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REPORT & RESOLUTIONS OF COMMITTEE OF THE WHOLE.....11

PRESENT Clrs J Jones, M Nash, P Mullins, G Treavors, C Newsom, A Durkin (in the Chair), L Oldham, P Batten, K Walker, J Weaver and I Davison.

Also present were the General Manager, Director of Finance & Corporate Services, Acting 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 Beatty for his absence from the meeting.

MOTION (Newsom/Oldham)

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

18/08/01 Carried

ITEM - 2 DECLARATIONS OF INTEREST

Proceedings in Brief

Clr Batten declared an interest (identified as a potential conflict of interest, non-significant, non-pecuniary) in item 12 as he is a member of Molong Advancement Group.

Clr Batten declared an interest (identified as an actual conflict of interest, significant non-pecuniary) in item 19 as he is a member of the organising committee for the Banjo Paterson Festival Dinner.

MOTION (Oldham/Treavors)

THAT the declarations of interest be noted.

18/08/02 Carried

ITEM - 3 DECLARATIONS FOR POLITICAL DONATIONS

Proceedings in Brief

There were nil declarations for political donations.

MOTION (Davison/Nash)

THAT it be noted there were nil declarations for political donations.

18/08/03 Carried

It was noted the time being 2.02pm Mr Philip Donato MP addressed Council.

It was noted the time being 2.28pm Olivia West, Principal Policy & Project Management Land Negotiation at Department of Industry addressed Council.

ITEM - 4 MAYORAL MINUTE - APPOINTMENTS

Proceedings in Brief

Clr Davison advised that he attended the recent TDO meeting and provided an update to Council. A copy of the meeting business papers were provided to the General Manager.

MOTION (Durkin/Treavors)

THAT the information contained in the Mayoral Minute be noted.

18/08/04 Carried

ITEM - 5 COMMITTEE OF THE WHOLE

Proceedings in Brief

It was noted that Clr Davison called item 16, Clr Oldham called item 18 and Clr Batten called item 19 to be debated in Committee of the Whole.

MOTION (Newsom/Batten)

THAT the items called be debated in Committee of the Whole.

18/08/05 Carried

ITEM - 6 GROUPING OF REPORT ADOPTION

MOTION (Batten/Treavors)

THAT:

1. Councillors call any items they wish to further consider
2. Items 7 to 11 be moved and seconded.

18/08/06 Carried

ITEM - 7 CONFIRMATION OF THE MINUTES

MOTION (Batten/Treavors)

THAT the minutes of the Ordinary meeting held 24 July 2018 be adopted.

18/08/07 Carried

ITEM - 8 ADOPTION OF COUNCIL'S SECTION 355 COMMITTEES

MOTION (Batten/Treavors)

THAT Council appoint the Committee's shown in the table detailed in the report, pursuant to Section 355 of the Local Government Act 1993.

18/08/08 Carried

**ITEM - 9 GOVERNMENT INFORMATION PUBLIC ACCESS ACT 2009
(GIPA) AGENCY INFORMATION GUIDE - ANNUAL REVIEW**

MOTION (Batten/Treavors)

THAT Council adopt the annexed draft 2018/19 Agency Information Guide.

18/08/09 Carried

**ITEM - 10 POLICY DATABASE - REVIEW BY COUNCIL WITHIN 12
MONTHS OF ELECTION**

MOTION (Batten/Treavors)

THAT:

1. The policies listed in the report detailed "without change" be re-adopted; and
2. The annexed draft Noxious Weeds Statement Policy, Central West Libraries Related Policy, Procurement (Incorporating Local Supplier Preference) Policy, After School Hours Care Policy, Cabonne Blayney Family Day Care Policies and Procedures and Community Transport Policy (recommended changes detailed in report) be adopted.

18/08/10 Carried

ITEM - 11 EXCLUSIVE LICENCE TO QUARRY

MOTION (Batten/Treavors)

THAT Council authorise the affixing of the Common Seal to the Exclusive License to Quarry agreements of the following small mine: 1. Peters Pit – E89

18/08/11 Carried

It was noted that Cllr Batten declared an interest (identified as a potential conflict of interest, non-significant, non-pecuniary) in the following item as he is a member of Molong Advancement Group, he remained in the Chamber.

ITEM - 12 PROPOSED HEATED POOL FACILITY

Proceedings in Brief

The General Manager stressed the importance of councillors understanding the Native Claim process and stated it is not simply extinguished by a telephone call. He advised he had spoken to the Aboriginal Land Council, Land Claims Division and had received an email detailing what is required with a Native Title Claim, including: copy of Development Application; background of Molong Advancement Group; and details of time occupying the site. He also advised that some Native Title Claims take up to 12 years to process.

Clr Mullins stated that although he is not against the motion, Council should indicate to the group that more information is required, leaving no doubt that Council are apprehensive about the projected costs involved with operating the facility. The General Manager advised that the Mayor and himself have already met with the group and expressed concern.

Clr Davison stated the current capital cost is estimated at between \$5M and \$7M and believes by the time the project would commence that cost would be substantially higher, he believes the project is beyond council's budget.

Clr Treavors said he agrees with Clr Davison's comments and is against the motion as it is reported to cost \$600K plus in operating costs each year and does not believe Molong can sustain two swimming pools.

Clr Davison asked the Director of Environmental Services if it was possible to modify the existing pool. The Director of Environmental Services advised that it is not an option.

MOTION (Mullins/Oldham)

THAT the Molong Advancement Group be advised that before council could consider the proposal, they would need to:

1. Have confirmation that the land in question was available and not subject to Native Title claim;
2. Be advised of the cost and expected life-span of each of the component elements within the proposed complex;
3. Confirm projected operational costs.

18/08/12 Carried

ITEM - 13 DROUGHT ASSISTANCE

Proceedings in Brief

Clr Jones stated that he supported the motion and believes it is important for Cabonne, as a unique rural council, to support those that are doing it tough under the current seasonal conditions by making water available.

Clr Newsom queried if it is only available from the Molong Depot. The General Manager advised that currently the Molong Depot is the only location in the Cabonne LGA with a standpipe with potable water. He said he has made contact with Central Tablelands Water (CTW) to enquire about the costs involved with putting a standpipe in place within the CTW area of Cabonne.

The General Manager advised that there are two ladies, one from Orange and one from Cumnock, that have been arranging deliveries and paying the associated costs themselves, he suggested Council may wish to reimburse them.

Clr Davison queried in relation to point 3 of the motion, what happens when people cannot afford to pay for cartage of the water. Clr Jones advised the State Government are working through their policy and looking at cartage cost subsidies.

MOTION (Jones/Nash)

THAT Council provide access to water from the Molong Depot stand-pipe at no charge based on the following parameters:

1. Recipients being registered with details of their location, rural enterprise and where the water will be utilised.
2. The water is to be used for domestic purposes only.
3. Parties who have registered will be responsible for cartage of the water.
4. This policy will be reviewed after a three-month trial period or should the level of water restrictions for the town water supplies increase.
5. The policing of on-selling of water.
6. Reimburse bona fide water carters that have voluntarily been paying for water for residents in the Cabonne LGA.

18/08/13 Carried

It was noted the time being 3.14pm Clr Mullins left the Chamber.

ITEM - 14 ANNUAL FINANCIAL STATEMENTS

MOTION (Davison/Treavors)

THAT:

1. The Mayor, Deputy Mayor, General Manager and Director of Finance & Corporate Services sign the Statement by councillors and management pursuant to section 413(2) of the Local Government Act for both the General Purpose and Special Purpose Financial Statements.
2. Council refer the General Purpose Financial Statements and Special Purpose Financial Statements to the Audit Office NSW for audit.

18/08/14 Carried

**ITEM - 15 UNFINISHED WORKS COMMENCED IN 2017/2018 NOT
COMPLETED AS AT 30/06/2018 - REQUIRED TO BE CARRIED
FORWARD TO THE 2018/2019 BUDGET**

MOTION (Walker/Weaver)

THAT the projects listed in the attachment be carried forward to the 2018/2019 budget.

18/08/15 Carried

ITEM - 17 MULLION CREEK PLAYGROUP

Proceedings in Brief

Clr Jones noted this proposal is a great attraction for families and is excellent support for families in the east of Cabonne Shire.

MOTION (Jones/Batten)

THAT Council proceed with the proposal to establish a Playgroup at Mullion Creek.

18/08/16 Carried

It was noted the time being 3.17pm Clr Mullins returned to the Chamber.

**ITEM - 20 RENTAL OF VACANT OFFICE SPACE AT 70 GASKILL
STREET, CANOWINDRA**

Proceedings in Brief

The General Manager advised that the applicant is offering to refurbish the interior of the building in exchange for one year rent free.

MOTION (Weaver/Newsom)

THAT Council accept the request as detailed in the report.

18/08/17 Carried

ITEM - 21 QUESTIONS FOR NEXT MEETING

Proceedings in Brief

Clr Batten requested a report be presented to a future Council meeting, when staffing allows, providing a review of the guidelines for Events Assistance Funding.

Clr Weaver suggested that council investigate the possibility of an awards dinner to recognise the work of the Age of Fishes Museum volunteers.

Clr Jones requested a report on the walking track behind the swimming pool, detailing why it is closed and costs associated with required repairs.

MOTION (Batten/Weaver)

THAT Council receive a report in relation to the following:

1. A review of the guidelines for Events Assistance Funding;
2. The possibility of a recognition dinner for the Age of Fishes Museum volunteers; and
3. The walking track behind the swimming pool, detailing why it is closed and costs associated with the required repairs.

18/08/18 Carried

ITEM - 22 BUSINESS PAPER ITEMS FOR NOTING

MOTION (Davison/Treavors)

THAT the notation items be noted.

18/08/19 Carried

ITEM - 23 MATTERS OF URGENCY

MOTION (Treavors/Weaver)

THAT it be noted there were nil matters of urgency.

18/08/20 Carried

ITEM - 24 COMMITTEE OF THE WHOLE SECTION OF THE MEETING

MOTION (Nash/Oldham)

THAT Council hereby resolve itself into Committee of the Whole to discuss matters called earlier in the meeting.

18/08/21 Carried

ITEM - 16 MILLTHORPE VACATION CARE

Proceedings in Brief

Clr Davison queried why Blayney Council are not sharing any costs, even if it is at least a contribution to the cost of the hall. He also noted that the cost per head of \$65 is higher than Kinross', considering Council currently have an annual surplus should Council look at a more competitive price and suggested \$55 per head.

The General Manager provided some background on the program, noting that the original agreement involved WBC Alliance and Blayney Council did not

have community services staff, where Cabonne already had a community services manager and an after school care program. He further noted the hall is owned by the School of Arts and suggested Council leave the cost per head at \$65 to cover any drop in numbers.

Clr Batten queried if the estimated profit will be impacted by the Child Care Subsidy. The Director of Finance & Corporate Services advised the parents subsidy is impacted by the Child Care Subsidy and the amount Council collect is not affected.

RECOMMENDATION (Batten/Davison)

THAT Council proceed with the proposal to establish Vacation Care at Millthorpe.

1. Carried

ITEM - 18 CABONNE ACQUISITIVE ART PRIZE

Proceedings in Brief

Clr Oldham stated that it would be good for Cabonne to conduct an acquisitive art competition noting the competition could potentially grow into something prestigious for the region.

Council's Community Engagement and Development Manager provided further information from his involvement with the acquisitive art competition at Wellington Council.

Clr Batten suggested Council adopt Model 1 as detailed in the report, with the addition, the competition begin in 2019 to allow inclusion in the budget and also that Council seek sponsorship from major businesses in Cabonne including MSM Milling, Manildra Flour Mill and Cadia Mine.

Clr Mullins stated he is against the motion and suggested Model 2 and restrict the competition to Cabonne, Blayney and Orange LGA's, noting it could become a tourist attraction. Clr Davison advised he agreed to include three Council areas as it will encourage more local competition.

Clr Jones stated he is for the motion, suggesting Council consider including criteria to include students from Cabonne that have moved away or are at university.

Council's Community Engagement and Development Manager advised that Blayney Council already conduct an acquisitive art prize and suggested that Council either restrict to Cabonne LGA only or open to all artists.

Clr Oldham stated the aim should be to grow to something of substance for Cabonne and then look beyond. She suggested starting with the Cabonne LGA in the first year and expand after that, noting her preference would be to have it as open.

The General Manager noted that Council should expect that there will be teething problems in the first year and suggested starting with the Cabonne LGA only.

RECOMMENDATION (Walker/-)

THAT the motion be put.

2. Carried

RECOMMENDATION (Batten/Newsom)

THAT Council:

1. Conduct an Acquisitive Art Prize competition for artists living in the Cabonne LGA;
2. Commence the Acquisitive Art Prize competition from July 2019; and
3. Seek sponsorship from local businesses.

3. Carried

It was noted the time being 3.47pm Clr Batten declared an interest (identified as an actual conflict of interest, significant non-pecuniary) in item 19 as he is a member of the organising committee for the Banjo Paterson Festival Dinner, he left the Chamber.

ITEM - 19 EVENTS ASSISTANCE PROGRAM 2018-2019

RECOMMENDATION (Davison/Oldham)

THAT Council approve \$1,000 funding under the 2018-2019 Events Assistance Program (EAP) to Molong Advancement Group for the 2018 Banjo Paterson Dinner.

4. Carried

It was noted the time being 3.48pm Clr Batten returned to the Chamber.

Proceedings in Brief

Clr Batten stressed the inconsistencies in the guidelines for funding under the Events Assistance Program, noting the amount of money asked for and the significance of the event for Cabonne.

Clr Newsom stated that the organisation is currently showing a loss of \$30K and queried how it would be made up. She also queried what Council's donation is designated for. Clr Durkin advised his understanding is the donation is designated to marketing.

Council's Community Engagement and Development Manager advised that it states in the application the money will be used for marketing, promotion, electronic ticketing and insurance. He noted Council could state it is to be used for marketing, promotion and event management.

RECOMMENDATION (Batten/Jones)

THAT Council approve \$20,000 funding under the 2018-2019 EAP to Canowindra Challenge for the 2019 Canowindra International Balloon Challenge for marketing, promotion and event management.

5. Carried

Proceedings in Brief

Clr Batten stated the guidelines state maximum funding of \$5,000 for a “flagship” event and maximum of \$2,000 for a “core” event, noting this event is classified as a “core” event. He also commented that Council have contributed \$22.5K over the past few years to the event and \$64.5K to Orange 360 who support the event. He suggested Council fund \$2,000 for this event. Clr Jones advised he supported Clr Batten’s comments.

Clr Davison stressed that there are 34 vineyards partaking in the wine festival and of that 21 of them are in Cabonne. The event is growing each year and is a major employer in the region and thought promotion of the event for an extra \$3,000 a year is minimal. Clr Mullins advised he supported Clr Davison’s comments.

Clr Batten stated that the organisation also receives support from other events, including Banjo Paterson Festival and Food Week. Council also support these events so the funding should be utilised for another activity throughout the year.

RECOMMENDATION (Batten/Oldham)

THAT Council approve \$2,000 funding under the 2018-2019 EAP to Orange Region Vignerons Association for the 2018 Orange Wine Festival, taking into account Council’s annual contribution to Orange 360 to promote major regional events.

6. Carried

It was noted the time being 4.03pm the Chair announced that the Council would now be resolving into a Closed Committee of the Whole.

CONFIDENTIAL ITEMS

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

RECOMMENDATION (Nash/Oldham)

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.

7. Carried

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

RECOMMENDATION (Jones/Weaver)

THAT the Committee endorse the accuracy of the Report of the Proceedings of Confidential Matters at the Council meeting held on 24 July 2018 and notes the recommendations recorded in the Official Ordinary Minutes of that meeting are sufficient to state the general effect of the proceeding in Closed Committee.

8. Carried

ITEM - 3 DEBT RECOVERY REPORT OF OUTSTANDING DEBTS

RECOMMENDATION (Nash/Oldham)

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 this correspondence, Council intends to issue a Statement of Claim for the recovery of all monies owed to Council.

9. Carried

ITEM - 4 UNRECOVERABLE SUNDRY DEBTOR

RECOMMENDATION (Davison/Walker)

THAT Council write-off this total debt of \$10,000 for debtor account 21689 as unrecoverable

10. Carried

It was noted the time being 4.05pm the Deputy Mayor resumed the Ordinary meeting.

REPORT & RESOLUTIONS OF COMMITTEE OF THE WHOLE

MOTION (Batten/Weaver)

THAT the Report and Recommendations of the Committee of the Whole Meeting held on Tuesday 28 August, 2018 be adopted.

18/08/22 Carried

There being no further business, the meeting closed at 4.05pm.

CHAIRMAN.

Chairman of the Ordinary Meeting of Cabonne Council held on the 25 September, 2018 at which meeting the listed minutes were confirmed and the signature hereon was subscribed.