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**PRESENT** Clr K Walker (in the Chair), Clrs G Dean, M Nash, S Wilcox, A Durkin, G Treavors and I Davison.

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

## **ITEMS FOR DETERMINATION**

### **ITEM - 1 APPLICATIONS FOR LEAVE OF ABSENCE**

#### Proceedings in Brief

An apology was tendered on behalf of Clr Gosper for his absence from the meeting.

#### **MOTION** (Wilcox/Nash)

THAT the apology tendered on behalf of Clr Gosper be accepted and the necessary leave of absence be granted.

17/07/01 Carried

### **ITEM - 2 DECLARATIONS OF INTEREST**

#### Proceedings in Brief

Clr Walker declared an interest (identified as a significant non-pecuniary interest) in item 22 due to his attendance to the Canowindra Services club meetings.

#### **MOTION** (Wilcox/Davison)

THAT the declarations of interest be noted.

17/07/02 Carried

### **ITEM - 3 DECLARATIONS FOR POLITICAL DONATIONS**

#### Proceedings in Brief

There were nil declarations of political donations.

#### **MOTION** (Treavors/Durkin)

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

17/07/03 Carried

It was noted the time being 2:03pm Council was addressed by Mr Phillip Donato, Member for Orange, Jan and Graham Kerr from the Canowindra Balloon Challenge and Robyn Price, objector of DA 2017/89

The Deputy Mayor presented the Youth of the Month award to Tieke Thomas of Molong.

**ITEM - 4 MAYORAL MINUTE - APPOINTMENTS**

Proceedings in Brief

Clr Treavors attended the Mullion Creek Progress Association meeting. They indicated they are still looking for further funds for a new hall and thanked council for the \$30,000 contribution towards upgrades to the Mullion Creek Hall.

**MOTION** (Walker/Nash)

THAT the information contained in the Mayoral Minute be noted.

17/07/04 Carried

**ITEM - 5 COMMITTEE OF THE WHOLE**

Proceedings in Brief

Clr Nash called item 13, 17, 22, 23 for debate in Committee of the Whole.

**MOTION** (Wilcox/Dean)

THAT the called items be debated in Committee of the Whole.

17/07/05 Carried

**ITEM - 6 GROUPING OF REPORT ADOPTION**

Proceedings in Brief

Clr Davison called items 8 and 9 for further discussion.

**MOTION** (Wilcox/Nash)

THAT:

1. Items 8 and 9 be further considered
2. Item 7 be moved and seconded.

17/07/06 Carried

**ITEM - 7 CONFIRMATION OF THE MINUTES**

**MOTION** (Wilcox/Nash)

THAT the minutes of the Ordinary meeting held 27 June 2017 be adopted.

17/07/07

Carried

**ITEM - 8 COUNCIL PICNIC DAY**

Proceedings in Brief

It was discussed that reference of Picnic Day in the resolution be changed to Union Picnic Day. It was advised that USU will invite councillors to the Picnic Day.

**MOTION** (Wilcox/Davison)

THAT:

1. Council approve the annual Union Picnic Day to be held on Friday 13 October 2017.
2. Council authorise the attendance of all councillors at the Union Picnic Day.
3. Councillors note the cost of \$52 for attending the Union Picnic Day to be paid to the Union Picnic Committee from the Councillor Expense Account.

17/07/08

Carried

**ITEM - 9 LOCAL GOVERNMENT WEEK 2017 UPDATE**

Proceedings in Brief

Councillor Davison wanted confirmation that the tour was still going ahead. The General Manager advised that it was and that all Councillors should advise the Administration Officer of their availability.

**MOTION** (Durkin/Wilcox)

THAT Council note the proposed Local Government Week council program, including the variation of lunch at the Cabonne Food, Wine & Cultural Centre (Cordon Store) in Cudal.

17/07/09

Carried

**ITEM - 10 INTEGRATED PLANNING & REPORTING - OPERATIONAL  
PLAN FINAL QUARTER REVIEW**

**MOTION** (Nash/Davison)

THAT the update of the Operational Plan to 30 June 2017, as presented be adopted.

17/07/10 Carried

**ITEM - 11 ORANA HOUSE**

Proceedings in Brief

In response to a question from Councillor Wilcox the Acting Director of Finance and Technical Services said alternate accommodate could be at HACC building or Council's building in Armstrong Street.

The General Manager advised a further inspection by an external structural engineer will be undertaken and councillors will be advised of the outcomes.

**MOTION** (Nash/Dean)

THAT:

1. The information outlined in the report be noted.
2. Council proceed with the sale of Orana House as previously resolved.
3. Alternate locations be sourced to accommodate current user groups of Orana House.

17/07/11 Carried

**ITEM - 12 REVOTE OF ITEMS FROM THE 2016/17 BUDGET**

Proceedings in Brief

In response to a question from Councillor Davison the Acting Director of Engineering and Technical Services indicated that engineering staff are confident that the revoted works will be completed in this financial year.

**MOTION** (Wilcox/Dean)

THAT the items listed as revotes in the attached report be entered into the 2017/18 Budget.

17/07/12 Carried

**ITEM - 14 EVENTS ASSISTANCE PROGRAM 2017/2018**

Proceedings in Brief

The General Manager indicated there was an error in the report, being that in 2016 to the Canowindra Baroquefest was given \$2000 not \$5000 as stated in report. Councillor Davison suggested that being the case, the group be given \$2500 this year.

**MOTION** (Davison/Nash)

THAT Council approve funding of under the 2017/2018 Events Assistance Program (EAP) for the following events.

1. \$600 for Yeoval & District Progress Association
2. \$5,000 for Orange Vignerons Association

3. \$2,500 for Canowindra Fine Music Inc
4. \$20,000 for Canowindra Balloon Challenge
5. \$1,000 for Manildra District Improvement Association

17/07/13 Carried

**ITEM - 15 PROPOSAL FOR ESTABLISHMENT OF A TRUCK WASH AT  
MOLONG**

Proceedings in Brief

The General Manager advised that a contribution from Council, being provision of land, will be required as a condition of accepting the grant.

**MOTION** (Nash/Wilcox)

THAT Council accept funding of \$505,060 from Transport for NSW for the construction of a Truck Wash facility at Molong.

17/07/14 Carried

**ITEM - 16 MAY 2017 LOCAL TRAFFIC COMMITTEE**

Proceedings in Brief

The Acting Director of Engineering and Technical Services advised the council that Item 8 of the Local Traffic Committee minutes be withdrawn as further investigation needs to be done for the exact location of the give way sign.

**MOTION** (Wilcox/Treavors)

THAT Council ratify the recommendations of the Local Traffic Committee with the exclusion of item 8.

17/07/15 Carried

**ITEM - 18 CANOWINDRA MEN'S SHED**

**MOTION** (Davison/Durkin)

THAT Council's seal be affixed to the Crown Lands License for the Canowindra Men's Shed.

17/07/16 Carried

**ITEM - 19 REQUEST FOR THE APPLICATION OF COUNCIL SEAL FOR  
VARIATION OF RESTRICTION ON USE OF LAND LOT 224 DP  
1064871, 8 JAMES DALTON LANE, WINDERA.**

**MOTION** (Davison/Nash)

THAT the Common Seal of Cabonne Council be affixed to the section 88B Conveyancing Act variation document, to release a building envelope

restriction currently applying to Lot 224 DP 1064871, 8 James Dalton Lane, Windera.

17/07/17 Carried

**ITEM - 20 REQUEST FOR THE APPLICATION OF COUNCIL SEAL FOR  
VARIATION OF RESTRICTION ON USE OF LAND FORMERLY  
DESCRIBED AS LOT 100 DP 1019244 AND CURRENTLY  
IDENTIFIED AS LOTS 40 & 41 DP 1231827, 298 LAKE  
CANOBOLAS ROAD, CANOBOLAS.**

**MOTION** (Durkin/Nash)

THAT the Common Seal of Cabonne Council be affixed to the section 88B Conveyancing Act variation document, to release the dwelling restriction on the land described as formerly Lot 100 in DP 1019244 and currently identified as Lots 40 & 41 DP 1231827, 298 Lake Canobolas Road, Canobolas.

17/07/18 Carried

**ITEM - 21 DEVELOPMENT APPLICATION 2017/129 SHIPPING  
CONTAINER LOT 3 DP 11160, 19 HAIG STREET, CUMNOCK**

**MOTION** (Nash/Wilcox)

THAT Development Application 2017/129 for use of a shipping container and attached awning upon Lot 3 DP 11160, being land known as 19 Haig St, Cumnock, be refused on the grounds that the building does not meet the minimum construction and environmental standards for its use (dwelling) and is not consistent with the village streetscape.

17/07/19 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 Clr Gosper – apology) as follows:

For: Clrs Walker, Dean, Nash, Wilcox, Durkin, Treavors, Davison

Against: Nil

**ITEM - 24 QUESTIONS FOR NEXT MEETING**

**Proceedings in Brief**

Councillor Wilcox requested that upgrades to community halls be subject of an application for funding under the Stronger Country Community program.

Councillor Davison requested a report on ;

1. Total of unallocated funds as at 30<sup>th</sup> June 2017
  - a) Unrestricted
  - b) Restricted
2. Council's bank balance as at 30<sup>th</sup> June 2017, 2016, 2015 and 2014.



3. Re-establishment of the Audit Review Committee immediately.

**MOTION** (Wilcox/Durkin)

THAT Council receive a report at the next Council meeting on;

1. Total of unallocated funds as at 30<sup>th</sup> June 2017
  - a) Unrestricted
  - b) Restricted
2. Council's bank balance as at 30<sup>th</sup> June 2017, 2016, 2015 and 2014.
3. Re-establishment of the Audit Review Committee immediately.

17/07/20 Carried

**ITEM - 25 BUSINESS PAPER ITEMS FOR NOTING**

Proceedings in Brief

Councillor Nash called items 11 and 14 and Councillor Dean called item 12.

**MOTION** (Wilcox/Nash)

THAT:

1. The called items be further considered; and
2. The balance of the items be noted.

17/07/21 Carried

**ITEMS FOR NOTATION**

**ITEM - 11 COUNCIL'S SPORTING GROUNDS - SKATE PARK LAND  
AVAILABILITY AND PROVISION OF FEMALE CHANGE ROOMS**

Proceedings in Brief

It was advised that in the first instance for the skate parks, that community groups be advised to form a skate park committee for their towns. Committee then look at fundraising ideas, look into funding opportunities and get the students involved.

With regard to the female change rooms, council will contact the sporting committees for input.

**MOTION** (Wilcox/Treavors)

THAT the called item be noted.

17/07/22 Carried

**ITEM - 12 ENGINEERING AND TECHNICAL SERVICES UPDATE  
REPORT**

Proceedings in Brief

Councillor Dean questioned the reference that the proposed intersection of Yellowbox road and Coates Creek Road will not be undertaken and requested this be reviewed. The Acting Director of Engineering and Technical Services said that he will discuss with his staff.

**MOTION** (Wilcox/Treavors)

THAT the called item be noted.

17/07/23 Carried

**ITEM - 14 HERITAGE ADVISOR'S REPORT**

Proceedings in Brief

Council Nash indicated this was called in error.

**MOTION** (Wilcox/Treavors)

THAT the called item be noted.

17/07/24 Carried

**ITEM - 26 MATTERS OF URGENCY**

Proceedings in Brief

It was noted that there were nil matters of urgency.

**MOTION** (Dean/Wilcox)

THAT it be noted there were nil matters of urgency.

17/07/25 Carried

**ITEM - 27 COMMITTEE OF THE WHOLE SECTION OF THE MEETING**

**MOTION** (Nash/Wilcox)

THAT Council hereby resolve itself into Committee of the Whole to discuss matters called earlier in the meeting.

17/07/26 Carried

**ITEM - 13 REQUESTS FOR DONATIONS**

Proceedings in Brief

Councillors requested the Orange, Cowra, Cabonne Science Hub address the next council meeting before deciding on their request for donation.

**MOTION** (Dean/Durkin)

THAT Council:

1. Invite the Orange, Cowra, Cabonne Science Hub to address council.
2. Donate \$1000 to the Manildra Pre-School Fundraising Committee from the Community Facilitation Fund.

17/07/27 Carried

**ITEM - 17 COUNCIL POOLS**

Proceedings in Brief

Councillors expressed concerns that the remedial works at the Canowindra pool should be remedied by the company that constructed the pool. The Acting Director of Engineering and Technical Services said that the construction warranty was for only 12 months. The Acting Director of Engineering and Technical Services will further investigate.

**MOTION** (Durkin/Nash)

THAT Council:

1. Approve expenditure of \$120,000 to employ qualified pool attendants at Council's Cumnock, Yeoval, Manildra, Cudal and Eugowra Swimming Pools;
2. Fund the expenditure of \$120,000 from the Recreation & Culture Reserve;
3. Approve expenditure of \$50,000 to professionally repair the identified leaking expansion joints at the Canowindra Pool; and
4. Fund the expenditure of \$50,000 from the Recreation & Culture Reserve.
5. Investigate any legal options regarding the warranty of the Canowindra pool.

17/07/28 Carried

It was noted, the time being 3:39pm Clr Walker declared an interest (identified as a significant non-pecuniary interest) in item 22 due to his involvement and attendance at the Canowindra Services and Citizens Club meetings and left the chambers.

Clr Durkin was elected the Chair.

**ITEM - 22 DEVELOPMENT APPLICATION 2017/158 FOR ADVERTISING  
SIGNAGE UPON CANOWINDRA SERVICES AND CITIZENS CLUB  
IN GASKILL STREET, CANOWINDRA**

Proceedings in Brief

In response to a question from Councillor Nash, the Director of Environmental Services explained the promotion signage was not compliant with State planning policy in a heritage conservation area.

**MOTION** (Dean/Wilcox)

THAT Development Application 2017/158 for advertising signage upon the Canowindra Services and Citizens Club in Gaskill Street, Canowindra be refused on the grounds it does not comply with the provisions of State Environmental Planning Policy No. 64 *Advertising Signage* and Council's Development Control Plan No. 13 *Advertising Signage in Conservation Areas*.

17/07/29 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 Clr Gosper – apology and Clr Walker – interest) as follows:

For: Clrs Dean, Nash, Wilcox, Durkin, Treavors, Davison

Against: Nil

It was noted, the time being 3:43pm Clr Walker rejoined the meeting and resumed the chair

**ITEM - 23 DEVELOPMENT APPLICATION 2017/89 FOR A DWELLING  
AND ECOTOURIST FACILITY UPON LOT 712 DP 792758 LAND ON  
MCMURRAYS LANE, CARGO**

Proceedings in Brief

Councillors were advised that the facility is a training camp for permaculture and resource management. In response to a question the Director of Environmental Services advised that there were no specific conditions restricting the number of times the facility could be used during the year and that the development was subject to Section 94 contribution.

**MOTION** (Davison/Nash)

THAT Development Application 2017/89 for a dwelling, detached garage, eco-tourist facility and machinery shed upon Lot 712 DP 792758 land on McMurrays Lane, Cargo be approved subject to the attached draft conditions of consent.

17/07/30 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 Clr Gosper – apology) as follows:

For: Clrs Dean, Nash, Treavors, Walker and Davison

Against: Clrs Wilcox and Durkin

**CONFIDENTIAL ITEMS**

It should be noted that where an asterisk (\*) appears to the left of an Item number and Heading it indicates confidential Proceedings In Brief have been recorded on a separate document. The accuracy of these is endorsed at the subsequent Council meeting in its closed proceedings section.

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

**RECOMMENDATION** (Durkin/Wilcox)

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** (Dean/Nash)

THAT the Committee endorse the accuracy of the Report of the Proceedings of Confidential Matters at the Closed Ordinary Council on 27 June 2017 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 Committees.

2. Carried

**ITEM - 3 DEBT RECOVERY REPORT OF OUTSTANDING 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 SEWER ACCOUNT 5451010002 REQUEST FOR  
CONSIDERATION OF INTEREST CHARGES**

**RECOMMENDATION** (Nash/Durkin)

That Council write off interest charges of \$1,718.74 for sewer account 5451010002.

4. Carried

**ITEM - 5 WATER ACCOUNT 4420010001 REQUEST FOR  
CONSIDERATION OF CONSUMPTION CHARGES**

**RECOMMENDATION** (Nash/Dean)

That Council advise the owners of 4420010001 that no reduction will apply to water consumption charges.

5. Carried

**ITEM - 6 WATER ACCOUNT 4100100009 REQUEST FOR  
CONSIDERATION OF CONSUMPTION CHARGES**

**RECOMMENDATION** (Davison/Dean)

That Council advise the owners of 4100100009 that no reduction will apply to water consumption charges.

6. Carried

It was noted, the time being 3:58pm Clr Walker declared an interest (identified as a pecuniary interest) in item 7 of closed due to his attendance at the Eugowra CWA meetings and left the chambers.

Clr Durkin took the Chair.

**ITEM - 7 REQUEST FOR CONSIDERATION OF SEWER CHARGES  
4028000000**

**RECOMMENDATION** (Dean/Wilcox)

That Council advise the owners of 4028000000 that no reduction will apply to sewer charges.

7. Carried

It was noted, the time being 4:04pm Clr Walker re-joined the meeting and resumed the chair.

**ITEM - 8 SECTION 18A WEEDS NOTICES**

**RECOMMENDATION** (Wilcox/Davison)

THAT the information be noted.

8. Carried

**ITEM - 9 SECTION 18 WEEDS NOTICES**

**RECOMMENDATION** (Durkin/Nash)

THAT the information be noted.

9. Carried

It was noted the time being 4:14pm the Chair resumed the Ordinary meeting.

**REPORT & RESOLUTIONS OF COMMITTEE OF THE WHOLE**

**MOTION** (Dean/Wilcox)

THAT the Report and Recommendations of the Committee of the Whole Meeting held on Tuesday 25 July, 2017 be adopted.

17/07/31 Carried

There being no further business, the meeting closed at 4.15pm.

CHAIRMAN.

Chairman of the Ordinary Meeting of Cabonne Council held on the 22 August, 2017 at which meeting the listed minutes were confirmed and the signature hereon was subscribed.