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PRESENT Clr L MacSmith (in the Chair), Clrs G Dean, M Nash, , M Hayes, S Wilcox, G Treavors, K Walker, I Davison and J Culverson.

Also present were the Acting General Manager, Acting Director of Engineering & Technical Services, Director of Environmental Services, Administration Officer and Personal Assistant to the Director of Environmental Services.

ITEMS FOR DETERMINATION

ITEM - 1 APPLICATIONS FOR LEAVE OF ABSENCE

Proceedings in Brief

It was noted that apologies were tendered on behalf of Clrs Gosper and Durkin for their absence from the meeting. The temporary absence of Clr Culverson was noted.

MOTION (Wilcox/Treavors)

THAT the apologies tendered by Clrs Gosper and Durkin and be accepted and the necessary leave of absence be granted.

16/05/01 Carried

ITEM - 2 DECLARATIONS OF INTEREST

Proceedings in Brief

It was noted that Clr Treavors declared an interest (identified as an actual significant non-pecuniary interest) in item 24 due to an ongoing dispute between the family in mention in the report and Clr Treavors employer.

MOTION (Wilcox/Davison)

THAT the Declarations of Interest be noted.

16/05/02 Carried

ITEM - 3 DECLARATIONS FOR POLITICAL DONATIONS

Proceedings in Brief

It was noted there were nil declaration of political donations.

MOTION (Nash/Wilcox)

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

16/05/03 Carried

It was noted the time being 2:04pm Clr Culverson joined the meeting.

The Deputy Mayor indicated that the member for Orange had apologised that he was unable to attend the meeting due to his attendance at Council's court hearing in Sydney.

It was noted the time being 2:04pm the award for Youth of the Month for February was presented to Joanna Balcombe.

ITEM - 4 MAYORAL MINUTE - APPOINTMENTS

Proceedings in Brief

It was noted that the Mayor had attended the following events since the last Council meeting:

- attended the Library planning meeting
- attended the April 26 Council meeting and workshop
- attended the Cudal Community meeting regarding getting a doctor for the town
- gave welcome to the Cycling NSW State Masters Championships and waved off some groups
- attended a meeting with Keith Rhoades and Donna Rygate from Local Government New South Wales along with the Deputy Mayor and the Director of Finance and Corporate Services
- attended the Canobolas Zone Rural Fire Service Medal Presentation and also attended the Canobolas Zone Rural Fire Service conference
- attended the opening of the new Peacockes Solicitors Office in Canowindra
- attended the office for the General Manager's performance review with Christian Morris for Local Government NSW and other panel members along with the General Manager
- attended a presentation from the Department of Planning and Environment on the Central West and Orana Regional plan
- attended the May 10 Extraordinary Council meeting
- attended the CENTROC meeting at Parliament House along with the General Manager
- attended a meeting with the Walcha Council, Oberon Council and Gundagai Shire Council's Mayors, General Managers, Solicitors and Barristers.
- attended a meeting conducted by a representative from the Orange and Region Water Security Alliance along with the General Manager
- attended the office for a meeting on the Villages Marketing Campaign
- attended the office for a teleconference with Cabonne Council's Barristers and Solicitors
- attended the office to perform and Australian Citizenship Ceremony
- gave welcome to Medical Students sponsored by the NSW Rural Doctors Network at Molong Healthone
- attended the 23 May Extraordinary Council Meeting

Clr Wilcox noted that she attended an extraordinary meeting of the board for the Age of Fishes Museum along with Clrs Nash, Walker and she would be entering a submission regarding money to be spent on the project.

Clr Treavors noted that he and Clr Dean also attended a meeting at Cudal regarding getting a doctor for the town.

MOTION (MacSmith/)

THAT the information contained in the Mayoral Minute be noted.

16/05/04 Carried

ITEM - 5 COMMITTEE OF THE WHOLE

Proceedings in Brief

It was noted that no items were called for Committee of the Whole.

MOTION (Dean/Davison)

THAT it be noted that no items were called for Committee of the Whole.

16/05/05 Carried

ITEM - 6 GROUPING OF REPORT ADOPTION

Proceedings in Brief

It was noted that Clr Nash called item 10

MOTION (Treavors/Dean)

THAT:

1. Councillors consider the item called.
2. Items 7, 8 , 9 and 11 be moved and seconded.

16/05/06 Carried

ITEM - 7 CONFIRMATION OF THE MINUTES

Proceedings in Brief

THAT the minutes of the Ordinary meeting held on 26 April 2016 and the Extraordinary meetings held 10 May be adopted.

MOTION (Treavors/Dean)

THAT the minutes of the Ordinary meeting held 26 April 2016 and the Extraordinary meeting held 10 May 2016 be adopted.

16/05/07 Carried

**ITEM - 8 REQUEST FOR ASSISTANCE WITH LEGAL COSTS -
BATHURST REGIONAL COUNCIL**

MOTION (Treavors/Dean)

THAT Council contribute \$711.19 towards assistance with legal costs incurred in relation to Bathurst Regional Council from the s356 vote.

16/05/08 Carried

ITEM - 9 PROPOSED ROAD NAMING - ROCKDALE ROAD, MANILDRA

MOTION (Treavors/Dean)

THAT:

1. Council proceed with public consultation proposing to name the road as "Rockdale Road"; and
2. Assuming no objections are received, Council proceeds with the naming of the road as "Rockdale Road" in accordance with Section 162 of the Roads Act, 1993.

16/05/09 Carried

**ITEM - 11 UPDATED SCHEDULE OF PROPOSED VOLUNTARY
PURCHASES OF FLOOD AFFECTED PROPERTIES**

MOTION (Treavors/Dean)

THAT Council endorse the updated schedule of proposed voluntary purchases.

16/05/10 Carried

ITEM - 10 PROPOSED ROAD NAMING - PIGGERY LANE, MANILDRA

Proceedings in Brief

It was noted that Clr Nash proposed an amendment to the recommendation to change the name from "Piggery Lane" to "Millers Lane"

The Acting Director of Engineering and Technical Services noted that council would have to send the name change to the Geographic Names Board to determine whether the proposed name was acceptable.

MOTION (Nash/Wilcox)

THAT:

1. Council proceed with public consultation proposing to name the road as "Millers Lane"; and

2. Assuming no objections are received, Council proceeds with the naming of "Millers Lane" in accordance with Section 162 of the Roads Act, 1993.

16/05/11 Carried

ITEM - 12 POLICY REGISTER - MOBILE PHONES POLICY AND RECORDS AND INFORMATION MANAGEMENT POLICY

MOTION (Wilcox/Davison)

THAT the draft Mobile Phones policy and draft Records and Information Management policy be adopted.

16/05/12 Carried

ITEM - 13 LOCAL GOVERNMENT WEEK 2016

Proceedings in Brief

It was noted that Clr Davison suggested that students from the Cabonne Schools could be paired with a councillor at a Council meeting to lead them through the process of a Council meeting.

Clr Dean asked if the issue could be further discussed at the next extraordinary meeting in June.

Clrs Wilcox and Nash commented that heritage walks around the Cabonne area would be a good way to promote the region.

MOTION (Dean/Nash)

THAT activities for Local Government Week 2016 be further discussed at the next extraordinary meeting in June.

16/05/13 Carried

ITEM - 14 QUARTERLY BUDGET REVIEW FOR PERIOD ENDING 31 MARCH 2016

MOTION (Treavors/Wilcox)

THAT Council:

1. Note the variances in this report be updated to the 15/16 Budget; and
2. Resolve that the changes are required and warranted for the continued management of council's functions.

16/05/14 Carried

ITEM - 15 REQUESTS FOR DONATIONS

Proceedings in Brief

It was noted that Clr Wilcox indicated that she proposed to recommend funding the balance of up to \$1800 for the Borenore CWA commercial oven to come out of the Community Facilitation Fund, later in the meeting.

MOTION (Wilcox/Nash)

THAT Council donate \$300 to the Molong and District Soccer Club and \$500 to the Borenore CWA.

16/05/15 Carried

ITEM - 16 EVENTS ASSISTANCE FUNDING PROGRAM 2015/2016

MOTION (Davison/Dean)

THAT Council approve funding under the 2015/16 Events Assistance Program of:

1. \$2,000 for Canowindra - Wool Harvest Expo;
2. \$1,550 for Canowindra Art Group for "The Artful 8 Art Show"; and
3. \$1,000 for Taste Orange@ Wahrenonga 2016.

AMENDMENT (Wilcox/Walker)

THAT Council approve funding under the 2015/16 Events Assistance Program of:

1. \$2,000 for Canowindra - Wool Harvest Expo; and
2. \$1,550 for Canowindra Art Group for "The Artful 8 Art Show".

The amendment was put and carried becoming the motion, the motion was put and carried.

MOTION (Wilcox/Walker)

THAT Council approve funding under the 2015/16 Events Assistance Program of:

1. \$2,000 for Canowindra - Wool Harvest Expo; and
2. \$1,550 for Canowindra Art Group for "The Artful 8 Art Show".

16/05/16 Carried

Proceedings in Brief

Clr Hayes then submitted a rescission motion signed by himself, Clr Davison and Clr Culverson.

MOTION (Hayes/Davison)

THAT the motion being:

“THAT Council approve funding under the 2015/16 Events Assistance Program of:

1. \$2,000 for Canowindra - Wool Harvest Expo; and
2. \$1,550 for Canowindra Art Group for “The Artful 8 Art Show”.

be rescinded, and replaced with the original recommendation with the addition of a request for a report to Council on Taste Orange at Wahrenonga 2016.

The Chair called for a division of Council.

For: Clrs Hayes, Davison, Culverson and MacSmith

Against: Clrs Dean, Nash, Wilcox, Walker and Treavors

The rescission motion was lost.

ITEM - 17 MOLONG LIMESTONE QUARRY SHED

MOTION (Walker/Wilcox)

THAT Council:

1. Call tenders for the replacement of the limestone storage shed at the Molong Limestone Quarry (MLQ);
2. Vote \$180,000 from the Quarry Equipment Reserve; and
3. Resolve the expenditure is required and warranted to comply with an improvement notice from Trade & Investment NSW Mine Safety.

16/05/17 Carried

ITEM - 18 EUGOWRA RECREATION GROUND ROOF REPAIR

MOTION (Walker/Dean)

THAT:

1. A sum of \$4,300 be transferred from Softfall Compliance to Eugowra Recreation Ground – Repair roof: and
2. These funds are required and warranted to enable roof repairs to be completed.

16/05/18 Carried

ITEM - 19 CUDAL DEPOT - INSTALLATION OF SECURITY FENCE AND

GATE

MOTION (Treavors/Dean)

THAT:

1. A sum of \$34,000 be transferred from Molong Depot – Security and Fencing to Cudal Depot – Installation of Fence and Gate; and
2. These funds are required and warranted to enable security upgrade at Cudal Depot to be completed.

16/05/19 Carried

ITEM - 20 REQUEST TO WAIVE FEES FOR USE OF MOLONG HALL

MOTION (Wilcox/Nash)

THAT Council donate the fee of \$93.00 for the use of the Molong Community Hall by the Salvation Army for the annual Red Shield Appeal.

16/05/20 Carried

**ITEM - 21 REQUEST TO WAIVE FEES FOR THE USE OF THE CUDAL
COMMUNITY HALL**

MOTION (Treavors/Wilcox)

THAT Council grant the request to donate the \$35.00 fee for the use of the Cudal Community Hall for a public meeting.

16/05/21 Carried

ITEM - 22 CANOWINDRA CARAVAN PARK AMENITIES

MOTION (Walker/Dean)

THAT:

1. The remaining budget allocation from the Molong Caravan Park - Furniture Fitout be transferred to Canowindra Caravan Park - Renovate Toilets and Shower Room; and
2. The funds are required and warranted to enable works at the Canowindra Caravan Park to be completed.

16/05/22 Carried

**ITEM - 23 MODIFICATION TO DA 2012/0171 TO INDUSTRIAL
SUBDIVISION AND CONSTRUCTION OF INDUSTRIAL BUILDINGS
TO INCREASE WALL AND RIDGE HEIGHTS OF BUILDINGS A, B**

& C ON LOT 173 DP 750133 BANJO PATERSON WAY MOLONG

MOTION (Nash/Wilcox)

THAT Modified Development Application 2012/0171 for Industrial Subdivision and Construction of Industrial Buildings on land described as Lot 173 DP 750153, Banjo Paterson Way, Molong, be granted consent subject to the amended conditions attached.

16/05/23 Carried

The Chair called for a Division of Council as required under Section 375A (3) of the Local Government Act which resulted in a vote for the motion (noting the absence of Clrs Gosper and Durkin – apologies) as follows:

For: Clrs MacSmith, Dean, Nash, Hayes, Wilcox, Treavors, Walker, Davison and Culverson.

Against: Nil.

It was noted that the time being 2:41pm Clr Treavors declared an interest (identified as an actual significant non-pecuniary interest) in the following item due to an ongoing dispute between the family mentioned in the report and Clr Treavors employer and left the Chambers.

**ITEM - 24 DA 2016/0118 ANIMAL TRAINING & BOARDING FACILITY,
TEENAGERS RETREAT & A DETACHED STUDIO ("CLUBHOUSE")
ON LOT 86 DP 756876, 2342 BELGRAVIA ROAD, MOLONG**

Proceedings in Brief

It was noted that through the Chair, Clr Wilcox asked the Director of Environmental Services to clarify if the hours of operation had been addressed in the consent conditions.

The Director of Environmental Services responded that a draft condition of consent addressed the service deliveries associated with the dog breeding and training facility, and that the conditions were similar to those recently applied to a larger training and breeding establishment proposed at Peabody Road, Molong.

Through the Chair, Clr Davison asked the Director of Environmental Services if Council could seek removal of the teenagers retreat should a change of ownership occur.

The Director of Environmental Services responded that council could require the removal of the structures or decommissioning of the structures as outlined in the draft condition of consent.

MOTION (Davison/Nash)

THAT Development Application 2016/0118 for an Animal boarding and training establishment, teenagers retreat and a detached studio on Lot 86 DP

756876, 2342 Belgravia Road, Molong, be granted consent subject to the conditions attached.

16/05/24 Carried

The Chair called for a Division of Council as required under Section 375A (3) of the Local Government Act which resulted in a vote for the motion (noting the absence of Clrs Gosper and Durkin – apologies. Clr Treavors – declared an interest) as follows:

For: Clrs MacSmith, Dean, Nash, Hayes, Wilcox, Walker, Davison and Culverson.

Against: Nil.

It was noted the time being 2:45pm Clr Treavors re-joined the meeting.

**ITEM - 25 REQUEST FOR REIMBURSEMENT OF DEVELOPMENT
APPLICATION FEES - 2016/1028 - DWELLING & SHED UPON
LAND KNOWN AS LOT 1 DP1117738, 3 VISTA LANE,
CANOWINDRA**

Proceedings in Brief

It was noted that Clr MacSmith proposed that Council give the whole amount as a donation of the total amount \$2857.05

MOTION (MacSmith/Nash)

THAT Council donate \$2857.05 from its s356 budget to Benjamin Read, being the amount equivalent to fees paid in association with Development Application 2016/1028 for a dwelling & shed on Lot 1 DP 1117738, 3 Vista Lane Canowindra.

16/05/25 Carried

**ITEM - 26 REQUEST TO RELEASE RESTRICTION ON THE USE OF THE
LAND REGISTERED AS DP 863231 - RESTRICTIONS ON THE USE
OF LAND REFERRED TO AS ITEM 2 IN THE SECOND SCHEDULE
OF FOLIO 100/1091508, KNOWN AS LOT 100 DP 1091508, 631
CARGO ROAD, NASHDALE**

MOTION (Dean/Davison)

THAT Council execute the release of the restriction on the use of land registered as DP 863231 – Restriction(s) on the Use of Land referred to as item 2 in the Second Schedule of Folio 100/1091508, known as Lot 100 DP 1091508, 631 Cargo Road, Nashdale and apply the Council seal to the required documents.

16/05/26 Carried

The Chair called for a Division of Council as required under Section 375A (3) of the Local Government Act which resulted in a vote for the motion (noting the absence of Clrs Gosper and Durkin – apologies) as follows:

For: Clrs MacSmith, Dean, Nash, Hayes, Wilcox, Treavors, Walker, Davison and Culverson.

Against: Nil.

**ITEM - 27 TRUST MANAGER FOR "GREEN WASTE" DEPOT RESERVE
R26989**

MOTION (Nash/Wilcox)

THAT Council write to Lands requesting that:

1. R26989 (Lot 7300 DP1149700) be gazetted as a reserve for a garbage depot; and
2. Cabonne Council be appointed as the Trust Manager for both R26989 (Lot 7300 DP1149700) and Lot 69807 (Lot 68 DP 750170).

16/05/27 Carried

ITEM - 28 QUESTIONS FOR NEXT MEETING

Proceedings in Brief

Nil

MOTION (Dean/Walker)

THAT Council note nil reports were required for the next council meeting.

16/05/28 Carried

ITEM - 29 BUSINESS PAPER ITEMS FOR NOTING

Proceedings in Brief

Clr Dean called item 9 and Clr Wilcox called item 4.

MOTION (Wilcox/Nash)

THAT:

1. Council further consider the items called.
2. The balance of the items be noted.

16/05/29 Carried

ITEMS FOR NOTATION

ITEM - 4 COMMUNITY FACILITATION FUND

Proceedings in Brief

It was noted that Clr Wilcox stated that as discussed in item 15, the balance of the money needed for the Borenore Hall commercial oven met all the criteria for the Community Facilitation Fund and therefore requested that the balance of the \$1,800 for the Borenore CWA commercial oven be donated from the Community Facilitation Fund.

MOTION (Wilcox/Walker)

THAT a further \$1,300.00 be donated to the Borenore CWA commercial oven from the Community Facilitation Fund.

16/05/30 Carried

ITEM - 9 CARLISLE STREET MANILDRA

Proceedings in Brief

Through the Chair, Clr Dean asked the Director of Engineering and Technical Services if the approval for Stage 1 of the B double turning area at Manildra included funding for some construction.

The Director of Engineering and Technical Services stated that the application had received phase 1 approval and the project was now being considered in the second round approval process. If successful the approval would be for the total construction.

The Director of Engineering and Technical Services also noted that there was no confirmed date as yet for the project to start, however it would be applied to the 2016/17 financial year.

MOTION (Dean/Wilcox)

THAT the information be noted.

16/05/31 Carried

ITEM - 30 MATTERS OF URGENCY

Proceedings in Brief

It was noted that nil matters of urgency were raised.

MOTION (Davison/Walker)

THAT it be noted there were nil matters of urgency raised.

16/05/32 Carried

ITEM - 31 COMMITTEE OF THE WHOLE SECTION OF THE MEETING

MOTION (Wilcox/Dean)

THAT Council hereby resolve itself into Committee of the Whole.

16/05/33 Carried

**ITEM - 32 ADOPTION OF CABONNE COUNCIL ASBESTOS
MANAGEMENT POLICY AND PLAN**

RECOMMENDATION (Wilcox/Walker)

THAT Council adopt the Cabonne Council Asbestos Management Policy and Plan 2016.

1. Carried

**ITEM - 33 PLANNING PROPOSAL TO AMEND CABONNE LOCAL
ENVIRONMENTAL PLAN 2012 - REZONING OF LAND BEING LOT
2 IN DP 794456 AND KNOWN AS 1099 OPHIR ROAD, SUMMER
HILL**

Proceedings in Brief

It was noted that Ctrs Hayes, Culverson and Davison had not been able to access the tabled report on this item and therefore requested that it be deferred until the next Council meeting.

RECOMMENDATION (Dean/Walker)

THAT item 33 planning proposal to amend Cabonne Local Environmental Plan 2012 - rezoning of land being lot 2 in DP 794456 and known as 1099 Ophir Road, Summer Hill be deferred until the next Council meeting.

2. Carried

It was noted the time being 2:58pm the chair called Peter Batten to address the Council on item 34.

It was noted the time being 3:01pm the chair thanked Peter Batten for his address and continued with the meeting.

**ITEM - 34 DA 2016/0085 UPGRADE OF EXISTING SPORTS GROUND ON
LAND DESCRIBED AS LOT 30 SECTION A DP 977127 & LOTS 31-
35 DP 1089785, CORNER BETTS ST & DEAN STREET, MOLONG**

Proceedings in Brief

Through the chair the Director of Engineering and Technical Services provided some background on the report noting that a previous application for a grant which included lighting was unsuccessful.

The Director of Engineering and Technical Services noted that the cost of the upgrade did not include lighting.

He also noted that Council is currently asking for tender submissions which close 22 June, following which a report will be made to Council.

RECOMMENDATION (Wilcox/Nash)

THAT Development Application 2016/0085 for upgrade of existing sports ground on Lot 30 Section A DP 977127 & Lots 31-35 DP 1089785, corner Betts & Dean Streets, Molong, be granted consent subject to the conditions attached.

The Chair called for a Division of Council as required under Section 375A (3) of the Local Government Act which resulted in a vote for the motion (noting the absence of Clrs Gosper and Durkin – apologies) as follows:

For: Clrs MacSmith, Dean, Nash, Hayes, Wilcox, Treavors, Walker, Davison and Culverson.

Against: Nil.

3. Carried

CONFIDENTIAL ITEMS

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

RECOMMENDATION (Wilcox/Dean)

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.

4. Carried

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

RECOMMENDATION (Wilcox/Dean)

THAT the Committee endorse the accuracy of the Report of the Proceedings of Confidential Matters at the Closed Committee of the Whole meeting held on 26 April 2016 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.

5. Carried

**ITEM - 3 DEBT RECOVERY REPORT OF OUTSTANDING RATES
DEBTS**

RECOMMENDATION (Wilcox/Nash)

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 that Council intends to issue a Statement of Claim for the recovery of all monies owed to Council.

6. Carried

It was noted the time being 3:06pm the Chair resumed the ordinary meeting.

REPORT & RESOLUTIONS OF COMMITTEE OF THE WHOLE

MOTION (Wilcox/Treavors)

THAT the Report and Recommendations of the Committee of the Whole Meeting held on Tuesday 24 May, 2016 be adopted.

16/05/34 Carried

There being no further business, the meeting closed at 3:07pm.

CHAIRMAN.

Chairman of the Ordinary Meeting of Cabonne Council held on the 28 June, 2016 at which meeting the listed minutes were confirmed and the signature hereon was subscribed.