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**PRESENT** Clr I Gosper (in the Chair), Clrs G Dean, M Nash, L MacSmith, M Hayes, Clr S Wilcox (arriving 2:23pm), G Smith, A Durkin, G Treavors, K Walker, I Davison and J Culverson.

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

It was noted the Rates Incentive Scheme draw was conducted prior to the commencement of the Council Meeting.

### **ITEMS FOR DETERMINATION**

#### **ITEM - 1 APPLICATIONS FOR LEAVE OF ABSENCE**

##### Proceedings in Brief

An apology was tendered on behalf of Clr S Wilcox for her unavoidable absence from the meeting. It was noted Clr Wilcox joined the meeting at 2:23pm.

##### **MOTION** (MacSmith/Treavors)

THAT the apology for Clr S Wilcox be accepted and the necessary leave of absence be granted.

13/10/1

Carried

#### **ITEM - 2 DECLARATIONS OF INTEREST**

##### Proceedings in Brief

There were nil declarations of interest.

#### **ITEM - 3 DECLARATIONS FOR POLITICAL DONATIONS**

##### Proceedings in Brief

There were nil declarations for political donations.

It was noted the time being 2:02pm presentations were made to Rebecca Thornberry, the Youth of the Month for September; and to staff members Ben Hudson (on completion of Apprenticeship) and Grace Williams (on completion of Certificate III Business). At 2:10pm a presentation was made to Council by Essential Energy concluding at 2:37pm.

It was noted the time being 2:23pm Clr Wilcox joined the meeting.

It was noted the time being 2:38pm Council was addressed by the Eugowra Progress and Promotion Association and a resident in relation to the LEP rezoning of industrial areas concluding at 2:58pm when the majority of Eugowra residents in the gallery left the Chambers.

**ITEM - 4 MAYORAL MINUTE - APPOINTMENTS**

Proceedings in Brief

Clr Gosper

- Council meeting
- Attended Yeoval Central School “Big Gig performance”
- Attended Molong Central School concert
- Attended Molong Show’s Official opening
- Attended the Launch of Central NSW Tourism trail brochures at Molong by CW Tourism NSW
- Attended workshop on Molong Gasworks remediation run by Geolyse
- Attended the Police Remembrance Day service at St. Barnabas church in Orange
- Attended the official opening of the March/Clergate RFS new brigade shed and the presentation of long service medals to members
- Attended along with the General Manager, Deputy Mayor and Clr Davison the inaugural Local Government NSW conference
- Attended the annual Eugowra Canola Cup meeting along with Clr Hayes and MacSmith
- Committee meetings
- Attended Milton Murray’s funeral
- Attended the Canobolas LAC safety precinct committee meeting at Orange police station along with both Local State MP’s
- Attended meeting of the HUB Action group
- Attended the Molong Hockey club’s presentation evening

Clr Walker

- Opening of toilet block at Canowindra
- Committee meetings
- Eugowra Progress Association meeting
- Eugowra Buy Back
- Council meeting

Clr Treavors

- Country Woman’s Association 80th Birthday at Cudal
- Canowindra Ben Hall festival
- Council meeting

Clr Davison

- Borenore Community Progress Association meeting
- Council meeting
- Committee meeting
- CCTAC Committee meeting
- Right to farm and protection of prime agricultural land
- BEC meeting re future funding
- Launch of Central NSW Tourism trail brochures
- Local Government conference in Sydney
- CW Tourism board meeting

**MOTION** (Gosper/-)

THAT the information contained in the Mayoral Minute be noted.

13/10/2

Carried

**ITEM - 5 GROUPING OF REPORT ADOPTION**

Proceedings in Brief

It was noted the Pecuniary Interests returns relating to Item 10 were tabled at this time.

**MOTION** (Walker/Dean)

THAT Items 6 to 15 be moved and seconded.

13/10/3

Carried

**ITEM - 6 CONFIRMATION OF THE MINUTES**

**MOTION** (Walker/Dean)

THAT the minutes of the Ordinary Meeting held 17 September 2013 be adopted.

13/10/4

Carried

**ITEM - 7 ECONOMIC DEVELOPMENT & TOURISM COMMITTEE MEETING**

**MOTION** (Walker/Dean)

THAT the report and recommendations of the Economic Development and Tourism Committee Meeting of Cabonne Council held on 8 October, 2013 be adopted.

13/10/5

Carried

**ITEM - 8 COMMUNITY SERVICES COMMITTEE MEETING**

**MOTION** (Walker/Dean)

THAT the report and recommendations of the Community Services Committee Meeting of Cabonne Council held on 8 October, 2013 be adopted.

13/10/6 Carried

**ITEM - 9 WORKS COMMITTEE MEETING**

**MOTION** (Walker/Dean)

THAT the report and recommendations of the Works Committee Meeting of Cabonne Council held 8 October, 2013 be adopted.

13/10/7 Carried

**ITEM - 10 PECUNIARY INTEREST RETURNS 2013**

**MOTION** (Walker/Dean)

THAT Council note the tabling of Pecuniary Interest Returns for the period to the 30 June 2013.

13/10/8 Carried

**ITEM - 11 PUBLIC INTEREST DISCLOSURES (INTERNAL REPORTING)  
POLICY**

**MOTION** (Walker/Dean)

THAT:

1. Council adopt the draft Public Interest Disclosures (Internal Reporting) Policy.
2. The Mayor and General Manager sign the policy.

13/10/9 Carried

**ITEM - 12 PRIVACY MANAGEMENT PLAN**

**MOTION** (Walker/Dean)

THAT:

1. Council adopt the draft Privacy Management Plan (PMP) as a matter of policy.
2. Council (where applicable) contractually bind consultants, contractors, s355 committees and all such parties to comply with the PPIPA, the HRIPA, any other applicable Privacy Code of Practice and this Plan.
3. A copy of the PMP be forwarded to the Privacy Commissioner once adopted.

13/10/10 Carried

**ITEM - 13 AUSTRALIA DAY 2014**

**MOTION** (Walker/Dean)

THAT Council endorse the steps taken in relation to Australia Day 2014.

13/10/11

Carried

**ITEM - 14 2013/2014 RATES INCENTIVE SCHEME**

**MOTION** (Walker/Dean)

THAT Council endorse the draw of the Rates Incentive Scheme at 1:50pm in the Council Chambers foyer on the Council meeting day.

13/10/12

Carried

**ITEM - 15 PERSONAL PROTECTIVE CLOTHING POLICY**

**MOTION** (Walker/Dean)

THAT the Personal Protective Clothing Policy be adopted.

13/10/13

Carried

**ITEM - 16 INTEGRATED PLANNING & REPORTING - OPERATIONAL  
PLAN 1ST QUARTER REVIEW**

**MOTION** (Durkin/Wilcox)

THAT the update of the Operational Plan to the 30 September 2013, as presented be adopted.

13/10/14

Carried

**ITEM - 17 ENGAGEMENT OF THE NEW SOUTH WALES ELECTORAL  
COMMISSIONER TO CONDUCT COUNCIL ELECTIONS**

**MOTION** (Culverson/MacSmith)

THAT the Cabonne Shire Council (the Council) resolves:

1. Pursuant to s. 296(2) and (3) of the Local Government Act 1993 (NSW) ("the Act") that an election arrangement be entered into by contract for the Electoral Commissioner to administer all elections of the Council.
2. Pursuant to s. 296(2) and (3) of the Act, as applied and modified by s. 18, that a council poll arrangement be entered into by contract for the Electoral Commissioner to administer all council polls of the Council.
3. Pursuant to s. 296(2) and (3) of the Act, as applied and modified by s. 18, that a constitutional referendum arrangement be entered into by contract for the Electoral Commissioner to administer all

constitutional referenda of the Council.

13/10/15 Carried

**ITEM - 18 HIRE OF THE PUBLIC ADDRESS SYSTEM POLICY**

**MOTION** (Durkin/Culverson)

THAT the "Hire of the Public Address System" policy (copy annexed) be deleted and reference to the PA System Hire in the Fees & Charges be removed when next reviewed.

13/10/16 Carried

**ITEM - 19 RESTRICTED ACCESS VEHICLE APPLICATION - FOUR MILE  
CREEK ROAD**

**MOTION** (Hayes/Culverson)

THAT Council gazette Four Mile Creek Road, from Cadia Road to Cadiangullong Road, for 25m B-Double access providing there is a satisfactory outcome to a field trial, with the following conditions:

1. Maximum speed limit of 80km/h.
2. No travel permitted 7:30-8:30am and 3:30-4:30pm school days.

13/10/17 Carried

**ITEM - 20 NOXIOUS WEED MANAGEMENT**

**MOTION** (Durkin/MacSmith)

THAT Council support the request from Lachlan Valley Weeds Advisory Committee and make representations to the local State MP and Local Government NSW regarding the need for both the regulatory and on ground control of weeds to be retained as a function within Local Government throughout NSW.

13/10/18 Carried

**ITEM - 21 USE OF COUNCIL SEAL - SUBDIVISION RELEASES**

**MOTION** (Wilcox/Durkin)

THAT the Council resolves to approve the following variations to legal documentation and to apply where required the common seal of Council to the following documents:

1. Subdivision administration sheet – DA 2013/170, Pye Street, Eugowra
2. Variation to the registered building envelope applying to Lot 4 DP 1177075 Strachan Road, Spring Hill,
3. Variation to the registered s88b restriction as to user covenant, to delete the prohibition of clearing of vegetation upon Lot 43 DP



1091778, 1064 Sandy Creek Road, Molong.

13/10/19

Carried

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

For: Clrs Gosper, Dean, Nash, MacSmith, Hayes, Wilcox, Smith, Durkin, Treavors, Walker, Davison and Culverson.

Against: Nil.

**ITEM - 22 ENVIRONMENTAL SERVICES & SUSTAINABILITY  
COMMITTEE MEETING**

**MOTION** (Culverson/Durkin)

THAT the report and recommendations of the Environmental Services and Sustainability Committee Meeting of Cabonne Council held on 8 October, 2013 be adopted and carried motions be noted.

13/10/20

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:

For: Clrs Gosper, Dean, Nash, MacSmith, Hayes, Wilcox, Smith, Durkin, Treavors, Walker, Davison and Culverson.

Against: Nil.

**ITEM - 23 BUSINESS PAPER ITEMS FOR NOTING**

**MOTION** (Culverson/Wilcox)

THAT the notation items be noted.

13/10/21

Carried

**ITEM - 24 QUESTIONS FOR NEXT MEETING**

Proceedings in Brief

There were nil questions for next meeting.

**MATTERS OF URGENCY**

Clr Durkin sought leave to raise a possible Matter of Urgency in Closed. This did not result in a resolution of Council.

**CONFIDENTIAL ITEMS**

**ITEM - 1 CARRYING OF COUNCIL RESOLUTION INTO CLOSED**

**COMMITTEE OF THE WHOLE MEETING**

**MOTION** (Wilcox/Culverson)

THAT the committee 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 which the publicity of which the Committee considers would be prejudicial to the Council or the individual concerned and that the press and the 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.

13/10/22

Carried

**ITEM - 2 ABANDONMENT OF RATES AND WATER/SEWER AMOUNTS  
2012/2013**

**RECOMMENDATION** (Walker/Dean)

THAT the information be noted.

1.

Carried

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

**RECOMMENDATION** (Gosper/Wilcox)

THAT:

1. Council notes the conduct of the General Manager's 12 month Performance Review on 25 October 2013; and
2. Councillors submit their input to the panel members prior to the scheduled review date.

2.

Carried

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**ITEM - 4 REQUEST FOR CONSIDERATION OF WATER  
CONSUMPTION COSTS - ACCOUNT 4687.00000.2**

**RECOMMENDATION** (Hayes/Culverson)

THAT Council receive a report to the December Council meeting on:

1. Costs associated with losses due to 'Water Users' faulty plumbing over the last five (5) years.
2. An estimate of projected cost of claims over the next five (5) years, allowing for ageing assets.

3.

Carried

**RECOMMENDATION** (Davison/Hayes)

THAT on payment of 50% of water consumption costs and access charges the remaining 50% of water consumption costs of \$259.95 and interest accrued be written off for account 4687.00000.2.

4. Carried

Clr Culverson requested that her vote against the Motion be recorded.

**ITEM - 5 REQUEST FOR CONSIDERATION OF WATER  
CONSUMPTION COSTS - ACCOUNT 3892.10000.3**

**RECOMMENDATION** (Davison/Walker)

THAT on payment of 50% of water consumption costs and access charges the remaining 50% of water consumption costs of \$279.05 and interest accrued be written off for account 3892.10000.3.

5. Carried

Clr Culverson requested that her vote against the Motion be recorded.

**ITEM - 6 REQUEST FOR CONSIDERATION OF WATER  
CONSUMPTION COSTS - ACCOUNT 4752.30000.6**

**RECOMMENDATION** (Davison/Nash)

THAT on payment of 50% of water consumption costs and access charges the remaining 50% of water consumption costs of \$1066.23 and interest accrued be written off for account 4752.30000.6.

6. Carried

Clr Culverson requested that her vote against the Motion be recorded.

It was noted, the time being 3:42pm Clr Wilcox declared an interest (identified as a perceived conflict of interest of a significant non-pecuniary nature) in the following Item due to the claimant being a personal friend and left the Chambers.

**ITEM - 7 REQUEST FOR CONSIDERATION OF WATER  
CONSUMPTION COSTS - ACCOUNT 4752.00000.2**

**RECOMMENDATION** (Davison/Durkin)

THAT no reduction to water consumption costs for account 4752.00000.2 be given and interest accrued on remaining balance be written off after payment is finalised.

7. Carried

It was noted, the time being 3:43pm Clr Wilcox rejoined the meeting.

**ITEM - 8 CONTRACT 489612 SUPPLY OF DRILL AND BLAST  
SERVICES FOR THE PERIOD OF NOVEMBER 2013 TO  
NOVEMBER 2015**

**RECOMMENDATION** (Walker/Culverson)

THAT:

1. Council accept the tender for drill and blast services from Southern Explosives Supply Pty Ltd.
2. Affix the Council seal to Contract 489612.

8. Carried

It was noted the time being 3:44pm the Chair resumed the Ordinary meeting.

**REPORT & RESOLUTIONS OF CLOSED COMMITTEE OF THE WHOLE**

**MOTION** (Culverson/Dean)

THAT the Report and Recommendations of the Closed Committee of the Whole Meeting held on Tuesday 15 October, 2013 be adopted.

13/10/23 Carried

There being no further business, the meeting closed at 3:45pm.

CHAIRMAN.

Chairman of the Ordinary Meeting of Cabonne Council held on the 19 November, 2013 at which meeting the listed minutes were confirmed and the signature hereon was subscribed.