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PRESENT Clr I Gosper (in the Chair), Clrs G Dean, L MacSmith, S Wilcox, 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 DECLARATIONS OF INTEREST

Proceedings in Brief

It was noted there were nil declarations of interest.

ITEM - 2 APPLICATIONS FOR LEAVE OF ABSENCE

Proceedings in Brief

Apologies were tendered on behalf of Clrs Nash, Hayes and Durkin for their absence from the meeting.

MOTION (Wilcox/Treavors)

THAT the apologies tendered be accepted and the necessary leave of absence be granted.

16/06/01 Carried

ITEM - 3 DECLARATIONS FOR POLITICAL DONATIONS

Proceedings in Brief

It was noted that there were nil declarations of political donations.

MOTION (Wilcox/MacSmith)

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

16/06/02 Carried

The Mayor noted that Michelle Murphy and Phoenix Aguila were apologies due to illness.

It was noted the time being 2:03pm Jan Kerr and Graham Kerr from Canowindra Balloon Challenge made a presentation until 2:25pm. A handout was provided to the councillors.

**ADDITIONAL ITEM - MAYORAL MINUTE - FUNDING FOR
AMALGAMATION COURT CASE**

Proceedings in Brief

A mayoral minute was tabled relating to the legal costs of the court case relating to the amalgamation having exceeded earlier expectations.

Clr Culverson stated that whilst she did not support forced amalgamations she had concerns about Council being asked to authorise spending of ratepayers money when it has already been spent. She also wished to express the concern ratepayers had raised with her who do not support the money being spent on the legal fees on opposing the amalgamations.

The Mayor responded that all councillors were kept informed of the additional cost that would result from the additional days at Court. Clrs Wilcox and Davison stated that their experience was that the majority of ratepayers they had spoken with supported the action being taken.

MOTION (Gosper/-)

THAT Council:

1. Vote an additional \$82,720.00 for legal expenses: and
2. Resolve that the expenditure is required and warranted to enable the legitimate exercise of right of appeal.

16/06/03 Carried

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 court case proceeding from 24 May to 26 May 2016
- Attended meeting regarding the drainage issues in Molong
- Attended the Canobolas Local Area Command Police Awards Ceremony in Orange
- Attended the court case in Sydney with the Deputy Mayor on 1 June 2016 with the Deputy Mayor
- Attended the court case in Sydney with the Deputy Mayor on 3 June 2016 with the Deputy Mayor and General Manager
- Attended Parliament House for the ALP Mayoral Summit on the future of Local Government with the Deputy Mayor
- Attended a meeting with Windera Estate residents group representatives with the Deputy Mayor, General Manager and Acting Director of Engineering
- Attended the library meeting
- Attended the extraordinary meeting

- Attended the office for a meeting with the General Manager on 17 June 2016
- Attended the ANTY Group rally at Molong
- Attended the announcement by the Coalition Government (subject to re-election) at the Molong Hockey Field for funding for the Multipurpose Sports Facility for Molong
- Attended a meeting with the Molong Players representatives regarding the Molong Community Hall and Library upgrades along with the General Manager
- Attended the WBC Board meeting in Molong with the General Manager and Deputy Mayor
- Attended the Cabonne Council Molong Office to perform an Australian Citizenship ceremony for a family of 3 from Canowindra
- Attended a CENTROC Board meeting via teleconference regarding constitution changes.

MOTION (Gosper/-)

THAT the information contained in the Mayoral Minute be noted.

16/06/04 Carried

ITEM - 5 COMMITTEE OF THE WHOLE

Proceedings in Brief

It was noted that nil items were called for debate in the Committee of the Whole.

MOTION (Davison/Wilcox)

THAT it be noted nil items were called to be debated in Committee of the Whole.

16/06/05 Carried

ITEM - 6 GROUPING OF REPORT ADOPTION

Proceedings in Brief

It was noted that nil items were called for further consideration.

MOTION (Davison/Dean)

THAT items 7 to 8 be moved and seconded.

16/06/06 Carried

ITEM - 7 CONFIRMATION OF THE MINUTES

MOTION (Davison/Dean)

THAT the minutes of the Extraordinary meeting held on 23 May 2016, Ordinary meeting held 24 May 2016 and the Extraordinary meeting held 14 June 2016 be adopted.

16/06/07 Carried

ITEM - 8 LOCAL TRAFFIC COMMITTEE - MAY 2016

MOTION (Davison/Dean)

THAT Council ratify the recommendations of the Local Traffic Committee.

16/06/08 Carried

ITEM - 9 CUDAL SHOWGROUND COMMITTEE

Proceedings in Brief

Council determined to grant the request for funding as noted below.

MOTION (MacSmith/Wilcox)

THAT Council provide an amount of \$17,250 (being for \$5,000 electricity connection to the building and \$10,000 for a concrete slab for the building plus the 15% council corporate charge allocation) to the Cudal Combined Showground Committee funded from the Community Facilitation Fund.

16/06/09 Carried

**ITEM - 10 ADOPTION OF INTEGRATED PLANNING AND REPORTING
DOCUMENTATION**

MOTION (Wilcox/Davison)

THAT Council adopt:

- 1) The Draft Operational Plan 2016/17, including:
 - a) Part 1 – The Activities; and
 - b) Part 2 – Financials (including Fees and Charges); and
- 2) The Draft Resource Plans, including:
 - a) Workforce Management Plans; and
 - b) Asset Management Plans:
 - i) Asset Management Plan;
 - ii) Asset Management Policy;

- iii) Asset Management Strategy;
- iv) Water Supply Asset Management;
- v) Building Asset Management Plan;
- vi) Recreation Asset Management Plan;
- vii) Transport Asset Management Plan;
- viii) Sewer Asset Management Plan; and
- ix) Long Term Financial Plan.

As amended at the extraordinary meeting held Tuesday 14 June, 2016.

16/06/10 Carried

ITEM - 11 MAKING OF RATES AND CHARGES FOR 2016/2017

MOTION (MacSmith/Davison)

THAT Council:

1. Adopt the Pricing Policy and Fees and Charges for 2016/2017.
2. Make and levy the rates for 2016/2017, as shown on the rating schedule attached.
3. Approve the definitions relating to the various “rating categories” in the annexure attached.
4. In accordance with Section 566(3) of the Local Government Act 1993, adopt the maximum rate of interest to apply to outstanding rates and charges for the 2016/2017 rating year. That rate is 8.0%.

16/06/11 Carried

ITEM - 12 INDUSTRIAL WATER CHARGES

Proceedings in Brief

Council resolved to develop a policy.

MOTION (Culverson/MacSmith)

THAT Council develop a policy to address industrial water usage where there is demonstrated economic benefit to the local government area by the next Council meeting.

16/06/12 Carried

ITEM - 13 FUNDING OF AGED UNITS AT MOLONG

Proceedings in Brief

It was noted that item 4 was amended from “management plan” to “operational plan”.

MOTION (MacSmith/Davison)

THAT:

1. Council advertise its intention to provide interest free loan funds of up to \$450,000 to fund the construction of three additional aged units for the Acacia Lodge Committee;
2. The 15% corporate management charge on expenditure for this project be borne by Council, rather than being added to the loan amount, as the property will become a Council asset;
3. Council contribute \$20,000 toward this project from its Housing Reserve; and
4. The project be recognised as being required and warranted as it follows on from Council's calling of tenders in December 2015 and is included in Council's Operational Plan 3.2.1.b Facilitate retirement and aged care projects and services.

16/06/13 Carried

ITEM - 14 REQUESTS FOR DONATIONS

MOTION (Wilcox/Walker)

THAT Council donate \$300 to the Cumnock Public School P&C to assist them in hosting a district soccer and netball carnival.

16/06/14 Carried

ITEM - 15 REQUEST TO WAIVE FEES - MANILDRA GROUP

MOTION (Wilcox/Dean)

THAT the request for waiver of invoice for \$2,375.00 be denied.

16/06/15 Carried

ITEM - 16 RURAL ROADS MAINTENANCE PROGRAM 2015-2016

MOTION (Wilcox/Dean)

THAT an amount of \$170,000 be transferred from the Local Roads Construction Program (backlog) to the Rural Roads Maintenance Program.

16/06/16 Carried

ITEM - 17 PROPOSED MOLONG LIBRARY UPDATE

Proceedings in Brief

The General Manager provided an update from a working party meeting held earlier in the day and advised that issues raised (including access to toilets, and input from the Manager Central West Libraries) were to be used by the architect to make final modifications. It was expected that the working party will have a final recommendation to be put to the Council for adoption.

MOTION (Walker/MacSmith)

THAT Council endorse the concept design and note that modifications can and may need to be made at the approval of the Molong Library Working Party.

16/06/17 Carried

**ITEM - 18 ASSOCIATION OF MINING RELATED COUNCIL -
MEMORANDUM OF UNDERSTANDING WITH NSW MINERALS
COUNCIL AND TIMELINE FOR COMPLETION OF VOLUNTARY
PLANNING AGREEMENTS**

MOTION (Wilcox/MacSmith)

THAT Council advise the Association of Mining Related Councils of its support for the Memorandum of Understanding with the NSW Minerals Council and the timeline for completion of Voluntary Planning Agreements.

16/06/18 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 Nash, Hayes and Durkin – apologies) as follows:

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

Against: Nil.

**ITEM - 19 REQUEST TO REZONE LAND BEING LOT 272 DP 750170, HILL
STREET, MOLONG**

MOTION (Culverson/MacSmith)

THAT:

1. Council support the request from G & K Robbins to amend the Cabonne Local Environmental Plan 2012 to correct a planning anomaly by rezoning Lot 272 in DP 750170, Hill Street, Molong from R1 General Residential to B2 Local Centre,
2. Council prepare a Planning Proposal for rezoning of Lot 272 in DP 750170, and the adjacent reserve land, currently zoned R1 General

Residential to be zoned B2 Local Centre (Lot 272) and RE1 Public Recreation, respectively,

3. The Planning Proposal be forwarded to the Department of Planning and Infrastructure for Gateway Determination in accordance with section 56 of the Environmental Planning & Assessment Act, 1979, and
4. A further report be provided to Council following the public exhibition period to provide details of any submissions received.

16/06/19 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 Nash, Hayes and Durkin – apologies) as follows:

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

Against: Nil.

ITEM - 20 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

MOTION (Culverson/Davison)

THAT pursuant to section 59 of the Environmental Planning & Assessment Act 1979, Council forward the Planning Proposal to the Department of Planning and Infrastructure for the Minister to make a Local Environmental Plan to rezone Lot 2 DP 794456 being land known as 1099 Ophir Road, Summer Hill from zone RU1 Primary Production to R5 Large Lot Residential.

16/06/20 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 Nash, Hayes and Durkin – apologies) as follows:

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

Against: Nil.

ITEM - 21 REQUEST FOR DONATION OF DEVELOPMENT APPLICATION

**FEES PAID IN ASSOCIATION WITH DEVELOPMENT
APPLICATION 2016/85 FOR UPGRADE OF EXISTING SPORTS
GROUND AT LOTS 30-35 DP 1089785 BETTS STREET MOLONG**

Proceedings in Brief

The Mayor suggested that as Council owns the sports ground and the Molong Advancement Group are facilitating the project by lodging the application that all the fees should be donated, including an additional \$3,726.

The Director of Finance & Corporate Services suggested that as the Multipurpose Complex has its own budget that the donation should not come from the s356 budget.

MOTION (Gosper/Wilcox)

THAT Council donate \$7,817.50 from its Multipurpose Complex budget to Molong Advancement Group, being the amount equivalent to fees paid in association with Development Application 2016/85 for the upgrade of existing sports ground on Lots 30-35 DP 1089785, Betts Street, Molong.

16/06/21 Carried

**ITEM - 22 REQUEST FOR DONATION OF DEVELOPMENT APPLICATION
FEES - 2016/48 FOR EXTENSION TO TOILET BLOCK UPON LAND
KNOWN AS LOT 41 DP 750145, CARGO ROAD, CARGO**

Proceedings in Brief

Clr Davison suggested the same approach should be taken with this request as with the preceding item however after discussion it was decided that the circumstances were different.

MOTION (Davison/MacSmith)

THAT Council donate \$560.70 from its s356 budget to Cargo Rugby League Football Club, being the amount equivalent to Development Application, Construction Certificate & Section 68 application fees paid in association with Development Application 2016/48 for extension to toilet block on Lot 41 DP 750145, Cargo Road, Cargo.

16/06/22 Carried

**ITEM - 23 REQUEST FOR DONATION OF DEVELOPMENT APPLICATION
FEES - 2016/3 - INSTALLATION OF SPORTING FIELD LIGHTS
UPON LAND KNOWN AS LOT 41 DP750145, CARGO ROAD,
CARGO**

MOTION (Walker/Culverson)

THAT Council donate \$827.45 from its s356 budget to Cargo Rugby League Football Club being the amount equivalent to Development Application & Construction Certificate fees paid in association with Development Application

2016/3 for installation of sporting field lights on Lot 41 DP 750145, Cargo Road, Cargo.

16/06/23 Carried

**ITEM - 24 DEVELOPMENT APPLICATION 2016/134 4 LOT SUBDIVISION
OF LOT 4 DP 1180377 LAND ON MCDONALD LANE,
CANOWINDRA**

Proceedings in Brief

It was noted the Director of Finance & Corporate Services advised that if Clr Walker did not leave the room and he abstained it would count as a vote against the motion.

Clr Walker advised he was abstaining due to being a neighbour of the applicant and chose to remain in the Chambers.

MOTION (Gosper/MacSmith)

THAT Development Application 2016/134 a four (4) lot subdivision of land described as Lot 4 in DP 1180377, McDonald Lane, Canowindra be granted consent subject to the conditions attached.

16/06/24 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 Nash, Hayes and Durkin – apologies) as follows:

For: Clrs Gosper, Dean, MacSmith, Wilcox, Treavors, Davison and Culverson.

Against: Clr Walker.

ITEM - 25 QUESTIONS FOR NEXT MEETING

Proceedings in Brief

It was noted there were nil requests for reports for the next meeting.

MOTION (Wilcox/Dean)

THAT it be noted there were nil requests for reports for the next meeting.

16/06/25 Carried

ITEM - 26 BUSINESS PAPER ITEMS FOR NOTING

Proceedings in Brief

It was noted there were nil notation items called for further consideration.

MOTION (Dean/Wilcox)

THAT the balance of the items be noted.

16/06/26 Carried

ITEM - 27 MATTERS OF URGENCY

Proceedings in Brief

The Mayor noted Cllr MacSmith wished to attend the LGNSW Water Management Conference to be held 28 – 30 August 2016. The General Manager advised that if approval was given as a matter of urgency the early bird rate could be procured.

MOTION (Wilcox/Davison)

THAT Cllr MacSmith be authorised to attend the LGNSW Water Management Conference on 28 – 30 August 2016 at Broken Hill.

16/06/27 Carried

ITEM - 28 COMMITTEE OF THE WHOLE SECTION OF THE MEETING

Proceedings in Brief

It was noted nil items were called for discussion in the Committee of the Whole.

MOTION (Culverson/Dean)

THAT Council hereby resolve itself into Committee of the Whole.

16/06/28 Carried

CONFIDENTIAL ITEMS

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

RECOMMENDATION (Culverson/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.

1. Carried

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

RECOMMENDATION (Davison/Wilcox)

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 14 June 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.

2. Carried

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

RECOMMENDATION (Dean/Wilcox)

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.

3. Carried

**ITEM - 4 WATER ACCOUNT 3982410006 REQUEST FOR REFUND OF
INTEREST**

Proceedings in Brief

The Council determined to refund the interest paid.

RECOMMENDATION (Davison/Culverson)

That Council refund interest of \$58.15 and write off interest of \$15.58 for water account 3982410006.

4. Carried

ITEM - 5 TENDER FOR CONSTRUCTION OF AGED UNITS

RECOMMENDATION (Dean/Wilcox)

THAT Council enter into a contract with Hines Constructions to design and construct aged units at Molong for the sum of \$679,637, including GST.

Carried

**ITEM - 6 ENTERING INTO CONTRACTS FOR THE SUPPLY AND
DELIVERY OF BULK FUEL**

RECOMMENDATION (Dean/Culverson)

THAT Council accept and sign contracts with the following providers for the Supply and Delivery of Bulk Fuel:

- Ocwen Energy t/a Lowes Petroleum
- Oilsplus Holdings Australia
- Park Pty Ltd
- United Petroleum

Carried

ITEM - 7 PLANT REPLACEMENT WATER TANKER

RECOMMENDATION (Wilcox/Walker)

THAT Council purchase from Volvo Commercial Vehicles (VCV Mack Sydney) a Mack Metroliner 8 x 4 Rigid Cab Chassis fitted with a 16,000 litre water tank manufactured by Barry Burrows for the purchase price of \$279,625 excl GST.

Carried

It was noted the time being 3:15pm the Chair resumed the ordinary meeting.

REPORT & RESOLUTIONS OF COMMITTEE OF THE WHOLE

MOTION (Wilcox/MacSmith)

THAT the Report and Recommendations of the Committee of the Whole Meeting held on Tuesday 28 June, 2016 be adopted.

16/06/29 Carried

There being no further business, the meeting closed at 3:15pm.

CHAIRMAN.

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