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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 Farr, J Culverson and S Wilcox.

Also present were the Director of Engineering & Technical Services, Director of Environmental Services, Finance Manager (arriving 9:44am) and Administration Manager.

ITEMS FOR DETERMINATION

ITEM - 1 APPLICATIONS FOR LEAVE OF ABSENCE

Proceedings in Brief

There were nil applications for leave. The absence of the General Manager and Director of Finance & Corporate Services was noted.

Clr Bleakley wished it noted that he would be absent for the next two Council meetings.

ITEM - 2 DECLARATIONS OF INTEREST

Proceedings in Brief

There were nil declarations of interest.

ITEM - 3 DECLARATIONS OF POLITICAL DONATIONS

Proceedings in Brief

There were nil declarations of political donations.

ITEM - 4 MAYORAL MINUTE

Proceedings in Brief

The Mayor advised there was no Mayoral Minute however he read out his Mayoral "considerations" (activities and attendances). In response to a comment by the Mayor that Councillors should read out their monthly activities Clr Gosper comment that it was the Mayor himself who had requested that they not be read out with a view to saving time. The Mayor clarified that he felt Councillors should read out meetings attended in instances when the councillors attend as Council delegates.

Clr Duffy

- Major Mitchell launch in Orange with Mayor OCC
- CTAC Meeting
- Meet the Developer of Molong Industrial Estate
- Hawkesbury Show
- ANZAC Day

- The Falls Retreat
- Yeoval Show
- Golden Cross Resources
- Small Towns Development
- Hub Announcement
- CTAC Structural Meeting Molong
- Mayoral Round Table Cootamundra
- Realistic approach to Cargo Road
- Leaders in Local Government meeting in Sydney
- WBC Meeting
- Cadia Valley Dinner
- Lachlan Valley Regional Transport meeting
- Flying Fox meeting with OCC
- Daroo meeting
- CTAC Structural meeting

Youth of the Month

Announced as Taylah Woodhouse

Volunteer of the Month

Announced as Norm Baker

Clr Walker

- Jim Brissondon Sports Oval
- Memorial Park Play Equipment - Country Energy
- ANZAC Day
- Committee meeting
- Caravan Park meeting
- History in Club
- AOF
- LRTC
- Can Food Basket
- AOF
- Railway Centenary meeting

- Historical Society
- David Cullane Memorial park
- Council meeting

Clr MacSmith

- Newcrest Mining meeting
- Flying Foxes meeting with OCC
- ANZAC Day at Toogong
- Meeting with Golden Cross Resources at Molong

Clr Dowling

- Meeting re Molong Cab Service
- ANZAC Day at Toogong
- Golden Cross Resources information night at Molong
- Meeting in Yeoval re Men's Shed
- Committee meetings
- Yeoval Progress meeting
- WBC meeting at Molong
- Meeting with Molong Show Society and Molong Golf Club re Water Issues (Bore)

Clr Wilcox

- Ophir Trust meeting cancelled (not advised)
- Mullion Creek Progress Association meeting
- CTAC meeting
- Arts Out West (AGM) in Manildra
- Committee meetings
- WBC meeting in Molong
- Newcrest Directors Dinner in Orange
- Arts Out West meeting in Orange
- Mullion Creek Hall Trust meeting
- CTAC (inability due to below attendance)
- Cowal Mine Tour at West Wyalong
- Mines Related Councils meeting – Royalties
- Council meeting

Clr Hyde

- HACC joint meeting Manildra

- Review flood draft from Consultants Lyall Assoc in Eugowra
- Daroo meeting in Manildra
- Community Economic Development Conference in Broken Hill
- LRTC meeting at Canowindra
- EPPA at Eugowra
- Daroo Awards meeting at Manildra

Clr Gosper

- Council meeting
- Meeting with Developer of Molong Industrial Area
- Meeting with owners of Cabonne Cabs of Molong
- ANZAC day at Molong
- Golden Cross Resources Public meeting in Molong re The Copper Hill Project
- Committee meetings
- Meeting with Molong Gold Club, Molong Show Society, Molong Sheep Dog Worker Assoc and Molong Pony Club re Cabonne's lease of this area and problem with Water
- Hub Action Group Public meeting

Clr Bleakley

- Molong Industrial site
- Traffic Committee
- Cabonne Taxi
- One Stop Health Shop Advisory Committee
- Cabonne Health Council at Canowindra
- Golden Cross Resources Presentation
- Committee meetings
- Acacia Lodge Committee meeting
- Caravan Park Committee meeting
- Newcrest Director's Dinner
- One Stop health Shop Advisory Committee
- Hub Action Group Executive meeting
- Show Society/Molong Golf Club meeting

Clr Dean

- Committee meetings

- Cudal Progress meeting
- Cabonne Caravan park Committee
- Orange/Cabonne Road Safety Community Committee
- Council meeting

ITEM - 5 CONFIRMATION OF THE MINUTES

Proceedings in Brief

In response to a statement by Clr Bleakley that point 12 of Item1 (page 76) was incorrect Clr Farr commented that to his recollection the minutes were in fact correct with the General Manager to provide a report identifying the source of the funds. Due to the absence of the General Manager and Director of Finance & Corporate Services the minutes were adopted excluding point 12 of Item 1.

MOTION (Gosper/Farr)

THAT the minutes of the Ordinary Meeting held on 19 April 2010 and the Extraordinary Meeting held on 3 May 2010 be adopted excluding point 12 of Item 1 of the Extraordinary meeting.

10/05/06 Carried

ITEM - 6 BUSINESS PAPER ITEMS FOR NOTING

Proceedings in Brief

Clr Dean called Item 12; Clr Bleakley called Items 9 and 13; Clr Bleakley called Items 2, 3, 6, 7, 11, 12, 14, and 15; and Clr Hyde called Item 13.

MOTION (Hyde/Gosper)

THAT:

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

10/05/07 Carried

It was noted the time being 9:40am Clr Duffy declared an interest due to his son being an employee of Cadia Valley Operations and Clr MacSmith declared an interest due to being a shareholder of Newcrest and left the Chambers. Clr Dowling assumed the Chair.

ITEM - 7 CADIA EAST DEVELOPMENT APPROVAL - COUNCIL CONTRIBUTIONS

MOTION (Bleakley/Gosper)

THAT:

1. Council support discussions with the Department of Planning to determine a suitable break-up and allocation of the developer

contributions for the Cadia East Project.

2. The Mayor, General Manager and other Council representatives meet with the Orange City and Blayney Shire Councils to discuss the matter further.
3. A further report be presented to Council once the condition rating and assessment of Cadia Road has been completed.
4. The General Manager ensure that the design and costs of upgrade, realignment and reconfiguration of the Cadia/Four Mile Creek intersection is carried out ASAP and that those firm costs be agreed to by the 3 parties and available at the meetings to ensure they are taken out of the \$3M in full before the break-up to each of the 3 councils is calculated.

10/05/08 Carried

It was noted the time being 9:45am Clrs Duffy and MacSmith rejoined the meeting and Clr Duffy resumed the Chair.

**ITEM - 8 MACQUARIE VALLEY WEEDS ADVISORY COMMITTEE NEW
FUNDING ARRANGEMENTS - MOU WITH CABONNE COUNCIL**

MOTION (Dean/Bleakley)

THAT Council approve the signing of the 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.

10/05/09 Carried

ITEM - 9 CODE OF CONDUCT REVIEW COMMITTEE

Proceedings in Brief

The Administration Manager advised that the General Manager had requested that the recommendation be amended to have alternate independent reviewers and to invite Mr Gerry Holmes to conduct a refresher course for Councillors and senior staff.

MOTION (Durkin/Wilcox)

THAT:

1. Mr Tony Cheney, Mr Graeme Summerson and Mr Chris Nichols be appointed as the Code of Conduct Review Committee for Cabonne Council and that Ms Jennifer Conn be appointed as the Independent Reviewer for Council's Code of Conduct with Ms Helen Swan and Ms Kerry Hoffman as alternate Independent Reviewers.
2. Council invite Mr Gerry Holmes to provide a refresher course on the Code of conduct for Councillors and Senior staff.

3. The General Manager provide a quarterly report on all code of Conduct allegations received to Open Council, being a summary of the allegations and actions taken with a progress status on each item.
4. The Vacancy on Cabonne's Code of Conduct Review Committee be filled as quickly as possible.

10/05/10 Carried

ITEM - 10 INDEPENDENT AUDIT FUNCTION

MOTION (Dowling/Wilcox)

THAT Council:

1. Accept the Internal Auditor coming from one of the WBC Alliance Partners with the independent being the Director of Finance & Corporate Services from another Alliance Council.
2. Nominate Clr Bleakley as a third representative on the Audit Committee.

10/05/11 Carried

ITEM - 11 FLYING FOX POPULATION IN AND AROUND ORANGE

MOTION (Gosper/Dowling)

THAT Council nominate Clr L MacSmith (and Clr S Wilcox as Alternate) representatives to the Committee and advise Orange City Council accordingly.

10/05/12 Carried

ITEM - 12 GST COMPLIANCE CERTIFICATE

MOTION (Farr/Gosper)

THAT Council nominate the Mayor, Deputy Mayor, the General Manager and the Director of Finance and Corporate Services to sign the Statement of Compliance.

10/05/13 Carried

**ITEM - 13 QUARTERLY BUDGET REVIEW FOR THE PERIOD FROM 1ST
JANUARY 2010 TO 31ST MARCH 2010**

Proceedings in Brief

The Finance Manager took questions on notice relating to clarification re contributions for expenses and rental incurred for Waluwin (page 16) and Domestic Waste expenses increase (page 16) and undertook to respond to the relevant councillors directly as requested by the Mayor.

MOTION (Dowling/Gosper)

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.

10/05/14 Carried

It was noted at this time Item 5 was addressed again.

ITEM - 5 CONFIRMATION OF THE MINUTES

Proceedings in Brief

The Mayor requested the outstanding matter relating to Item 5 be addressed.

MOTION (Dowling/Gosper)

THAT point 12 of Item 1 of the Extraordinary meeting held on 3 May 2010 be deferred to the June Council meeting.

10/05/15 Carried

It was noted Item 24 was addressed next.

ITEM - 24 BANJO PATERSON STATUE AT YEOVAL

Proceedings in Brief

The Director of Engineering & Technical Services advised that Item was withdrawn as it had, subsequent to the report being submitted, been determined that the land in question is in fact Crown Land.

It was noted the time being 10:22am Mr Alf Cantrell addressed Council in relation to the matter.

In response to a comment by Mr Cantrell that the Yeoval Progress Association are trustees to the land and have their own insurance the Director of Engineering & Technical Services advised that Council still has some responsibility and should be satisfied that Insurance is current.

In response to a Motion passed to apologise for the manner in which the matter was investigated Mr Cantrell accepted the apology on behalf of the Yeoval Progress Association.

MOTION (Hyde/Dowling)

THAT:

1. An apology be made to the Yeoval Progress Association in relation to the manner in which the matter was investigated.
2. Concerns held be documented to the Yeoval Progress Association suggesting that an application for CIP grant may be submitted toward remedial actions if appropriate.
3. Council receive a report clarifying whether Yeoval Progress Association and all other Progress Associations are s355

committees of Council.

10/05/16 Carried

It was noted the time being 10:30am a presentation was made to the May Volunteer of the Month followed by an adjournment for morning tea at 10:35am with Council resuming its meeting at 10:55am.

**ITEM - 14 POLICY DATABASE - AUSTRALIA DAY OFFICIAL PARTY
TIMETABLE POLICY**

Proceedings in Brief

Clr Hyde suggested Option 3, being a 3 year cycle be adopted as Council's policy with a variation in relation to adding/deleting localities be included. It was noted specific times would be addressed as a procedural issue.

MOTION (Hyde/Culverson)

THAT Council's policy relating to the timetable for the Australia Day Official Party be based on a three year rotating cycle with provision for adding or deleting localities as required.

10/05/17 Carried

ITEM - 15 POLICY DATABASE - CODE OF CONDUCT POLICY

Proceedings in Brief

The Mayor noted that the policy was not being changed rather numbering had been added. The Administration Manager wished it noted that Council's previous resolution from this meeting requiring the General Manager to provide quarterly, rather than annual, reports to Council would be included.

In response to a question from Clr Dowling as to whether any code of conduct allegations had been received, as no reports had been made to Council during the last 18 months the Mayor stated that the Item in discussion was the policy.

MOTION (Bleakley/Wilcox)

THAT Council readopt the annexed Code of Conduct policy document including the amendment to the requirement for the General Manager to provide quarterly rather than annual reports.

10/05/18 Carried

**ITEM - 16 POLICY DATABASE - COUNCIL LANDFILL SITES - ACCESS
AND WASTE MANAGEMENT - LANDFILL OPERATIONS -
RESTRICTED ACCESS TIMES**

Proceedings in Brief

In response to a question from Clr Farr the Director of Environmental Services agreed that some additions could be made to the policy for clarity viz. that access to the Eugowra site be limited to local Eugowra users as required by

Forbes Council and “Green Waste” be added to the mention of Molong in the Scope section of the Policy document.

MOTION (Bleakley/Wilcox)

THAT Council:

1. Adopt the annexed Draft Council Landfill Sites - Access policy with amendments that access to Eugowra be limited to local Eugowra users as required by Forbes Council and “Green Waste” be added to the mention of Molong in the Scope section of the Policy document.
2. Delete the Waste Management - Landfill Operations - Restricted Access Times Policy from its Policy Database.

10/05/19 Carried

It was noted, the time being 11:10am Clr Culverson declared an interest due to being a service provider in the Cabonne LGA and left the Chambers.

ITEM - 17 POLICY DATABASE - PROCUREMENT (INCLUDING LOCAL PREFERENCE) POLICY

Proceedings in Brief

In response to Clr Bleakley’s stated intention to move a Motion relating to adopting a Local Preference Policy for items below \$50,000 the Director of Engineering & Technical Services advised that the intention was to consider Local Preference for Tender items and not for consumables to which Clr Bleakley withdrew his Motion. The Director of Engineering & Technical Services added that Council does not often tender for contracts of the monetary levels for which Local Preference is being considered.

The Finance Manager advised that in relation to local purchasing for smaller items Council was purchasing from 5 local hardware stores in the Cabonne LGA.

Clr Gosper suggested a 10% allowance for Cabonne LGA and 5% for the WBC partner councils’ LGAs seemed a good way to support the Alliance and local businesses and suggested comment be sought from the other WBC Councils.

MOTION (Gosper/Dowling)

THAT Council:

1. Include a Local Preference aspect to its procurement policy.
2. Seek comment from the WBC Alliance councils as to determining whether “local” is to apply to “A *supplier of goods or services which conducts a business from premises located the Cabonne local government area*”. OR “... *within the local government areas of the WBC Strategic Alliance member councils.*” or a mixture eg 10% own LGA and 5% other WBC Councils LGA.

3. Receive a further report in relation to funding any additional costs incurred due to local preference from an Economic Development Vote and the value of same and including feedback received from WBC partner councils to the June or July Council meeting.
4. Receive a further report for adoption of the Procurement Policy once finalised.

10/05/20 Carried

It was noted, the time being 11:24am Clr Culverson rejoined the meeting.

**ITEM - 18 POLICY DATABASE - WELCOME TO NEW CABONNE
RESIDENTS POLICY AND F.O.O.D AND OTHER COMMITTEES
POLICY**

MOTION (Farr/Hyde)

THAT Council:

1. Delete the Welcome to New Residents policy.
2. Delete the F.O.O.D and Other Committees Policy .

10/05/21 Carried

**ITEM - 19 LOCAL GOVERNMENT REMUNERATION TRIBUNAL 2010
ANNUAL REVIEW – COUNCILLORS & MAYORAL FEES**

MOTION (Durkin/Hyde)

THAT from 1 July 2010 the annual fees payable to Councillors be set at \$9,570 and the additional annual fee payable to the Mayor be set at \$20,890.

10/05/22 Carried

ITEM - 20 NOTICE OF MOTION - TABLED REPORTS

Proceedings in Brief

Clr Gosper advised that the Notice of Motion referred to written documents. Discussion followed as to the definition of “tabled documents” and what could still be brought up as Matters of Urgency noting the Mayor’s personal view that it should be limited to “matters of life and death”.

The Mayor suggested advice be sought as to the definition of “tabled documents” and sought a Motion to that effect which Clr Farr stated he would second it if the advice seeking was at no cost to Council, suggesting the DLG may be an appropriate source.

MOTION (Gosper/Dowling)

THAT:

1. The deadline for all tabled documents be 5pm on Friday preceding the monthly meetings and these late document be emailed to all

councillors and relevant staff by this time.

2. The process be on trial for six (6) months.

10/05/23 Carried

MOTION (Duffy/Farr)

THAT advice be sought as to the definition of “tabled documents”.

10/05/24 Carried

**ITEM - 21 NOTICE OF MOTION - ATTENDANCE AT CONFERENCE AND
BREAKFAST BY CLR CULVERSON**

Proceedings in Brief

In response to question from Clr MacSmith the Administration Manager advised that the cost for Clr Culverson had been provide to him as requested by the General Manager and it was his understanding that, allowing for one night’s accommodation, to attend the LG Conference the cost had been calculated as \$2,195.00 (\$1,115 room, \$129 dinner and registration \$960). The Mayor reminded councillors that expenses were now pooled.

MOTION (Bleakley/Farr)

THAT Clr Culverson attend the Australian Local Government Association Conference with the Mayor and General Manager as an observer and that Clr Culverson also attend the Australian Local Government Womens’ Association Networking Breakfast on Tuesday 15th June 2010.”

10/05/25 Carried

Clr Wilcox requested her vote against the Motion due to the cost be recorded.

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

MOTION (Farr/Bleakley)

THAT the report and recommendations of the Economic Development and Tourism Committee Meeting of Cabonne Council held on 3 May 2010 be adopted.

10/05/26 Carried

ITEM - 23 COMMUNITY SERVICES COMMITTEE MEETING

Proceedings in Brief

In response to Clr Gosper’s request that a date be set for the workshop with Cabonne Cabs referred to in Item 4 (page 146) it was agreed to add a point to the Motion that the meeting be held on 7 June after the June Committee meetings.

In response to Clr Culverson’s comment relating to Item 1 (page 145) it was agreed to add a point to the Motion that a similar donation be made to all

Cabonne schools that apply for a donation towards accommodation and travel costs for the Young Leaders Day.

It was noted at this time, being 11:43am, Clr Farr declared an interest due to being an employee of St Josephs Primary School, Manildra and left the Chambers returning at 11:47am.

MOTION (Farr/Bleakley)

THAT:

1. The report and recommendations of the Community Services Committee Meeting of Cabonne Council held on 3 May 2010 be adopted.
2. A workshop be held with Cabonne Cabs and persons and organisations involved in community transport on 7 June after the June Committee meetings.
3. Any Cabonne based School applying for a donation towards accommodation and travel costs to the Young Leaders Day event held in Sydney be eligible for a \$200 donation.

10/05/27 Carried

It was noted Item 24 was previously dealt with.

ITEM - 25 RURAL FIRE SERVICE STATION, MARCH BRIGADE

MOTION (Gosper/Culverson)

THAT Council:

1. Accept the offer of land for the construction of a RFS station.
2. Undertake the necessary survey, subdivision and acquisition to create a parcel of land suitable for the construction of a RFS station; and
3. Dedicate the land as operational.
4. All costs associated with the acquisition be met by council and funded from Bushfire Funds.

10/05/28 Carried

ITEM - 26 WORKS COMMITTEE MEETING MINUTES

Proceedings in Brief

In response to Clr Culverson's suggestion on the Additional Item – Molong Recreation Playgrounds (page 155) it was agreed to add a point to the Motion that a report be provided to Council advising of all playground areas under shade / uncovered; a program for covering those requiring covering; and the impact on budget to carry out the works.

In response to a question from Clr Farr the Director of Engineering & Technical Services advised that Manildra's part of the Four Town Sewer scheme did have priority and that a detailed report was until recently provided

to Works Committee.

MOTION (Gosper/Dowling)

THAT:

1. The report and recommendations of the Works Committee held on Monday May 3 2010 of Cabonne Council be adopted.
2. A report be provided to Council advising of all playground areas under shade / uncovered; a program for covering those requiring covering; and the impact on budget to carry out the works.
3. A detailed report be provided to Council in relation to the status of the Manildra part of the Four Town Sewer project.

10/05/29 Carried

ITEM - 27 CARAVAN PARK COMMITTEE MEETING MINUTES

Proceedings in Brief

It was noted that if Council intended to adopt the Recommendations of the Caravan Park Committee than the Motion needed to be amended from “noted” to “adopted”.

MOTION (Dean/Durkin)

THAT the report and recommendations of the Caravan Park Committee held at the Cudal Office on Wednesday 5th May 2010 be adopted.

10/05/30 Carried

ITEM - 28 TRAFFIC COMMITTEE MINUTES

Proceedings in Brief

Clr Culverson requested that the minutes be amended in relation to Item 6(a) (page161) in that she had not presented “her” concerns but rather the “community’s”.

Clr Bleakley spoke in relation to Item 6(i) 2 (page 164) requesting that a point be added to the Motion “THAT Council raise height limit on approved B-Double routes to 4.6m.” The Director of Engineering & Technical Services advised that if Council did not agree with the Traffic Committee recommendations then Council must advise the RTA and follow a preset process.

Clr Dean raised an issue in relation to a Bus Route Sign on Bowen Lane which the Director of Engineering & Technical Services undertook to follow up.

It was noted the Motion also referred to “noted” rather than “adopted” and was amended accordingly.

MOTION (Bleakley/Dowling)

THAT:

1. The report and recommendations of the Traffic Committee meeting held on 21 April 2010 be adopted, noting the amendment relation to Item 6(a) (page161) in that Clr Culverson had not presented “her” concerns but rather the “community’s”.
2. Council raise the height limit on approved B-Double routes to 4.6m.

10/05/31 Carried

Clr Hyde requested his vote against the Motion be recorded.

**ITEM - 29 POLICY DATABASE - LAND ACQUISITION - PUBLIC ROADS
ACT POLICY**

Proceedings in Brief

In response to Clr Farr’s comment relating to the lack of detail on the draft Policy the Administration Manager advised that the Policy Statement was the key aspect being approved and that all the other details would be completed prior to adding it to Council’s Policy database.

MOTION (Gosper/Dowling)

THAT Council adopt the draft Land Acquisition – Public Roads Act Policy

10/05/32 Carried

ITEM - 30 MOLONG SHOWGROUND

MOTION (Dean/Gosper)

THAT Council approve the acceptance of the grant and loan and for the common seal to be affixed to the grant and loan agreements.

10/05/33 Carried

ITEM - 31 ACCREDITATION OF BUILDING INSPECTORS

Proceedings in Brief

In response to a question from Clr Bleakley the Director of Environmental Services advised that there was concern from the industry which was seeking legal advice due to the impact on the individuals requiring personal liability insurance. She expected that if Council’s current staff did not agree to becoming accredited than outside consultants would be required at a cost to Council.

MOTION (Farr/Wilcox)

THAT subject to not receiving direction from the Council as to the

consideration of any matter by the Council, 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 Section 377 of the Local Government Act 1999, the General Manager Graeme Leslie Patrick Fleming – be authorised to exercise or perform on behalf of the Council the powers, authorities, duties and functions enumerated below:

1. the function under s5(1A) of the Building Professionals Act 2005 to make recommendations to the NSW Building Professionals Board in relation to applications for accreditation by individual Council building inspectors.

10/05/34 Carried

ITEM - 32 DRAFT POTENTIAL AMENDMENTS TO THE STANDARD INSTRUMENT (LEP TEMPLATE)

MOTION (Farr/Culverson)

THAT Council advise the Department of Planning that it does not have any objection to the Options paper, or the second round of Model Local Clauses, but does raise concern that these reviews, or any subsequent review of the Standard Instrument and associated documents has the potential to delay the plan making process for local councils.

10/05/35 Carried

ITEM - 33 ENVIRONMENTAL SERVICES AND SUSTAINABILITY COMMITTEE

MOTION (Farr/Dean)

THAT the report and recommendations of the Environmental Services and Sustainability Committee Meeting of Cabonne Council held on 3 May 2010 be adopted and carried Motions be noted.

10/05/36 Carried

ITEM - 34 BYNG / EMU SWAMP RURAL FIRE BRIGADE STATION

Proceedings in Brief

In response to a question from Cllr Dowling the Director of Engineering & Technical Services took on notice to find out where the report relating to the proposed Nashdale Rural Fire Station was up to.

MOTION (Culverson/Farr)

THAT Council cover the cost of subdivision of the piece of land owned by Talbri Pty Ltd at full cost to Council.

10/05/37 Carried

ITEM - 35 CANOWINDRA RETIREMENT VILLAGE PROJECT

MOTION (Farr/Durkin)

THAT Council increase its loan to the Canowindra Retirement Village Association by a further \$20,000 and that authority be granted for Council's seal to be attached to the loan document and mortgage if required.

10/05/38 Carried

ITEM - 36 CUMNOCK WATER SUPPLY - EMERGENCY DROUGHT WORKS

MOTION (Bleakley/MacSmith)

THAT Council:

1. Accept the Minister for Water's offer for financial assistance for emergency drought works for Cumnock Water Supply
2. Sign the standard conditions of agreement under seal of Council.
3. Approve funding from the Cabonne Water Fund up to \$80,000 as Council's 20% contribution to the proposed drought works.

10/05/39 Carried

ITEMS FOR NOTATION

**ITEM - 2 QUARTERLY BUDGET REVIEW FOR PERIOD FROM 1ST
JANUARY 2010 TO 31ST MARCH 2010**

Proceedings in Brief

Cle Bleakley advised that his question was answered during the Council meeting.

**ITEM - 3 2009 COMMUNITY CONSULTATION MEETINGS - ACTION
STATUS REPORT UPDATE**

Proceedings in Brief

In response to a request from Clr Bleakley the Director of Engineering & Technical Services undertook to write to the committee members advising the status on the Molong Flood Mitigation actions.

ITEM - 6 SES BUILDING CANOWINDRA

Proceedings in Brief

In response to question from Clr Bleakley the Administration Manager advised that the commission had been paid to the Real Estate Agent.

**ITEM - 7 RESOLUTIONS REGISTER - INFOCOUNCIL - OUTSTANDING
ACTIONS**

Proceedings in Brief

Clr Bleakley undertook to speak directly with the Director of Engineering & Technical Services in relation to his issues. In response to a question from Clr Gosper the Director of Engineering & Technical Services advised that the matter relating to the Bank Street Molong land was "Complete" from the point of view that a response had been sent to the 'Lands Department' as per the carried resolution.

**ITEM - 9 57TH ANNUAL ALGWA NSW CONFERENCE - DELEGATES
REPORT**

Proceedings in Brief

This Item was called by Clr Durkin however he withdrew his call.

ITEM - 11 GOVERNMENT INFORMATION PUBLIC ACCESS (GIPA) ACT

Proceedings in Brief

In response to a question from Clr Bleakley the Administration Manager confirmed that the new GIPA legislation does require Council to be more open and in fact be proactive about making information available eg via Council's website.

ITEM - 12 REVIEW OF COUNCIL'S OPERATIONS - INTERIM REPORT

Proceedings in Brief

In response to a question by Clr Dean as to the workload being very high and probably unachievable the Director of Engineering & Technical Services agreed and noted that budget restraints limited resources.

In response to a comment by Clr Bleakley the Director of Engineering & Technical Services agreed that a bias could be perceived and in that his report to June Council he would be seeking funding for the review to be done by a consultant.

ITEM - 13 VOLUNTARY PURCHASE - GRAVILLEA STREET EUGOWRA

Proceedings in Brief

Clr Hyde advised Council that this community group was not technically a "Men's Shed" and that he had conveyed via the group's Chair that Council had no option and that demolition was mandatory as flagged in the report. The Director of Engineering & Technical Services confirmed that a response had been received from DECCW that demolition is a condition of funding.

ITEM - 14 MOLONG QUARRY - BUSINESS PLAN

Proceedings in Brief

In response to a question from Clr Bleakley the Director of Engineering & Technical Services advised that a Client database had been completed and that other aspects raised by the councillor would be included in the business plan.

It was noted, the time being 12:35pm Clr Gosper declared an interest due to being an adjoining land owner to the proposed HUB site and left the Chambers.

**ITEM - 15 PROJECT APPROVAL - ORANGE WASTE PROJECT - PART
3A**

Proceedings in Brief

In response to a question by Clr Bleakley the Director of Environmental Services advised that Council's involvement was now limited to the upgrade of Euchareena Road. Governance issues relating to the development now being the responsibility of Orange City Council (OCC) and the Minister for Planning. The Director of Engineering & Technical Services added that negotiations may be proposed by OCC as Council's priority for that road was not high and OCC may require a faster timeframe for an upgrade.

It was noted, the time being 12:40pm Clr Gosper rejoined the meeting.

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 (Bleakley/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.

10/05/40 Carried

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

RECOMMENDATION (Farr/Hyde)

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 19 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 (Farr/Culverson)

THAT the information be noted.

2. Carried

* **ITEM - 4 GELATO FACTORY**

RECOMMENDATION (Culverson/Durkin)

THAT Council endorse the actions contained in the Proceedings In Brief relating to the Molong Gelato Factory.

3. Carried

It was noted, the time being 1:18pm Clr Durkin left the Chambers.

* **ITEM - 5 DEBT RECOVERY REPORT OF OUTSTANDING RATES DEBTS**

RECOMMENDATION (Bleakley/Gosper)

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.

4. Carried

* **ITEM - 6 MOLONG INDUSTRIAL ESTATE-EXTENSION OF WATER AND
SEWER MAINS**

RECOMMENDATION (Bleakley/Dean)

THAT Council extend the water and sewer mains in Thistle street to the western boundary of the railway reserve funded from the water and sewer fund.

5. Carried

It was noted, the time being 1:21pm Clr Durkin rejoined the meeting.

ITEM - 7 PLANT REPLACEMENT - PRIME MOVER

RECOMMENDATION (Culverson/Dowling)

THAT Council purchase from Mack Trucks Sydney, one Mack Superliner for the purchase price of \$235,000 excluding GST, plus on road costs.

6. Carried

* **ITEM - 8 PLANT REPLACEMENT - LOW LOADER**

RECOMMENDATION (Culverson/Dean)

THAT Council purchase from Brentwood Trailers one Brentwood BDW3034 for a purchase price of \$115,500 excluding GST, plus on road costs.

7. Carried

It was noted the time being 1:23pm 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 17 May, 2010 be adopted.

10/05/41 Carried

There being no further business, the meeting closed at 1:24pm.

CHAIRMAN.

Chairman of the Ordinary Meeting of Cabonne Council held on the 21 June 2010 at which meeting the listed minutes were confirmed and the signature hereon was subscribed.