

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 MAYORAL MINUTE - APPOINTMENTS.....	2
ITEM - 5 CONFIRMATION OF THE MINUTES	4
ITEM - 6 BUSINESS PAPER ITEMS FOR NOTING	5
ITEM - 7 REVIEW OF ORGANISATIONAL STRUCTURE	5
ITEM - 8 ONE ASSOCIATION FOR LOCAL GOVERNMENT IN NSW AND TRANSFER OF AUGUST COUNCIL MEETING DATE	5
ITEM - 9 CODE OF CONDUCT REVIEW COMMITTEE - APPLICATION FOR MEMBERSHIP	6
ITEM - 10 CENTRAL WEST CATCHMENT MANAGEMENT AUTHORITY (CWCMA) 'SMARTER WAYS WITH WATER'	6
ITEM - 11 LGSA 2010 WATER MANAGEMENT CONFERENCE	6
ITEM - 12 CENTROC SUMMIT AT THE MOUNT	7
ITEM - 13 CENTROC "TAKE YOUR DAUGHTER TO WORK DAY"	7
ITEM - 14 2010 NATIONAL GENERAL ASSEMBLY OF LOCAL GOVERNMENT (NGA).....	7
ITEM - 15 150 YEARS OF LOCAL GOVERNMENT IN ORANGE.....	7
ITEM - 16 CANOWINDRA RETIREMENT VILLAGE	8
ITEM - 17 SMALL TOWN SEWER PRE CONSTRUCTION LEVY - DELEGATION OF AUTHORITY	8
ITEM - 18 QUESTIONS FOR NEXT MEETING.....	9
ITEM - 19 2009/2010 MANAGEMENT PLAN - FINAL REVIEW TO 30 JUNE 2010	9
ITEM - 20 LOCAL GOVERNMENT WEEK COMMITTEE MEETING.....	9
ITEM - 22 ECONOMIC DEVELOPMENT & TOURISM COMMITTEE MEETING.....	10
ITEM - 23 POLICY DATABASE - COMMUNICATIONS AND MEDIA POLICY.....	10
ITEM - 21 CABONNE COUNTRY TOURISM COMMITTEE	10
ITEM - 24 COMMUNITY SERVICES COMMITTEE MEETING	11
ITEM - 25 AUSTRALIA WIDE RURAL ROAD GROUP (AWRRG).....	11
ITEM - 26 TRAFFIC COMMITTEE MINUTES	11

ITEM - 27 COUNCILLOR REPRESENTATION TO CWCMA	12
ITEM - 28 REQUEST FOR FILL MATERIAL FOR BUILDING SITE	12
ITEM - 29 WORKS COMMITTEE MEETING MINUTES	12
ITEM - 30 MODIFICATION APPLICATION FOR DA2010/28 MSM MILLING PACKING SHED AND EXPANSION OF CANOLA MILL.....	13
ITEM - 31 DA 2007/138 FOR SEVEN LOT RURAL SUBDIVISION, KANGAROOBIE LANE - COMMON SEAL.....	13
ITEM - 32 ENVIRONMENTAL SERVICES AND SUSTAINABILITY COMMITTEE MEETING	14
ITEM - 33 MAYORAL MINUTE - EUGOWRA MENS GROUP AND VOLUNTARY PURCHASE BUILDING 5 GREVILLIA AVENUE EUGOWRA	14
ITEM - 34 NOTICE OF MOTION - COUNCILLOR EXPENSES	14
ITEMS FOR NOTATION.....	16
ITEM - 3 2009 COMMUNITY CONSULTATION MEETINGS - ACTION STATUS REPORT UPDATE	16
ITEM - 6 CENTRAL TABLELANDS WATER - DELEGATES REPORT	16
ITEM - 9 RESOLUTIONS REGISTER - INFOCOUNCIL - OUTSTANDING ACTIONS.....	16
ITEM - 10 RATE COLLECTIONS FOR 2009/10 YEAR	17
ITEM - 11 ABORIGINAL LAND CLAIMS 3747, 3767	17
ITEM - 12 STRATEGIC INTEGRATED WATER CYCLE MANAGEMENT STUDY	17
ITEM - 19 COMPLEX ZONING PROPOSED IN NEW LEP FOR MOLONG & CANOWINDRA	17
MATTERS OF URGENCY.....	17
CONFIDENTIAL ITEMS	17
ITEM - 1 CARRYING OF COUNCIL INTO CLOSED COMMITTEE OF THE WHOLE MEETING	17
ITEM - 2 ENDORSEMENT OF PROCEEDINGS OF CONFIDENTIAL MATTERS CONSIDERED AT COMMITTEE OF THE WHOLE MEETING	18
ITEM - 3 OUTSTANDING PUBLIC LIABILITY INSURANCE CLAIMS	18
ITEM - 4 DEBT RECOVERY REPORT OF OUTSTANDING RATES DEBTS.....	18
ITEM - 5 OPERATIONS REVIEW	19
ITEM - 6 GELATO FACTORY - FLOOR DRAINAGE	19
ITEM - 7 LAND DEVELOPMENT SUB COMMITTEE MEETING.....	20

ITEM - 8 WBC STRATEGIC ALLIANCE - ROLLING TWO YEAR FUNDING PROGRAM	20
ITEM - 32 ENVIRONMENTAL SERVICES AND SUSTAINABILITY COMMITTEE MEETING	20
ITEM - 19 COMPLEX ZONING PROPOSED IN NEW LEP FOR MOLONG & CANOWINDRA	21
REPORT & RESOLUTIONS OF CLOSED COMMITTEE OF THE WHOLE	21

PRESENT Clr K Duffy (in the Chair), Clrs G Dean, 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

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

MOTION (Wilcox/Gosper)

THAT the apology tendered by Clr N Bleakley be accepted and the necessary leave of absence be granted.

10/07/01 Carried

ITEM - 2 DECLARATIONS OF INTEREST

Proceedings in Brief

Clr MacSmith declared an interest in Item 30 due to having a financial relationship with the owners; Clr Farr declared an interest in Item 30 due to his son being currently employed by the owners; Clr Culverson declared an interest in Item 9 due to her sister and niece being employed by one of the applicants; Clr Durkin, a serving Police Officer, declared an interest in Item 9 due to one of the applicants also being employed by the NSW Police Force; Clr Culverson declared an interest in Item 31 due to an objector being her Father-in-law; and Clr Duffy declared an interest in Item 32 pending confirmation of legal implications relating to Item 10 of the report of the Environmental Services and Sustainability Committee.

MOTION (Wilcox/Gosper)

THAT the Declarations of Interest be noted.

10/07/02 Carried

ITEM - 3 DECLARATIONS OF POLITICAL DONATIONS

Proceedings in Brief

There were nil declarations of political donations.

ITEM - 4 MAYORAL MINUTE - APPOINTMENTS

Proceedings in Brief

The Mayor welcomed the Director of Finance & Corporate Services back from his period of illness at the beginning of the meeting and at this time requested that Council's appreciation to the Acting Director of Finance & Corporate Services be recorded.

Clr Duffy

- Catholic Education Office meeting at Eugowra
- Telstra Launch Orange
- Local Government Grants Commission meeting
- Anglican Church Solar Energy Opening
- LHPA meeting
- WBC teleconference
- Daroo Committee meeting
- Small Towns Development Committee
- Marsden Planning Law Conference
- Committee meetings
- Code of Conduct workshop
- Community Transport meeting Molong
- Minister Kelly's Office re Manildra Sewerage
- Australian Citizenship Ceremony
- Canobolas Command Community Precinct meeting
- WBC meeting Molong
- Meeting with Minister Kelly's Office
- Meeting with minister David Borger

Youth of the Month

Sam Little

Volunteer of the Month

Ann Wright

Clr Dean

- Cabonne Traffic Committee meeting
- Local Government Grants Commission meeting
- Cudal/Cargo Lions Club Changeover
- Cabonne Consultative Committee meeting
- Committee meetings
- Code of Conduct workshop
- Community Transport meeting Molong
- Council meeting
- Cudal Progress meeting

Clr MacSmith

- Cadia Mine tour

- RFS meeting at Cadia
- Local Government Grants Commission meeting
- Health One Advisory meeting
- Committee meetings
- Code of Conduct workshop
- Community Transport meeting Molong

Clr Dowling

- Council meeting
- Local Government Grants Commission meeting
- Yeoval Men's Shed
- Committee meetings
- Community Transport meeting Molong
- Yeoval Progress meeting
- Mulga Bill Festival
- WBC meeting Wellington
- Cumnock Progress meeting

Clr Gosper

- Council meeting
- RFS & Canobolas Zone meeting
- Molong Chamber of Commerce Reformation meeting
- Local Government Grants Commission meeting
- Anglican Church Solar Energy Opening
- Marsden Planning Law Conference
- Committee meeting
- Code of Conduct workshop
- Community Transport meeting Molong
- MAG meeting
- Molong Skate Park working bee

Clr Hyde

- Catholic Education Office meeting at Eugowra
- Meeting with proposed developer and Cabonne EDM in Eugowra
- Daroo Committee meeting
- STDM Manildra
- Eugowra Lions Club Changeover Dinner
- Committee meetings
- Code of Conduct workshop
- Eugowra VIEW Club dinner
- Community Transport meeting Molong
- Eugowra MPS Hospital Unit meeting
- Discussions with Eugowra Promotion & Progress Assoc re next EPPA meeting and Eugowra Mens Group

Clr Walker

- Attended Cemetery
- Canowindra Food Basket meeting
- DA concerns
- Chamber of Commerce meeting
- Local Government Grants Commission meeting
- Lions Changeover dinner
- Council Extraordinary meeting
- Code of Conduct workshop
- Committee meetings
- Town Entrance concerns
- Eugowra
- SES
- Age of Fishes meeting
- Newton St concern
- Goonigal Rd
- Earthmoving
- Council meeting

Clr Culverson

- Council meeting
- Mullion Creek Progress Association meeting
- Local Government Grants Commission meeting
- WBC Steering Committee meeting
- Daroo Committee meeting
- Small Towns Committee meeting
- Marsden Planning Law Conference
- Committee meetings
- Code of Conduct workshop
- Council Extraordinary meeting
- WBC meeting
- Community Transport meeting Molong

Clr Wilcox

- Directors Annual Review
- Mullion Creek Progress Association meeting
- CENTROC
- Committee meetings
- Code of Conduct workshop

MOTION (Duffy/Hyde)

THAT the information contained in the Mayoral Minute be noted.

10/07/03 Carried

ITEM - 5 CONFIRMATION OF THE MINUTES

Proceedings in Brief

Clr Culverson indicated that Item 27 (page 54) of the minutes of the Ordinary Council Meeting held 21 June 2010, point 2 b) should read "**Written** notice...".

MOTION (Hyde/Farr)

THAT the minutes of the Ordinary Meeting held on 21 June 2010 and the Extraordinary Meeting held on 5 July 2010 and the Extraordinary Meeting held on 12 November 2009 (noting the motion numbers follow the Ordinary Meeting held 16 November 2009) and noting that Item 27 (page 54) of the minutes of the Ordinary Council Meeting held 21 June 2010, point 2 b) should read "**Written** notice...".

10/07/04 Carried

ITEM - 6 BUSINESS PAPER ITEMS FOR NOTING

Proceedings in Brief

Clr Dean called Item 9; Clr MacSmith called Items 6, 9, 11 and 12, Clr Dowling called items 10 & 12; Clr Gosper called Item 3 & 11.

MOTION (Farr/Gosper)

THAT:

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

10/07/05 Carried

ITEM - 7 REVIEW OF ORGANISATIONAL STRUCTURE

MOTION (Wilcox/Dowling)

THAT Council's organisational structure consisting of the General Manager, Finance and Corporate Services, Engineering and Technical Services and Environmental Services Departments be endorsed.

10/07/06 Carried

**ITEM - 8 ONE ASSOCIATION FOR LOCAL GOVERNMENT IN NSW AND
TRANSFER OF AUGUST COUNCIL MEETING DATE**

Proceedings in Brief

In response to a question from Clr Farr the Mayor responded that Council had not yet formed a policy view on the formation of One Association and that the intention was to wait on the outcome of the ongoing debate prior to forming a policy.

In response to a question from Clr Farr the General Manager advised that the upcoming convention would not result in a decision.

MOTION (Farr/Walker)

THAT:

1. The Mayor and General Manager be nominated as Council's delegates to attend the One Association Convention at Star City Sydney on 16-17 August 2010.
2. Council's August Ordinary Meeting be transferred to Monday 23 August 2010.
3. The amended meeting date of the August Ordinary meeting be advertised, a media release be issued and all recipients of Council's business paper also be advised.

10/07/07 Carried

It was noted, the time being 09:51am Clrs Culverson and Durkin declared an interest in the following Item, one applicant being the employer of her sister and niece (Culverson) and one applicant being a work colleague (Durkin) and left the Chambers.

**ITEM - 9 CODE OF CONDUCT REVIEW COMMITTEE - APPLICATION
FOR MEMBERSHIP**

Proceedings in Brief

The General Manager commented that the successful applicant would sit on Code of Conduct Review matters for the WBC Alliance partners and would not be involved in reviews of Cabonne issues.

MOTION (MacSmith/Dowling)

THAT Council appoint Mr Chris Messenger for the position on the Code of Conduct Review Committee panel.

10/07/08 Carried

It was noted, the time being 09:52am Clrs Culverson and Durkin rejoined the meeting.

**ITEM - 10 CENTRAL WEST CATCHMENT MANAGEMENT AUTHORITY
(CWCMA) 'SMARTER WAYS WITH WATER'**

MOTION (Farr/Hyde)

THAT Clrs Gosper, Dowling, MacSmith & Wilcox be authorised to attend the CWCMA 'Smarter Ways With Water' Seminar on 23 July 2010.

10/07/09 Carried

ITEM - 11 LGSA 2010 WATER MANAGEMENT CONFERENCE

Proceedings in Brief

Clr Farr advised that he would be attending on behalf of the Central Tablelands Water and he could also consider Cabonne's issues.

MOTION (Farr/Wilcox)

THAT Council nominate NIL attendees for the 2010 LGSA Water Management Conference.

10/07/10 Carried

ITEM - 12 CENTROC SUMMIT AT THE MOUNT

Proceedings in Brief

In response to a comment by the General Manager that Councillors may be interested in attending on the Friday Clr Hyde indicated he wished to attend.

Clr Farr advised that he would be attending on behalf of Central Tablelands Water.

MOTION (Farr/Dowling)

THAT the Mayor and General Manager be Council's nominated delegates to attend the 2010 CENTROC Summit on the Mount in Bathurst on 29-30 July 2010 and that Clr Hyde be authorised to attend on Friday 30 July 2010.

10/07/11 Carried

ITEM - 13 CENTROC "TAKE YOUR DAUGHTER TO WORK DAY"

MOTION (Wilcox/Hyde)

THAT Council agree to participate in "Take Your Daughter to Work Day" on 9 November and 2010 and notify CENTROC of its agreement to participate.

10/07/12 Carried

ITEM - 14 2010 NATIONAL GENERAL ASSEMBLY OF LOCAL GOVERNMENT (NGA)

MOTION (Dowling/Wilcox)

THAT Council:

1. Note the success of its Motions at the National General Assembly of Local Government.
2. Continue to lobby and support its Motions relating to Sustainable Water Supplies and Climate Change.

10/07/13 Carried

ITEM - 15 150 YEARS OF LOCAL GOVERNMENT IN ORANGE

Proceedings in Brief

The General Manager advised that the Mayor was to attend however his attendance does not require Council approval.

MOTION (Farr/Dean)

THAT Council authorise the attendance of the Central West Libraries Delegate, Clr Culverson, to the 150 Years of Local Government in Orange Mayoral Dinner at a cost of \$65 per person.

Withdrawn

Pursuant to some Councillors querying why the Cental West Library delegate had been invited when delegates to other groups run by Orange City Council were not, Clr Culverson requested that the Motion be withdrawn: the Mover and Seconder agreed.

MOTION (Duffy/Culverson)

THAT Council authorise the attendance of any councillor interested in attending the 150 Years of Local Government in Orange Mayoral Dinner at a cost of \$65 per person.

In response to the Mayor's proposed Motion it was noted that Council's policy requires Councillors attendance to be approved at the Council meeting. Based on advice received the Mover and Seconder withdrew the Motion.

MOTION (Duffy/Farr)

THAT Council authorise the attendance of Clrs Dean, Bleakley, MacSmith, Dowling, Gosper, Durkin, Hyde, Walker, Farr, Culverson & Wilcox to the 150 Years of Local Government in Orange Mayoral Dinner at a cost of \$65 per person.

10/07/14 Carried

ITEM - 16 CANOWINDRA RETIREMENT VILLAGE

Proceedings in Brief

The Director of Finance & Corporate Services drew Council's attention to the fact that the loan amount should actually be \$86,000.

MOTION (Dowling/Farr)

THAT Council give approval to the Canowindra Retirement Village to pay off the \$86,000 loan, interest free for a further 3 years or sale of a unit, whichever comes first.

10/07/15 Carried

**ITEM - 17 SMALL TOWN SEWER PRE CONSTRUCTION LEVY -
DELEGATION OF AUTHORITY**

Proceedings in Brief

In response to a question from the Mayor the General Manager explained that when the Town Sewer was extended beyond its original proposed area new residents were able to be placed onto the system that had not had the chance to pay the pre construction levy.

In response to a question from Clr Dowling the Director of Engineering & Technical Services advised that the payment was per connection.

In response to a question by Clr Farr the Director of Engineering & Technical Services advised he would take on notice the question of how many properties were involved.

MOTION (Dowling/Wilcox)

THAT Council delegate authority to the General Manager to negotiate an interest free loan for a period of up to 36 months for all residents in the small town sewerage schemes that were not initially in the scheme and have not paid any contributions.

10/07/16 Carried

ITEM - 18 QUESTIONS FOR NEXT MEETING

Proceedings in Brief

DLG advice allows that when questions for next meeting are asked that an answer may be given straight away: some questions were answered at the meeting and others were added to the motion.

In response to a question by Clr Dean relating to the Cabonne Organisational Structure it was decided that the question could be addressed in Closed during item 5.

In response to a question by Clr Farr relating to the sale of a lot at Molong Heights Estate the General Manager advised that the enquiry had not proceeded.

A question by Clr Gosper relating to the Molong Showground was referred to the following meeting. It was noted a letter from the Showground Society was handed to the Director of Engineering & Technical Services.

In response to a question by Clr Farr relating to land sales incentives it was decided that the matter could be raised in Closed during item 7.

MOTION (Wilcox/Gosper)

THAT Council be provided with a report to the next Council meeting in response to a question asked by Clr Gosper relating to the Molong Showground.

10/07/17 Carried

**ITEM - 19 2009/2010 MANAGEMENT PLAN - FINAL REVIEW TO 30 JUNE
2010**

MOTION (Gosper/Durkin)

THAT the update of the Management Plan to the 30 June 2010, as presented be adopted.

10/07/18 Carried

ITEM - 20 LOCAL GOVERNMENT WEEK COMMITTEE MEETING

MOTION (Hyde/MacSmith)

THAT:

1. The report and recommendations of the Local Government Week Committee Meeting of Cabonne Council held on 5 July 2010 be adopted.
2. Council approve prize money be offered as per the summary included in the report with the competition being open to all students who reside in the Cabonne area.

10/07/19 Carried

It was noted Items 22 and 23 were addressed next.

ITEM - 22 ECONOMIC DEVELOPMENT & TOURISM COMMITTEE MEETING

MOTION (Farr/Wilcox)

THAT the report and recommendations of the Economic Development and Tourism Committee Meeting of Cabonne Council held on 5 July 2010 be adopted.

10/07/20 Carried

ITEM - 23 POLICY DATABASE - COMMUNICATIONS AND MEDIA POLICY

Proceedings in Brief

MOTION (Farr/Wilcox)

THAT subject to any changes identified at the July Council meeting, Council adopt the updated Communications and Media Policy.

Withdrawn

Clrs Farr and Wilcox moved the motion as per the recommendation however after discussion the Councillors withdrew their Motion.

MOTION (Gosper/MacSmith)

THAT consideration of adoption of the updated Communications and Media Policy be deferred until after a workshop to be held in September.

10/07/21 Carried

It was noted at this time Item 21 was addressed next and Mr Bob Craven addressed Council in relation to the Cabonne Country Tourism Committee. It was noted the time being 10:39am Council's Economic Development Manager also addressed Council and answered questions.

ITEM - 21 CABONNE COUNTRY TOURISM COMMITTEE

Proceedings in Brief

The Director of Finance & Corporate Services noted that clause 13.1 (page 117) of the charter referring to "Amendment to Charter" should be changed to

indicate that the Charter may be amended by Council.

MOTION (Culverson/Wilcox)

THAT Council adopts the amended Cabonne Country Tourism Advisory Committee Charter noting that clause 13.1 - Amendments to Charter - should read that the Charter may be amended by Council.

10/07/22 Carried

It was noted the time being 10:46am a presentation was made to the Youth of the Month for June and the Volunteer of the Month for July with Council adjourning for morning tea at 10:55am resuming at 11:18am.

ITEM - 24 COMMUNITY SERVICES COMMITTEE MEETING

MOTION (Hyde/Dowling)

THAT the report and recommendations of the Community Services Committee Meeting of Cabonne Council held on 5 July 2010 be adopted.

10/07/23 Carried

ITEM - 25 AUSTRALIA WIDE RURAL ROAD GROUP (AWRRG)

Proceedings in Brief

Clr Farr, in clarifying the amendment, noted that he was nominating the Chair of Works - whomever held said position.

MOTION (MacSmith/Wilcox)

THAT Council become a financial member of the Australia Wide Rural Road Group with membership fees be found from the local road budget and further that Council nominate Clrs Dowling & Gosper to be members of the Group.

AMENDMENT (Farr/Dean)

THAT Council become a financial member of the Australia Wide Rural Road Group with membership fees be found from the local road budget and further that Council nominate the Chair of the Works Committee and Clr Culverson to be members of the Group.

The Amendment was put and Carried becoming the Motion.

The Motion was put and Carried.

MOTION (Farr/Dean)

THAT Council become a financial member of the Australia Wide Rural Road Group with membership fees be found from the local road budget and further that Council nominate the Chair of the Works Committee and Clr Culverson to be members of the Group.

10/07/24 Carried

ITEM - 26 TRAFFIC COMMITTEE MINUTES

MOTION (Hyde/Gosper)

THAT the report and recommendations of the Traffic Committee meeting held on 23 June 2010 be noted.

10/07/25 Carried

ITEM - 27 COUNCILLOR REPRESENTATION TO CWCMA

MOTION (Gosper/Dowling)

THAT Council nominate Clr MacSmith as delegate and Clr Wilcox as alternate delegate to represent Cabonne Council on the CWCMA Local Government Reference Group Forum.

10/07/26 Carried

ITEM - 28 REQUEST FOR FILL MATERIAL FOR BUILDING SITE

Proceedings in Brief

The Director of Engineering & Technical Services advised that the material was required for rehabilitation works at the end of the Molong Limestone Quarry's life.

MOTION (Culverson/Dean)

THAT Council not agree to the request for supply of material free of cost from the Molong Limestone quarry on the grounds that it is not in the greater public interest.

AMENDMENT (Hyde/Walker)

THAT a site inspection be held before deliberating on this matter.

The Amendment was put and lost.

MOTION (Culverson/Dean)

THAT Council not agree to the request for supply of material free of cost from the Molong Limestone quarry on the grounds that it is not in the greater public interest.

10/07/27 Carried

Clrs Gosper, Hyde & Wilcox requested that their vote against the Motion be recorded.

ITEM - 29 WORKS COMMITTEE MEETING MINUTES

MOTION (Dowling/Gosper)

THAT the report and recommendations of the Works Committee held on Monday July 5 2010 of Cabonne Council be adopted.

10/07/28 Carried

It was noted the time being 11:35am Clrs Farr and MacSmith declared an interest in the following Item, due to a son being employed by the proponent (Farr) and due to having a financial relationship (MacSmith) and left the Chambers.

**ITEM - 30 MODIFICATION APPLICATION FOR DA2010/28 MSM MILLING
PACKING SHED AND EXPANSION OF CANOLA MILL**

Proceedings in Brief

In response to a question by Clr Dean the Director of Environmental Services advised that the matter was a relatively minor one which would have no impact on the management or operations of the facility.

MOTION (Wilcox/Culverson)

THAT Development Application 2010/28 for reconfiguration of internal layout and the provision of a toilet and hand basin facility at Lot 1 DP1085601, being 1 Dederang Street Manildra, be granted consent subject to all of the original conditions of consent in Annexure 2 of the report.

10/07/29 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 Bleakley – apology; Clrs Farr and MacSmith – declared interest):

It was noted the time being 11:38am Clrs Farr and MacSmith rejoined the meeting.

It was noted, the time being 11:38am Clr Culverson declared an interest in the following Item due to her Father in Law being an objector and left the Chambers.

**ITEM - 31 DA 2007/138 FOR SEVEN LOT RURAL SUBDIVISION,
KANGAROOBIE LANE - COMMON SEAL**

MOTION (Farr/Hyde)

THAT Council authorise affixing the Council Seal to the Request For Transfer Of Crown Public Roads document as required by Condition 27 of the Development Consent relating to DA 2007/0138.

10/07/30 Carried

The Chair called for a Division of Council as required under Section 375A (3) of the Local Government Act which resulted in a vote for the Motion as follows (noting the absence of Clr Bleakley – apology; Clr Culverson – declared interest):

For: Clrs Duffy, Dean, MacSmith, Dowling, Durkin Gosper, Hyde, Walker, Farr
Against: Clr Wilcox

It was noted, the time being 11:40am Clr Culverson rejoined the meeting.

It was noted, the time being 11:40am Clr Duffy declared an interest in the following Item due to pending confirmation of legal implications and left the Chambers. Clr Dowling assumed the Chair.

**ITEM - 32 ENVIRONMENTAL SERVICES AND SUSTAINABILITY
COMMITTEE MEETING**

Proceedings in Brief

Clr Culverson requested that Item 10 of the report be referred to the Closed session of Council claiming the provision in the Local Government Act for staff (personnel) matters to be treated as confidential.

In response to a question by Clr Gosper relating to item 8 the Director of Environmental Services advised that the committee had wanted a standard approach. Clr Farr added the committee saw a need for kerb & guttering and noted that it was cheaper than requiring a culvert.

MOTION (Farr/Culverson)

THAT the report and recommendations of the Environmental Services and Sustainability Committee Meeting of Cabonne Council held on 5 July 2010 be adopted and carried Motions be noted except Item 10.

10/07/31 Carried

It was noted, the time being 11:47am Clr Duffy rejoined the meeting and resumed the Chair.

**ITEM - 33 MAYORAL MINUTE - EUGOWRA MENS GROUP AND
VOLUNTARY PURCHASE BUILDING 5 GREVILLIA AVENUE
EUGOWRA**

Proceedings in Brief

In response to a question from the General Manager it was agreed to conduct the inspection on the morning of the August Committees Day.

MOTION (Hyde/Walker)

THAT:

1. Eugowra Promotion & Progress Association be given the opportunity to put forward options for the purchase and use of the building, subject to no or limited financial burden on Council.
2. Representatives of the Eugowra Promotion & Progress Association be invited to address Council's August meeting.
3. An inspection of the site be organised for interested Councillors prior to the August meeting.

10/07/32 Carried

ITEM - 34 NOTICE OF MOTION - COUNCILLOR EXPENSES

Proceedings in Brief

In speaking for the motion Clr Durkin commended the three Councillors who submitted the Notice of Motion particularly noting recent media coverage relating to Orange City Council and Liverpool Council expressing that Council should be accountable to the ratepayers.

Clr Farr spoke against the Motion expressing a concern as to why the matter was being raised commenting that he had concerns that the media may use the information to suggest that certain councillors were not doing anything or benefit the ratepayers on the basis they were not attending seminars to conferences. He indicated that if the Mover and Seconder agreed to include expenses incurred by Central Tablelands Water, CENTROC and the WBC Alliance he would support the Motion. It was noted that Cabonne Council does not have access to expenses incurred by these other organisations.

Other Councillors spoke in support of openness and transparency. The Mayor commented that if Councillors were to pursue accountability it should be on everything including the General Manager expenses noting that the \$7,000 or \$8,000 Councillors receive is a paltry amount for the amount of hours worked.

In response to a question from Clr Farr the Director of Finance & Corporate Services consulted a copy of the Management Plan and commented that a break up of the Councillor expenses pool was identified in the budget and reported on quarterly. The General Manager added that whilst it did not provide expenditure of individual Councillors the expenses pool amount was known and agreed.

During his right of reply Clr MacSmith also spoke on transparency noting that ratepayers have asked for this information. Clr MacSmith asked the Administration Manager if he could confirm whether the information was available under the new GIPA Act which the Administration Manager confirmed. Clr MacSmith suggested the information should be made available proactively.

In response to a suggestion by Clr Hyde that Councillors raise their hands when moving or seconding Motions the General Manager commented that if the Chair calls the wrong name a Councillor simply needs to advise the Chair that they did or did not move or second the item in question.

It was noted, the time being 12:07pm Clr Durkin left the Chambers.

MOTION (MacSmith/Gosper)

THAT:

1. Council receive a quarterly report providing a break-up of Councillor expenses provided to Councillors under the headings of Councillor, type and amount of expense, facility or other in-kind benefit, etc.
2. All future reports to Council relating to the nomination of Councillors to attend a seminar, conference etc provide details of the available funds in that budget and specifying the estimated expenditure detailing registration, accommodation, meals & any out of pocket expenses with the actual expenditure to be reported once known to the following Council meeting.

Lost

A Division was called for which resulted as follows (noting the absence of Clr Bleakley – apology; Clr Durkin – absent during voting):

For: Clrs MacSmith, Dowling, Gosper and Wilcox

Against: Clrs Duffy, Dean, Hyde, Walker, Farr and Culverson

It was noted, the time being 12:08pm Clr Durkin rejoined the meeting.

It was noted the time being 12:09pm the Executive Officer of CENTROC addressed Council until 12:45pm.

ITEMS FOR NOTATION

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

Proceedings in Brief

In response to a question from Clr Gosper relating to Parking and Caravan Park signage the Director of Engineering & Technical Services undertook to provide him with a status report.

ITEM - 6 CENTRAL TABLELANDS WATER - DELEGATES REPORT

Proceedings in Brief

In response to a question from Clr MacSmith via the Chair to Council's delegate to Central Tablelands Water, Clr Farr provided an update on progress to secure funding for the Lake Rowlands Project including planned visits to Minister Costa in Sydney and then to Canberra.

It was noted the time being 12:49pm when a question was asked relating to Cadia Clr Duffy and the Director of Finance & Corporate Services declared an interest: due to his son being employed at Cadia (Duffy) and due to being a shareholder in Newcrest Mining (Director of Finance & Corporate Services) and left the Chambers. Clr Dowling assumed the Chair.

ITEM - 9 RESOLUTIONS REGISTER - INFOCOUNCIL - OUTSTANDING ACTIONS

Proceedings in Brief

In response to a question from Clr Dean the Director of Engineering & Technical Services advised that the first step was to undertake upgrades of the Ash St Depot which is currently being done and secondly Agents were to be engaged.

In response to a question from Clr MacSmith relating to progress on the Cadia East project the General Manager advised that a meeting had not been held yet.

It was noted the time being 12:50pm Clr Duffy and the Director of Finance & Corporate Services rejoined the meeting. Clr Duffy resumed the Chair.

ITEM - 10 RATE COLLECTIONS FOR 2009/10 YEAR

Proceedings in Brief

Clr Dowling requested this item be referred to Closed claiming provisions under the Local Government Act relating to matters in relation to the personal hardship of a resident or ratepayer allowing such information being treated as confidential.

Note: The matter to be raised by Clr Dowling was actually addressed as part of Closed Item 4.

ITEM - 11 ABORIGINAL LAND CLAIMS 3747, 3767

Proceedings in Brief

In response to a question from Clr MacSmith the Director of Engineering & Technical Services advised that the matter related to a claim to land adjoining Mt Canobolas which has been refused by the Court.

**ITEM - 12 STRATEGIC INTEGRATED WATER CYCLE MANAGEMENT
STUDY**

Proceedings in Brief

In response to a question from Clr Dowling the Director of Engineering & Technical Services expanded on his report advising that issues identified under the Integrated Water Cycle Management Study would now have a strategic plan developed to address same.

In response to a question from Clr MacSmith the Director of Engineering & Technical Services advised that the CENTROC study was a separate issue and unlikely to provide funds relating to Yeoval & Cumnock water issues.

**ITEM - 19 COMPLEX ZONING PROPOSED IN NEW LEP FOR MOLONG &
CANOWINDRA**

Proceedings in Brief

Clr Gosper requested that the matter be referred to Closed claiming provisions under the Local Government Act relating to the property owner's details allowing the item to be treated as confidential.

MATTERS OF URGENCY

There were NIL matters of urgency.

CONFIDENTIAL ITEMS

ITEM - 1 CARRYING OF COUNCIL INTO CLOSED COMMITTEE OF THE

WHOLE MEETING

MOTION (Hyde/Dean)

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

10/07/33 Carried

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

RECOMMENDATION (Farr/Gosper)

THAT the Committee endorse the accuracy of the Report of the Proceedings of Confidential Matters at the Closed Committee of the Whole Meeting held on 21 June 2010 and 5 July 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/Hyde)

THAT the information be noted.

2. Carried

It was noted, the time being 1:01pm Cllr Culverson declared an interest in the following item due to one of the rate payers being a client of her business and left the Chambers.

* **ITEM - 4 DEBT RECOVERY REPORT OF OUTSTANDING RATES DEBTS**

RECOMMENDATION (Farr/Hyde)

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.

3. Carried

It was noted, the time being 1:04pm Clr Culverson rejoined the meeting.

* **ITEM - 5 OPERATIONS REVIEW**

RECOMMENDATION (Durkin/Wilcox)

THAT Council authorise the General Manager to:

1. Review the ETS Department structure
2. Prepare a budget reporting system allocating clear accountability to officers responsible for a program or activity.
3. Review the service level arrangements for councils activities
4. Examine and prepare an "out sourcing" strategy to fill resource gaps.
5. Prepare a strategy to optimise private works.
6. Examine of required special services
7. Prepare a strategy to implement change for the Molong Limestone Quarry with stated objectives, to be followed at a later date by a plan for Urban Services.
8. Provide update report to the October meeting examining the comparative benefits of the various management and organisational structures noted in the report.
9. Hold a workshop in October with a view to setting objectives for the review.
10. Utilise all available resources to comply with he recommendation and prepare a draft report by the October workshop.

4. Carried

* **ITEM - 6 GELATO FACTORY - FLOOR DRAINAGE**

RECOMMENDATION (Duffy/Farr)

THAT:

1. Council receive the report from consultants Building and Environmental Services Today - BEST.
2. Council authorise an Extraordinary Meeting on August Committee Day if the letter of agreement is not signed.

5. Carried

* **ITEM - 7 LAND DEVELOPMENT SUB COMMITTEE MEETING**

RECOMMENDATION (Farr/Culverson)

THAT:

1. The report and recommendations of the Land Development Sub Committee Meeting of Cabonne Council held on 5 July 2010 be adopted and carried Motions be noted.
2. That incentives offered relating to the Molong Heights Estate and Longs Corner Estate allowing reimbursement of DA fees for First Home Owners only be extended to 31 December 2010.
3. Council receive a report relating to possible and current incentives re residential, industrial, commercial & business development.

6. Carried

ITEM - 8 WBC STRATEGIC ALLIANCE - ROLLING TWO YEAR FUNDING PROGRAM

RECOMMENDATION (Culverson/Farr)

THAT:

1. Council commit to an extension of its funding commitments to the WBC Alliance until July 2012.
2. The WBC Project Officer be complimented on achievements and progress of Alliance activities.
3. Formal notification of Council's continued commitment to the WBC Alliance be provided to the Board and other member Councils.

7. Carried

It was noted at this time Open Determination Item 32 was addressed next in relation to Item 10 of the annexure.

It was noted, the time being 1:34pm Clr Duffy declared an interest due to pending confirmation of legal implications and left the Chambers. Clr Dowling assumed the Chair.

* **ITEM - 32 ENVIRONMENTAL SERVICES AND SUSTAINABILITY COMMITTEE MEETING**

MOTION (Farr/Culverson)

THAT the recommendation at Item 10 of the Environmental Services and Sustainability Committee Meeting of Cabonne Council held on 5 July 2010 be adopted with Minutes relating to the unsuccessful Recommendation on page 178 to be amended from "... advising flooding information..." to "... advising building conditions...".

8. Carried

It was noted, the time being 1:41pm Clr Duffy rejoined the meeting and resumed the Chair.

At this time Notation Item 19 was addressed next.

* **ITEM - 19 COMPLEX ZONING PROPOSED IN NEW LEP FOR MOLONG &
CANOWINDRA**

It was noted the time being 1:43pm the Chair resumed the Ordinary meeting.

REPORT & RESOLUTIONS OF CLOSED COMMITTEE OF THE WHOLE

MOTION (Farr/Wilcox)

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

10/07/34 Carried

There being no further business, the meeting closed at 1:44pm.

CHAIRMAN.

Chairman of the Ordinary Meeting of Cabonne Council held on the 23 August, 2010 at which meeting the listed minutes were confirmed and the signature hereon was subscribed.