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PRESENT Cllr I Gosper (in the Chair), Cllrs G Dean, M Nash, L MacSmith, M Hayes, S Wilcox, A Durkin, G Treavors, K Walker, I Davison and J Culverson.

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

It was noted there were nil applications for leave of absence.

MOTION (Wilcox/Durkin)

THAT it be noted there were nil applications for leave of absence.

16/01/01

Carried

ITEM - 2 DECLARATIONS OF INTEREST

Proceedings in Brief

It was noted there were nil declarations of interest.

MOTION (Wilcox/Treavors)

THAT it be noted there were nil declarations of interest.

16/01/02

Carried

ITEM - 3 DECLARATIONS FOR POLITICAL DONATIONS

Proceedings in Brief

It was noted there were nil declarations for political donations.

MOTION (Davison/Durkin)

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

16/01/03

Carried

ADDITIONAL ITEM - COMMITTEE OF THE WHOLE

Proceedings in Brief

It was noted that councillors requested to resolve into Committee of the Whole to discuss the remaining items.

MOTION (Hayes/Dean)

THAT Council hereby resolve itself into Committee of the Whole to discuss the remaining items on the agenda.

16/01/04 Carried

ITEM - 4 MINISTERIAL PROPOSAL FOR THE AMALGAMATION OF CABONNE ORANGE AND BLAYNEY

Proceedings in Brief

At the outset the Director of Finance & Corporate Services spoke in relation to two parts of the guidelines issued under S23A of the Local Government Act.

One, that the impact on the S23A guidelines will now be noted on every report going to council to be taken into consideration. Additionally the minutes will have extended proceedings in brief whilst the guidelines are in place.

Two, that the S23A guidelines include an enforcement provision which means that a surcharge can be given to individual councillors should the motion not meet the guidelines. He explained that “surcharge” means that if the Office of Local Government determined that a motion was outside the guidelines individual councillors could be held financially responsible.

In response to a question from Clrs Culverson, Dean and Hayes as to why the report was needed the General Manager advised that it would address the points relating to the submission.

In response to a question from Clr Hayes the General Manager advised that he felt council staff did not have the capacity to prepare the report in the time frame allowed.

In response to a question from Clr Durkin asking as to whether the report would strengthen the argument to stand alone the Mayor replied that it would. The Mayor felt that the communities wanted the councillors to “speak up” and it would be remiss of council if they did not put the best case forward to the Office of Local Government to remain as a stand alone council and that Morrison and Low had been recommended by the Government to use as consultants.

In response to a question from Clr Durkin the General Manager advised that the report would be submitted under council’s name noting that Morrison and Low acted as consultants.

Clr Dean commented that he felt the last report from Morrison and Low did not hold much strength with the Office of Local Government.

Clr Davison stated that an independent report from Morrison and Low would hold a lot more weight with the Office of Local Government than an internal council review submission.

The General Manager and the Mayor both agreed with Clr MacSmith’s request, that a part of Morrison and Low’s report should also include what the council should be aiming to protect if the merger goes ahead.

In response to a question from Clr Davison as to whether the proposed

motion was within the S23A guidelines the Director of Finance & Corporate Services stated that this was addressed in the report.

RECOMMENDATION (Walker/Davison)

THAT Council endorse the engagement of Morrison Low consultants to prepare an independent review and submission under S263(3) for consideration by Council.

2. Carried

The Chair called for a Division of Council which resulted in a vote for the motion as follows:

For: Clrs Gosper, Nash, MacSmith, Wilcox, Durkin, Treavors, Walker and Davison.

Against: Clrs Dean, Hayes and Culverson.

ITEM - 5 PROPOSED CANOWINDRA RETIREMENT ACCOMMODATION PROJECT

Proceedings in Brief

The Director of Finance & Corporate Services advised that this recommendation does not comply with the S23A guidelines relating to Council decision making during merger proposal periods or with previously released S23A guidelines in relation to a public/private partnerships and that councillors would be putting themselves in jeopardy of a surcharge if they carried the recommendation.

In response to a question from Clr Culverson the Director of Finance & Corporate Services stated that documentation prior to the 'merger proposal' guidelines being in place relating to the proposed project were not sufficient as S23A guidelines had in fact already been in place relating to public/private partnerships which the agreement with Uniting Care would be classed as. He stated that anything over \$250,000 must be placed on public display and that other private companies must be given the option of tendering a quote. He noted that the General Manager wished to suggest an alternative possible way forward.

At this time the General Manager's recommendation was shown on the screen in the Chambers.

In response to a question by Clr Culverson as to why extra consultants were needed the General Manager stated that the exiting site was on a floodway and that it would total an estimate of \$279,000 per building and the estimated selling cost would only be \$230,000 and that it may be beneficial to have consultants look at other areas that would potentially not run at a loss and would be more cost efficient.

In response to a question from Clr Treavors, the Mayor advised that the council had been asked to prepare a budget for 2016/2017, however this could be overturned if a merger were to happen.

Clr Walker noted that Uniting Care were not prepared to go ahead and put together a public/private agreement without a commitment from council as the agreement would cost \$25,000 to prepare. He also questioned further expenditure on a consultant when \$10,000 had already been spent on getting costings for the site. The General Manager responded that point 2 of the new recommendation was put up as a suggestion and he felt if council was audited it should be seen that other sites were considered.

At this point the Director of Finance & Corporate Services again mentioned that to go ahead with a public/private partnership with Uniting Care at this stage would be a breach of the S23A guidelines.

Clrs Walker and Durkin withdrew their recommendation and a new recommendation was put forward based on the General Manager's suggestion with the addition of a limit on the expenditure on consultants.

RECOMMENDATION (Walker/Durkin)

THAT Council provide \$550,000 in infrastructure funding and \$450,000 by way of a long term loan to the Canowindra Retirement Village Association Inc to enable the establishment of a retirement village in Canowindra and an additional \$200,000 from the Canowindra Town Improvement Fund for remaining infrastructure improvements.

It was noted the above recommendation was withdrawn by the mover and seconder.

RECOMMENDATION (MacSmith/Davison)

1. Council resolves to consider allocating funds in the 2016/2017 budget (or prior to) for financial assistance, whether by way of grant, loan, works or a combination of these, to enable the establishment and operation of a 'retirement village' within Canowindra.
2. Council engage the services of a specialist consultant(s) up to a \$10,000 limit to assess and advise upon appropriate sites, if any, within Canowindra for such a 'retirement village' and report back to council by no later than March 2016.
3. A committee comprising of Director of Finance & Corporate Services and Clrs Hayes, Walker, and MacSmith oversee the work of the consultant.

3. Carried

The Chair called for a Division of Council which resulted in a unanimous vote for the motion.

ITEM - 6 FUNDING FOR MINOR WORKS TO NASHDALE/LIDSTER PUBLIC HALL

RECOMMENDATION (Hayes/Wilcox)

THAT Council contribute a further \$673.70 towards the cost of insurance for the Nashdale/Lidster Public Hall.

4. Carried

ITEM - 7 APPLICATION FOR GRANT FROM CANOWINDRA TOWN IMPROVEMENT FUND

Proceedings in Brief

The Mayor commented that the Canowindra ratepayers pay an additional "premium" which allows expenditure within Canowindra beyond budgeted works. In response to a question from Cllr Culverson the Director of Finance & Corporate Services advised that the Town Improvement Fund is already externally restricted similarly to water and sewer funds.

RECOMMENDATION (Walker/Durkin)

THAT Council grant \$47,900 (incl GST) from the Canowindra Town Improvement Fund to the Canowindra Showground & Racecourse Trust to build an amenities block, including disabled facilities, near the new multi-purpose shed at the Canowindra Showground.

5. Carried

It was noted the time being 2:53pm the Chair resumed the ordinary meeting.

ADDITIONAL ITEM - REPORT & RESOLUTIONS OF COMMITTEE OF THE WHOLE

MOTION (MacSmith/Nash)

THAT the Report and Recommendations of the Committee of the Whole Meeting held on Tuesday 19 January, 2016 be adopted.

16/01/05 Carried

There being no further business, the meeting closed at 2:53pm.

CHAIRMAN.

Chairman of the Ordinary Meeting of Cabonne Council held on the 23 February, 2016 at which meeting the listed minutes were confirmed and the signature hereon was subscribed.