

TABLE OF CONTENTS

ITEM 1 APPLICATIONS FOR LEAVE OF ABSENCE2
ITEM 2 DECLARATIONS OF INTEREST2
ITEM 3 DECLARATIONS FOR POLITICAL DONATIONS.....3
**ITEM 4 RESCISSION MOTION - LAND & ENVIRONMENT COURT -
JUDGEMENT4**

ANNEXURE ITEMS

ITEM 1 - APPLICATIONS FOR LEAVE OF ABSENCE

REPORT IN BRIEF

Reason For Report	To allow tendering of apologies for Councillors not present.
Policy Implications	Nil
Budget Implications	Nil
IPR Linkage	4.5.1.g - Code of Meeting Practice adopted and implemented.
Annexures	Nil
File Number	\\OFFICIAL RECORDS LIBRARY\GOVERNANCE\COUNCIL MEETINGS\COUNCIL - COUNCILLORS LEAVE OF ABSENCE - 786791

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

Reason For Report	To allow an opportunity for Councillors to declare an interest in any items to be determined at this meeting.
Policy Implications	Nil
Budget Implications	Nil
IPR Linkage	4.5.1.g - Code of Meeting Practice adopted and implemented.
Annexures	Nil
File Number	\\OFFICIAL RECORDS LIBRARY\GOVERNANCE\COUNCIL MEETINGS\COUNCIL - COUNCILLORS AND STAFF DECLARATION OF INTEREST - 2016 - 786792

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

Reason For Report	To allow an opportunity for Councillors to declare any Political Donations received.
Policy Implications	Nil
Budget Implications	Nil
IPR Linkage	4.5.1.g - Code of Meeting Practice adopted and implemented.
Annexures	Nil
File Number	\\OFFICIAL RECORDS LIBRARY\GOVERNANCE\COUNCIL MEETINGS\COUNCIL - COUNCILLORS DECLARATION OF POLITICAL DONATIONS - 786793

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 - RESCISSION MOTION - LAND & ENVIRONMENT COURT - JUDGEMENT

REPORT IN BRIEF

Reason For Report	For Council to consider a rescission motion lodged by councillors MacSmith, Hayes and Dean
Policy Implications	Nil
Budget Implications	Potential further expenditure
IPR Linkage	4.5.1.a. Provide quality administrative support and governance to councillors and residents
Annexures	Nil
File Number	\\OFFICIAL RECORDS LIBRARY\GOVERNANCE\AMALGAMATIONS\BLAYNEY SHIRE, CABONNE AND ORANGE CITY COUNCILS PROPOSED MERGER 2016 - 786794

RECOMMENDATION

THAT the rescission motion be dealt with.

ACTING GENERAL MANAGER'S REPORT

A rescission motion has been received from councillors MacSmith, Hayes and Dean as follows:-

"We the undersigned Councillors hereby give notice of our intention to rescind the following motion resolved at the Extraordinary Council meeting held 11 October 2016:-

ADDITIONAL ITEM – 5 LAND & ENVIRONMENT COURT - JUDGEMENT

MOTION (Durkin/Nash)

THAT:

1. Council lodge a Notice of Intention to Appeal against the judgement brought down by the Land & Environment Court against Council on 7 October 2016 and seek agreement from the State Government not to take any further action prior to the Woollahra Council Supreme Court appeal determination and for seven days thereafter;
2. Council seek an injunction or interlocutory orders to stay any action should the State Government not agree to an undertaking as requested in 1. above;

3. Should the State Government not agree to give an undertaking as requested in 1. above, Council consider lodging a formal appeal subject to further advice from counsel and consideration by Council at the earliest opportunity.

Carried

Foreshadowed Motion

THAT Council set aside any appeals and notify the NSW State Government that they will merge with Blayney Shire Council and Orange City Council.

Clr L MacSmith

Clr M Hayes

Clr G Dean”

In order for it to be dealt with by the Council it will need to be moved and seconded on the meeting day.

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. The Section 23A Guidelines: *“In particular, councils and council officials should not make decisions during a merger proposal period... to prevent or disrupt the consideration of merger proposals by the Chief Executive of the Office of Local Government or his delegate, the Boundaries Commission or the Minister for Local Government other than through the legitimate exercise of legal rights of review or appeal.”*