



3 November 2016

### **NOTICE OF EXTRAORDINARY COUNCIL MEETING**

Your attendance is respectfully requested on **Tuesday 8<sup>th</sup> November, 2016** for an **EXTRAORDINARY MEETING** commencing at **2.00pm**, at the Cabonne Council Chambers, Bank Street, Molong to consider the undermentioned business.

**PLEASE NOTE** - There will be a councillor workshop held following the Extraordinary Council meeting to discuss the following items: -

1. Resolutions Register – InfoCouncil – Action Reporting
2. Land Development – Future Council Involvement
3. Eugowra Flood Levee

Yours faithfully

A handwritten signature in black ink, appearing to be "Stephen J Harding". The signature is fluid and cursive, with a large loop at the end.

Stephen J Harding

**ACTING GENERAL MANAGER**

### **ORDER OF BUSINESS**

- 1) Open Ordinary Meeting
- 2) Consideration of Acting General Manager's Report
  - a) Canowindra Retirement Village Association Legal Advice



### **COUNCIL'S MISSION**

*“To be a progressive and innovative Council which maintains relevance through local governance to its community and diverse rural area by facilitating the provision of services to satisfy identified current and future needs.”*

### **COUNCIL'S VISION**

*Cabonne Council is committed to providing sustainable local government to our rural communities through consultation and sound financial management which will ensure equitable resource allocation.*

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**ANNEXURE ITEMS**

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

**REPORT IN BRIEF**

<b>Reason For Report</b>	To allow tendering of apologies for Councillors not present.
<b>Policy Implications</b>	Nil
<b>Budget Implications</b>	Nil
<b>IPR Linkage</b>	4.5.1.g - Code of Meeting Practice adopted and implemented.
<b>Annexures</b>	Nil
<b>File Number</b>	\\OFFICIAL RECORDS LIBRARY\GOVERNANCE\COUNCIL MEETINGS\COUNCIL - COUNCILLORS LEAVE OF ABSENCE - 790749

**RECOMMENDATION**

THAT any apologies tendered be accepted and the necessary leave of absence be granted.

**ACTING GENERAL MANAGER'S REPORT**

A call for apologies is to be made.

Please note that guidelines have been issued under Section 23A of the Local Government Act titled "Council decision making during merger proposal periods". Council must consider the guidelines in relation to each decision they make during the proposal period, this matter is of an ongoing nature and it is considered it complies with the guidelines.

**ITEM 2 - DECLARATIONS OF INTEREST**

**REPORT IN BRIEF**

<b>Reason For Report</b>	To allow an opportunity for Councillors to declare an interest in any items to be determined at this meeting.
<b>Policy Implications</b>	Nil
<b>Budget Implications</b>	Nil
<b>IPR Linkage</b>	4.5.1.g - Code of Meeting Practice adopted and implemented.
<b>Annexures</b>	Nil
<b>File Number</b>	\\OFFICIAL RECORDS LIBRARY\GOVERNANCE\COUNCIL MEETINGS\COUNCIL - COUNCILLORS AND STAFF DECLARATION OF INTEREST - 2016 - 790751

**RECOMMENDATION**

THAT the Declarations of Interest be noted.

**ACTING GENERAL MANAGER'S REPORT**

A call for Declarations of Interest.

Please note that guidelines have been issued under Section 23A of the Local Government Act titled "Council decision making during merger proposal periods". Council must consider the guidelines in relation to each decision they make during the proposal period, this matter is of an ongoing nature and it is considered it complies with the guidelines.

**ITEM 3 - DECLARATIONS FOR POLITICAL DONATIONS**

**REPORT IN BRIEF**

<b>Reason For Report</b>	To allow an opportunity for Councillors to declare any Political Donations received.
<b>Policy Implications</b>	Nil
<b>Budget Implications</b>	Nil
<b>IPR Linkage</b>	4.5.1.g - Code of Meeting Practice adopted and implemented.
<b>Annexures</b>	Nil
<b>File Number</b>	\\OFFICIAL RECORDS LIBRARY\GOVERNANCE\COUNCIL MEETINGS\COUNCIL - COUNCILLORS DECLARATION OF POLITICAL DONATIONS - 790752

**RECOMMENDATION**

THAT any Political Donations be noted.

**ACTING GENERAL MANAGER'S REPORT**

A call for declarations of any Political Donations.

Please note that guidelines have been issued under Section 23A of the Local Government Act titled "Council decision making during merger proposal periods". Council must consider the guidelines in relation to each decision they make during the proposal period, this matter is of an ongoing nature and it is considered it complies with the guidelines.

**ITEM 4 - CANOWINDRA RETIREMENT VILLAGE ASSOCIATION LEGAL ADVICE**

**REPORT IN BRIEF**

<b>Reason For Report</b>	To seek funding to obtain legal advice in relation to the proposed Canowindra Retirement Village
<b>Policy Implications</b>	Nil
<b>Budget Implications</b>	Request for additional \$10,000
<b>IPR Linkage</b>	3.2.1.b - Facilitate retirement and aged care projects and services
<b>Annexures</b>	Nil
<b>File Number</b>	\\OFFICIAL RECORDS LIBRARY\COMMUNITY SERVICES\SERVICE PROVISION\CANOWINDRA PROPOSED RETIREMENT VILLAGE - CORNER BLATCHFORD and MILL STREETS - 790987

**RECOMMENDATION**

THAT Council: -

1. Vote an additional \$10,000 to legal expenses to enable advice to be sought in relation to the proposed Canowindra Retirement Village; and
2. Resolve that the expenditure is required and warranted to enable the Canowindra Retirement Village proposal to progress.

**ACTING GENERAL MANAGER'S REPORT**

As resolved by Council a meeting was held between representatives of Council, Canowindra Retirement Village Association and Uniting (previously known as Uniting Care Aging NSW/ACT) on 2 November 2016 to progress the project and establish a way forward.

At an earlier meeting Uniting had agreed to obtain legal advice on how the proposal could be developed and run by the Canowindra Retirement Village Association on the basis that the association would be responsible for final development and operation of the site.

At the most recent meeting Uniting indicated that with the further developments whereby Council would be providing substantial contribution to site development, their organisation would now be interested in developing and operating the project.

Council representatives again advised that for transparency and probity reasons the project would need to be publicly advertised for expressions of interest in the development and operation. Uniting indicated that they would not

be prepared to provide legal advice on the basis that their revised proposal had now changed how the project would be managed.

On this basis, to enable the project to proceed, it will be necessary for Council to obtain its own legal advice in relation to various aspects of the project. To this end funding is now sought for an additional \$10,000 to enable this advice to be obtained.

Please note that guidelines have been issued under Section 23A of the Local Government Act titled "Council decision making during merger proposal periods". Council must consider the guidelines in relation to each decision they make during the proposal period. Under the guidelines funding that was not included in council's original budget must be considered in open council and the resolution voting the funds must state the reason why council considered the expenditure is required and warranted.