyde/Gosper)

THAT:

1. The report be noted,
2. Council further investigate the legal requirements associated with proposed extensions to landfill sites,
3. Council advise Mr K Penson that it remains interested in the acquisition of 2ha of land from Lot 204 DP 750155 Yellow Box Road, Manildra and will give further consideration to his offer.

7. Carried

It was noted the time being 3:05pm Clrs Culverson & Dowling left the meeting.

* **ITEM - 4 ANNUAL REVIEWS**

RECOMMENDATION (Hyde/Gosper)

THAT this Item be deferred to the May Council meeting.

8. Carried

It was noted the time being 3:07pm the Chair resumed the Ordinary Meeting.

REPORT & RESOLUTIONS OF CLOSED COMMITTEE OF THE WHOLE

MOTION (Hyde/Gosper)

THAT the Report and Recommendations of the Closed Committee of the Whole Meeting held on Monday 19 April, 2010 be adopted.

10/04/44 Carried

There being no further business, the meeting closed at 3:07pm.

CHAIRMAN.

Chairman of the Ordinary Meeting of Cabonne Council held on the 17 May, 2010 at which meeting the listed minutes were confirmed and the signature hereon was subscribed.