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**PRESENT** Clr I Gosper (in the Chair), Clrs 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, 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** (Durkin/Wilcox)

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

16/04/01

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.

16/04/02

Carried

**ITEM - 3 DECLARATIONS FOR POLITICAL DONATIONS**

Proceedings in Brief

It was noted there were nil declaration of political donations.

**MOTION** (Nash/Durkin)

THAT it be noted there were nil declaration of political donations.

16/04/03

Carried

**ITEM - 4 INTEGRATED PLANNING & REPORTING 2016/17**

**MOTION** (Hayes/Wilcox)

THAT Council adopt the draft Operational Plan 2016/17 – Part 1 The Activities.

16/04/04

Carried

**ITEM - 5 CUDAL COMMUNITY CHILDREN'S CENTRE**

Proceedings in Brief

Council resolved to commit the land. It was noted the funding would not be needed until the next financial year as the shed was still occupied.

**MOTION** (Walker/MacSmith)

THAT Council:

1. Commit the land currently occupied by the old Cudal RFS shed for expansion of the Cudal Community Children's Centre; and
2. Consider funding for the shed removal of \$12,000 in the 2016/17 budget.

16/04/05 Carried

**ITEM - 6 MARKETING CAMPAIGN TO PROMOTE THE 12 VILLAGE AREAS OF CABONNE**

**MOTION** (Durkin/Dean)

THAT Council:

1. Approve the appointment of Adloyalty to design and deliver a Marketing Campaign to promote the 12 Village areas of Cabonne;
2. Vote an additional \$9,346 to enable the campaign to proceed; and
3. Resolve that the expenditure is required and necessary to enable the campaign to proceed.

16/04/06 Carried

**ITEM - 7 LOCAL GOVERNMENT REFORM - WORKSHOP**

Proceedings in Brief

The Mayor commented that following the workshop three motions would be moved.

In response to a question from Clr Wilcox the Director of Finance & Corporate Services read the following from 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.*"

**MOTION** (Dean/MacSmith)

THAT Council note the workshop.

16/04/07 Carried

**MOTION** (Treavors/Davison)

THAT all councillors reserve the right to make their own decision to submit an expression of interest (EOI) or not.

16/04/08 Carried

**MOTION** (Nash/Wilcox)

THAT:

1. Time permitting, Council commence legal action in the Land & Environment Court against the State Government (Minister for Local

Government) as the Minister has failed to comply with Section 218F of the Local Government Act, 1993.

2. Council appoint a solicitor to ensure filing of documents and due process is observed.
3. Council join a Steering Committee of similarly affected rural or regional councils in the proposed action in the nature of a people's writ or class action and liaise with other Councils and with counsel in relation to this matter.
4. Council advise the Cabonne community of the action taken.
5. Council approve the legal expenses associated with this action up to a maximum of \$20,000.
6. Council advise Barrister Peter King to proceed on a pro bono basis with preparation of Court documents in liaison with appointed Coordinators and Solicitor.
7. The expenditure is required and warranted to enable the legitimate exercise of the right of appeal.

16/04/09 Carried

#### **ITEM - 8 AGE OF FISHES - WORKSHOP**

##### Proceedings in Brief

The Mayor commented that following the workshop another motion would be moved.

It was noted the Acting Economic Development Manager and other staff may attend at the General Manager's discretion.

##### **MOTION** (Walker/Davison)

THAT Council:

1. Note the workshop; and
2. Hold a meeting comprising the Mayor, Deputy Mayor, Cirs Walker, Davison, Wilcox, Nash and the General Manager and appropriate staff, with the Age of Fishes Board.

16/04/10 Carried

#### **ITEM - 9 HANOVER BRIDGE**

##### **MOTION** (Culverson/Dean)

THAT Council authorise the affixing of the Common Seal to the easement agreement with Essential Energy for a power pole relocation at Hanover Creek Bridge.

16/04/11 Carried

#### **PROCEDURAL MOTION - MATTERS OF URGENCY**

##### Proceedings in Brief

It was noted the time being 2:21pm the Mayor ruled two matters of urgency needed to be considered.

**MOTION** (Culverson/Dean)

THAT Council deal with these matters ruled as urgent.

16/04/12 Carried

**MATTER OF URGENCY - SEAL AUTHORITY COVENANT**

Proceedings in Brief

It was explained this motion related to the Lehman Brothers investments matter. The covenant not to proceed with any further claims being part of the settlement in a class action against Standard & Poor's.

**MOTION** (Culverson/Dean)

THAT Council authorise the affixing of the common seal to the covenant to not proceed with any further claims against Standard & Poor for matters covered by the proceeding in City of Swan and Ors v McGraw – Hill Companies, Inc and Anor (Standard & Poor's).

16/04/13 Carried

**MATTER OF URGENCY - EXPRESSION OF INTEREST RESTART REGIONAL WATER SECURITY PROJECT.**

Proceedings in Brief

The Acting Director of Engineering & Technical Services advised that Orange City Council are advertising for expression of interest (EOI) to establish a panel for selective tendering. If Cabonne Council decides to use the panel then the council must be part of the EOI process.

**MOTION** (MacSmith/Walker)

THAT Council participate in the calling of expressions of interest with Orange City Council for selective tendering for the Restart regional water security project.

16/04/14 Carried

There being no further business, the meeting closed at 2:36pm.

CHAIRMAN.

Chairman of the Ordinary Meeting of Cabonne Council held on the 26 April, 2016 at which meeting the listed minutes were confirmed and the signature hereon was subscribed.