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

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

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 (Farr/Wilcox)

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

11/07/01

Carried

ITEM - 2 DECLARATIONS OF INTEREST

Proceedings in Brief

Clr Culverson declared an interest in Item 4 of Closed (identified as a pecuniary interest due to her mother, father and sister-in-law being employed by one of the tendering companies); Clr Hyde declared an interest in Item 16 (identified as potential interest of a significant non-pecuniary nature) due to working with the applicant in relation to the new hospital in Eugowra and due to his son using the applicant's Architectural services; and the General Manager declared an interest in item 7 of Closed (identified as a Perceived conflict of interest of a non significant non-pecuniary nature) due to being a shareholder in one of the tendering companies.

ITEM - 3 DECLARATIONS OF POLITICAL DONATIONS

Proceedings in Brief

There were Nil declarations of political donations.

ITEM - 23 MAYORAL MINUTE - EASTERN AREA AMALGAMATION GROUP PROPOSAL

MOTION (Dowling/-)

THAT the information be noted.

AMENDMENT (Gosper/Durkin)

THAT:

1. Council request Clr Duffy to resign from Cabonne Council as he does not appear to be representing the interests of Cabonne ratepayers as a whole and has a clear conflict of interest.
2. Should Clr Duffy fail to resign, Council pass a censure motion against him.

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

MOTION (Gosper/Durkin)

THAT:

1. Council request Clr Duffy to resign from Cabonne Council as he does not appear to be representing the interests of Cabonne ratepayers as a whole and has a clear conflict of interest.
2. Should Clr Duffy fail to resign, Council pass a censure motion against him.

11/07/02

Carried

ITEM - 4 MAYORAL MINUTE - APPOINTMENTS

Proceedings in Brief

Mayor Dowling

- Police Ball in Cowra
- Committee Meetings
- WBC Meeting
- Meeting re business initiative
- Meeting with ratepayer
- General Manager and Director of Environmental Services, met with DA Proponent
- Directors meeting
- General Manager performance review – LGSA
- Attended unveilings of cenotaph memorial – Molong Village green

- Council Meeting

Clr Dean

- Committee Meeting
- Cudal Progress meeting
- Council Meeting

Clr Gosper

- Council Meeting
- Meeting of the Eastern Area Group with the Mayor, Clrs Bleakley, MacSmith, Wilcox and the Director of Finance and Corporate Services at the BEC in Orange. Clrs Duffy and Culverson also attended.
- Council Committee Meeting
- WBC Board meeting in Molong
- A meeting with WBC Strategic Planner re the LEP
- A meeting with LGSA and General Manager Performance Review panel consisting of the mayor and Clrs Farr, Duffy re the General Manager's Contract review
- The Dedication of Molong's new Cenotaph on the Village Green

Clr Hyde

- LEP workshop after the Ordinary meeting
- Met with developer in Eugowra with Acting Design Manager. Road access issue
- Lions change over dinner Eugowra
- Council Committee and LEP workshop
- Met with a lighting specialist for a community project for a Heliport and football oval
- Eugowra promotion & progress association meeting
- Eugowra flood advisory meeting with DETS & department of land Conservation. Looking at levees in Puzzle Flat Creek.

Clr Walker

- Committee Meeting
- Cemetery Upgrade with Senior Environmental Officer
- Referred enquiry to Environmental Services
- Sports Trust
- Ratepayer Longs Crn Rd
- Cemetery meeting
- Canowindra Services & Citizens Club re DA new building refer to Environmental Services
- Cargo re Woodbridge cup grand final
- Business Chamber re petition
- Age Of Fishes Museum
- Meeting with Caravan Park
- Meeting re proposed gas pipe
- Council meeting

Clr Wilcox

- Eastern Area Resident – BEC Orange
- Committee Meetings
- Council Meeting

MOTION (Dowling/-)

THAT the information contained in the Mayoral Minute be noted.

11/07/03

Carried

ITEM - 5 CONFIRMATION OF THE MINUTES

MOTION (Farr/Hyde)

THAT the minutes of the Ordinary Meeting held on 27th June 2011 be adopted.

11/07/04 Carried

ITEM - 6 BUSINESS PAPER ITEMS FOR NOTING

MOTION (Wilcox/Hyde)

THAT the Noting items be noted.

11/07/05 Carried

**ITEM - 7 STREAMLINING COUNCIL BUSINESS PAPERS AND
MEETING PROCEDURES**

MOTION (Farr/Wilcox)

THAT the Council trial the arrangements identified in the report for a six month period and that the matter be reported to Council's March 2012 Council meeting.

11/07/06 Carried

**ITEM - 8 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 4 July 2011 be adopted.

11/07/07 Carried

ITEM - 9 LOCAL GOVERNMENT WEEK COMMITTEE MEETING

MOTION (Hyde/Wilcox)

THAT the report and recommendations of the Local Government Week Committee Meeting of Cabonne Council held on 4 July 2011 be adopted.

11/07/08 Carried

ITEM - 10 COMMUNITY SERVICES COMMITTEE MEETING

MOTION (Hyde/Gosper)

THAT the report and recommendations of the Community Services Committee Meeting of Cabonne Council held on 4th July 2011 be adopted.

11/07/09 Carried

ITEM - 11 SEED PODS FROM LIQUIDAMBER TREES IN BANK STREET

MOTION (Gosper/Durkin)

THAT council approve the proposed maintenance procedures for the management of the Liquidamber Trees in Bank Street, Molong.

11/07/10 Carried

ITEM - 12 WORKS COMMITTEE MEETING MINUTES

Proceedings in Brief

Clr Dean requested it be noted that two issues raised by him at the Works meeting in relation to Additional Items - Cemeteries, viz. that the possibility of using limestone aggregate at the cemeteries be referred to the Director of Environmental Services and that consideration be given to use of local mowing service provides for cemeteries maintenance.

MOTION (Gosper/Dean)

THAT the report and recommendations of the Works Committee held on Monday 4th July 2011 of Cabonne Council be adopted noting the inclusion of the following in relation to Additional Items - Cemeteries, viz. that the possibility of using limestone aggregate at the cemeteries be referred to the Director of Environmental Services and their consideration be given to use of local mowing service provides for cemeteries maintenance.

11/07/11 Carried

ITEM - 13 ASH STREET DEPOT, ORANGE

MOTION (Wilcox/MacSmith)

THAT Council delegate authority to the General Manager to negotiate a lease agreement through a real estate agent for part area of the Ash Street depot for a maximum period for 5 years.

11/07/12 Carried

ITEM - 14 HIRE OUT OF HALL EQUIPMENT

MOTION (Gosper/Dean)

THAT Council:

1. Maintains the existing policies regarding the hire out of Molong hall furniture and kitchen items.
2. Receive a report re clarification of the hall hire policy.

11/07/13 Carried

ITEM - 15 CUDAL COMMUNITY HALL - USE BY CUDAL PUBLIC SCHOOL

MOTION (Durkin/Wilcox)

THAT Council waive fees for rehearsals for the Cudal Public School concert.

11/07/14 Carried

It was noted, the time being 10:01am Clr Hyde declared an interest in the following item (identified as potential conflict of interest of a significant non-pecuniary nature) due to the applicant's business being involved with the new Eugowra hospital on which the Councillor is working as well as the Councillor's son utilising the applicant to provide Architectural services and left the Chambers.

ITEM - 16 DA 2008/69 - PROPOSED DWELLING, GORHAM ROAD, SPRINGSIDE

Proceedings in Brief

It was noted this was considered together with Item 22.

ITEM - 22 DA 2008/69 - PROPOSED DWELLING, WATER TANKS AND EXTENSION TO FARM SHED - REQUEST TO DEFER

MOTION (Farr/Wilcox)

THAT Item 16 of the Determination section of the July 2011 business paper in relation to DA 2008/69 be deferred until the August Council Meeting to enable the objectors time to consider the planning report relating to this application.

11/07/15 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; and Clr Hyde – declared interest).

It was noted, the time being 10:03am Clr Hyde rejoined the meeting.

ITEM - 17 ENVIRONMENTAL SERVICES AND SUSTAINABILITY COMMITTEE MEETING

MOTION (Wilcox/MacSmith)

THAT the report and recommendations of the Environmental Services and Sustainability Committee Meeting of Cabonne Council held on 4 July 2011 be adopted and carried Motions be noted.

11/07/16 Carried

ITEM - 18 LAND ACCESS AGREEMENT FOR GOLD AND COPPER

RESOURCES

MOTION (Farr/Wilcox)

THAT Council delegate authority to the General Manager to sign the Land access agreement subject to the above conditions.

11/07/17 Carried

ITEM - 19 NAMING OF LANE BETWEEN SHARP STREET AND BROAD STREET, EUGOWRA

MOTION (Hyde/Durkin)

THAT Council proceed with the requirements to name the laneway between Sharp and Broad Streets, Eugowra "Granite Lane".

11/07/18 Carried

It was noted, the time being 10:05am Clr Walker declared an interest in the following item identified as a pecuniary interest due to the matter involving a neighbour and left the Chambers.

ITEM - 20 DA 2008 163 MC DONALD LANE, CANOWINDRA

MOTION (Durkin/MacSmith)

THAT:

1. Council notes the requirements of condition 9 of the Conditions of Approval relating to DA 2008/163.
2. Council not provide any financial assistance to the developer in relation to contribution to roadwork's and sewer mains extension until a bank guarantee is in place for the total sum.
3. Council's contribution to the sewer mains extension to be funded from the Cabonne Sewer Fund.
4. The balance be considered as a long-term sundry debtor.
5. Council's funding be on a 50/50 basis and apply only to the sewer extension up to the start of the development.
6. Council's policy on developer assistance be referred to the Land Development Sub Committee for review.

11/07/19 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; and Clr Walker – declared interest).

It was noted, the time being 10:09am Clr Walker rejoined the meeting.

ITEM - 21 QUESTIONS FOR NEXT MEETING

MOTION (Wilcox/Dean)

THAT Council receive a report at the next Council meeting in relation to questions asked / matters raised as follows:

1. Clr Dean requested a report in relation to a spilt of Council's FBT expenses.
2. Clr Wilcox requested an update report in relation to progress on a Youth Council.

11/07/20 Carried

MOTION (Duffy/Culverson)

THAT councillors be provided with the following information relating to the defined boundary map: the number of rates notices and the dollar value of general rates in the proposed area; and roads included in the proposed area according to type and classification.

The motion was put and lost.

A division of Council was called as requested by Clr Duffy which resulted in a vote against the motion (noting the absence of Clr Bleakley – apology) as follows:

For: Clrs Culverson and Duffy.

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

It was noted the time being 10:18am presentations were made to the Youth of the Month for June Naomi Dean and to the Volunteer of the Month for July John Burns following which Council adjourned for morning time at 10:29am. It was noted the time being Council resumed at 10:59am noting the temporary absence of Clr Duffy who rejoined the meeting at 11:01am.

CONFIDENTIAL ITEMS

It was noted the time being 11:02am the General Manager left the Chambers.

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

MOTION (Wilcox/Hyde)

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.

11/07/21 Carried

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

RECOMMENDATION (Hyde/Wilcox)

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 27th June 2011 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

It was noted the time being 11:03am the Chair requested all staff members except the Director of Finance & Corporate Services leave the Chambers before consideration of the following item.

* **ITEM - 3 GENERAL MANAGER'S PERFORMANCE REVIEW**

RECOMMENDATION (Wilcox/Hyde)

THAT a copy of the evaluation report be distributed to councillors when received and that a report be presented to Council detailing the evaluation process.

2. Carried

It was noted the time being 11:18am the staff members rejoined the meeting with the exception of the Director of Environmental Services.

It was noted, the time being 11:19am Clr Culverson declared a pecuniary interest due to family members being employed at one of the tendering companies and left the Chambers. At this time the Director of Finance & Corporate Services declared an interest due to one of the tenderers being an acquaintance and also left the Chambers.

* **ITEM - 4 REQUEST FOR QUOTATION - CLEANING SERVICES -
COUNCIL'S MOLONG OFFICES**

RECOMMENDATION (Wilcox/Hyde)

THAT Council accept the quotation from A Parmenter for the Cleaning Contract of Council's Molong offices at a tendered price of \$31,680.00

(including GST) per annum for a two year period with review provisions as detailed in the report.

3. Carried

It was noted, the time being 11:23am Clr Culverson rejoined the meeting.

It was noted, the time being 11:24am the Director of Finance & Corporate Services rejoined the meeting.

It was noted, the time being 11:24am Clr Duffy declared a pecuniary interest in the following item due to being named in the annexure and left the Chambers. At this time Clr Durkin declared a potential conflict of interest of a non significant non-pecuniary nature due to a neighbour being listed on the annexure but did not leave the Chambers.

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

RECOMMENDATION (Hyde/Farr)

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

It was noted, the time being 11:27am Clr Duffy rejoined the meeting.

ITEM - 6 CENTROC TENDER - FUEL SUPPLY

RECOMMENDATION (Wilcox/Hyde)

THAT Council:

1. Endorse the selection of Reliance Petroleum for Council's fuel supplier.
2. Advise CENTROC of its decision
3. Authorise the signing under seal of the fuel contract documents.

5. Carried

It was noted, the time being 11:28am the General Manager declared an interest (identified as being of a non-significant non pecuniary nature) in the following item due to being a Shareholder in one of the tendering companies Downer EDI and left the Chambers.

**ITEM - 7 SUPPLY, DELIVERY AND PLACEMENT OF SPRAYED
BITUMINOUS SURFACING IN THE CABONNE & BLAYNEY SHIRE
COUNCIL LOCAL GOVERNMENT AREAS CONTRACT 226113**

RECOMMENDATION (Durkin/Farr)

THAT:

1. Accept the tender from Fulton Hogan for the Sprayed Bituminous Sealing – 2011/2013 contract in the amount of \$4,457,025 (GST exclusive).
2. Authorise the signing and attachment of Council's seal to the contract documentation.

6. Carried

It was noted, the time being 11:29am the General Manager rejoined the meeting.

ITEM - 8 OUTSTANDING PUBLIC LIABILITY INSURANCE CLAIMS

RECOMMENDATION (Hyde/Wilcox)

THAT the information be noted.

7. Carried

It was noted, the time being 11:29am the Chair resumed the Ordinary meeting.

REPORT & RESOLUTIONS OF CLOSED COMMITTEE OF THE WHOLE

MOTION (Wilcox/Gosper)

THAT the Report and Recommendations of the Closed Committee of the Whole Meeting held on Monday 18 July, 2011 be adopted.

11/07/22 Carried

There being no further business, the meeting closed at 11:29am.

CHAIRMAN.

Chairman of the Ordinary Meeting of Cabonne Council held on the 15 August 2011 at which meeting the listed minutes were confirmed and the signature hereon was subscribed.