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

Also present were the Acting General Manager, Acting Director of Finance & Corporate Services, Acting Director of Engineering & Technical Services, Acting Director of Environmental Services, Acting Economic Development Manager, 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.

17/05/01 Carried

ITEM - 2 DECLARATIONS OF INTEREST

Proceedings in Brief

There were nil declarations of interest.

MOTION (Nash/Wilcox)

THAT it be noted there were nil declarations of interest.

17/05/02 Carried

ITEM - 3 DECLARATIONS FOR POLITICAL DONATIONS

Proceedings in Brief

There were nil declarations of political donations.

MOTION (Dean/Treavors)

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

17/05/03 Carried

It was noted the time being 2:02pm Council was addressed by students from Canowindra High School, Yeoval Central School and Molong Central School until 2:20pm.

ITEM - 4 MAYORAL MINUTE - APPOINTMENTS

Proceedings in Brief

The Mayor

- 26/4/17 Attended the Molong office to review the business paper
- 26/4/17 Attended the April Council meeting
- 28/4/17 Presided over an Australian Citizenship Ceremony held in the Council Chambers along with the State Member of Parliament Philip Donato and the Federal Member of Parliament Andrew Gee for 6 new Australian Citizens residing in Cabonne
- 28/4/17 Attended a meeting in the Mayor's office with the Federal Member of Parliament Andrew Gee
- 5/5/17 Attended the Mayor's office for meetings with residents
- 6/5/17 Attended the Lachlan Regional Transport Committee meeting hosted by Cabonne Council along with the Deputy Mayor
- 6/5/17 Officially opened the Moments in Time Lachlan Pankhurst photography exhibition at Jayes Gallery in Molong
- 9/5/17 Attended the Councillor site visit to Mullion Creek and the Councillor Workshop held in the Council Chambers
- 10/5/17 Attended Cowra Shire Council's Community Consultation Meeting in Canowindra along with the Deputy Mayor
- 12/5/17 Attended meetings in the Molong office with the Acting General Manager
- 16/5/17 Attended the Yeoval Annual Show along with the Acting General Manager and met with Deputy Prime Minister Barnaby Joyce and Federal Member for Parliament Andrew Gee
- 16/5/17 Attended the Canobolas Zone Rural Fire Service Liaison Meeting in Orange with the Acting Director of Engineering and Technical Services
- 17/5/17 Attended the Molong Rotary Club annual changeover dinner
- 19/5/17 Attended the Molong office for a meeting with the Acting General Manager
- 19/5/17 Attended the official opening of the new Molong Health Services Yuranigh House
- 19/5/17 Attended the General Manager Selection Committee meeting with panel members and the consultant

MOTION (Gosper/-)

THAT the information contained in the Mayoral Minute be noted.

17/05/04 Carried

ITEM - 5 COMMITTEE OF THE WHOLE

Proceedings in Brief

Clr Dean called item 8 for debate in Committee of the Whole.

MOTION (Nash/Durkin)

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

17/05/05 Carried

ITEM - 6 GROUPING OF REPORT ADOPTION

Proceedings in Brief

It was noted Clr Dean had called item 8 for debate in Committee of the Whole.

MOTION (Walker/Treavors)

THAT:

1. Councillors further consider called items.
2. Items 7 and 9 to 13 be moved and seconded.

17/05/06 Carried

ITEM - 7 CONFIRMATION OF THE MINUTES

MOTION (Walker/Treavors)

THAT the minutes of the Ordinary meeting held 26 April 2017 and Extraordinary Council meeting held 9 May 2017 be adopted.

17/05/07 Carried

It was noted item 8 is to be consider in Committee of the Whole.

ITEM - 9 DRAFT GIFT AND BENEFIT POLICY

MOTION (Walker/Treavors)

THAT the attached draft Gift and Benefit policy be adopted.

17/05/08 Carried

ITEM - 10 LOCAL GOVERNMENT REMUNERATION TRIBUNAL

MOTION (Walker/Treavors)

THAT from 1 July 2017 the annual fees payable to each councillor be set at \$11,570 and the additional annual payable fee to the Mayor be set at \$25,250.

17/05/09 Carried

ITEM - 11 MARCH QUARTERLY BUDGET REVIEW

MOTION (Walker/Treavors)

THAT Council note the variances listed in this report and authorise those changes to be updated to Council's 2016/2017 Budget.

17/05/10 Carried

ITEM - 12 INVITATION TO BE A FOSSICKING DISTRICT

MOTION (Walker/Treavors)

THAT Cabonne Council accept the offer to be declared a NSW Fossicking District

17/05/11 Carried

**ITEM - 13 LAND ACQUISITION - GAVINS LANE & DAVYS PLAIN ROAD
REALIGNMENT**

MOTION (Walker/Treavors)

THAT Council:

1. Authorise the purchase of 3,649 sq m of land from Lot 2 DP 900862 for a purchase price of \$3,000.
2. Authorise the transfer of 4,191 sq m from Lot 59 DP 750137 to tidy up a previous land acquisition that had not been finalised.
3. Agree to compensate the landholder \$3,300 for the landholder to undertake his own refencing of approximately 255m.
4. Agree to compensate the landowner \$20 per tree for the removal of 120 trees planted by the landholder that will be need to be removed, totaling \$2,400.
5. Agree to pay all reasonable legal fees, survey fees and plan lodgment fees associated with the purchase.
6. Authorise the affixation of the Common Seal and appropriate signatures on the associated land transfer documents.

17/05/12 Carried

ITEM - 14 MOLONG MULTI-PURPOSE SPORTS COMPLEX

MOTION (Gosper/Treavors)

THAT Council establish a Management Committee for the Molong Multi-Purpose Sports Complex consisting of representatives from user-groups and one councillor.

17/05/13 Carried

ITEM - 15 MULLION CREEK HALL

Proceedings in Brief

The Mayor advised he had spoken with the project leader of the Mullion Creek Hall and Recreation Reserve Trust and it was understood by him that Council could not provide \$900,000 in funding as requested. There was also a concern of setting a precedent as the hall is not on Council owned land. The Mayor proposed an additional point to the Motion as per point 3. below.

He felt this amount could be justified as it would support remediation issues raised in a 2013 consultant's report and would address issues before they became a health and safety concern.

MOTION (Gosper/Wilcox)

THAT Council:

1. Write to the Mullion Creek Hall and Recreation Reserve Trust advising that Council will not support the funding request for the Mullion Creek Hall.
2. Encourage the Mullion Creek Hall and Recreation Reserve Trust to seek grant funding from other stakeholders due to the land being Crown land owned by the State.
3. Make a submission to the 2017/2018 Operational Plan to include a \$30,000 contribution to the Mullion Creek Hall & Recreation Reserve Trust on condition that the funds be utilised for restoration works on the existing Mullion Creek Hall.

17/05/14 Carried

ITEM - 16 REQUESTS FOR DONATIONS

MOTION (Durkin/Wilcox)

THAT Council donate:

1. \$250 to Eugowra Public School to host a simultaneous reading day; and
2. \$500 to the Cudal Soccer Club to assist with the purchase of a line marking machine.

17/05/15 Carried

ITEM - 17 YOUNG PEOPLE TO ADDRESS COUNCIL MEETING

Proceedings in Brief

It was noted representatives from Canowindra High, Yeoval Central and Molong Central schools had addressed Council at the beginning of the meeting and raised several issues for Council's consideration.

Clr Davison suggested residual funds from the Council's donations budget could be allocated towards the issues raised by the students.

Clr Treavors sought leave to meet with the student bodies with a view to facilitate youth discos.

MOTION (Durkin/Treavors)

THAT:

1. Council consider the matters raised by young people at this meeting.
2. A report be submitted to the next Council meeting on how it is proposed to address issues raised by the school students and to provide a basis for a response.

17/05/16

Carried

ITEM - 18 ORANGE REGIONAL TOURISM LTD STRATEGIC PLAN

Proceedings in Brief

The Mayor noted the Acting General Manager had circulated an email with concerns about Council being involved in forming a corporation without seeking the Minister's approval. He cited a previous similar issue with the Age Of Fishes Museum in 1995.

The Mayor also felt that as Centroc are due to meet shortly regarding a regional involvement in tourism; that there was a reluctance to transfer money from the Event Assistance Grant budget which Council uses to support proven events such as the Canowindra Balloon Challenge; and that this Council would be imposing a 3 year commitment on a new Council it was not appropriate to be involved without some issues being resolved.

In response to a statement by Clr Davison that Council had the option to not proceed each year, the Acting General Manager advised that whilst in the previous Memorandum of Understanding it was optional, under the new proposed agreement it was his understanding that the commitment was binding.

Clr Walker raised the possibility of funding from the Village Enhancement reserve.

Concerns were raised that in the proposed model the Salaries/Administration costs were disproportionately high and it was not a value for money investment.

There was general agreement that a combined regional approach would be more effective and that Council alone could not afford the funding to achieve the desired results.

Ultimately it was resolved to seek Ministerial approval and see what Centroc proposed in the coming week prior to any further consideration.

MOTION (Wilcox/Nash)

THAT Council make application under s358 of the Local Government Act to the Minister for Local Government for approval to be involved in the formation of a corporation before further considering this matter.

17/05/17

Carried

In response to a request from Clr Walker the Chair called for a division of Council.

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

Against: Clr Treavors

ITEM - 19 TOWN ENTRANCES AND MAIN STREET REDESIGN

Proceedings in Brief

The Acting General Manager suggested that establishment of a Tree Nursery may be useful not just for the proposed project but for ongoing tree maintenance. He asked Council's view before he undertook costings. Council agreed with the idea and requested a report providing costings be submitted to Council.

Clr Davison suggested some of the \$2.5M in funds be allocated to pathways and Clr Dean noted the students who addressed Council earlier in the meeting had also requested pathways which he has asked to be prioritised on several occasions.

In response to a comment by Clr Davison who wished to correct the report that in fact the Cabonne Country Tourism Advisory Committee was not asked for comment the Acting Economic Development Manager advised that members were approached separately after the meeting at which Clr Davison had been present.

In response to a question from Clr Davison, the Mayor noted the choice made at the workshop to action previous consultants' reports.

Clr Walker emphasised the need to communicate with the community at large and not just Progress Associations.

MOTION (Durkin/Wilcox)

THAT Council:

1. Not proceed with the engagement of consultants to prepare plans for the redesign of town entrances and main streets in 11 Cabonne towns, villages and localities;
2. Investigate enhancing the natural attractions of each individual town, village and locality through maintenance, mowing and cleaning; and

3. Investigate a proposal to implement the existing street tree master plans, incorporating the capital improvement priorities submitted by each of the Shire's progress associations.

17/05/18 Carried

ITEM - 20 EVENTS ASSISTANCE PROGRAM 2016/2017

MOTION (Walker/Durkin)

THAT Council approve funding of \$1,500 under the 2016/2017 Events Assistance Program (EAP) to Brand Orange for Taste@Watsons Bay 2017.

17/05/19 Carried

**ITEM - 21 PLANNING PROPOSAL FOR REZONING OF 'TALIMBA' 411
LOWER LEWIS PONDS ROAD, CLIFTON GROVE BEING LOT 9 DP
234046 FROM RU1 PRIMARY PRODUCTION TO R5 LARGE LOT
RESIDENTIAL**

MOTION (Wilcox/Walker)

THAT Council:

1. Receive and note the Planning Proposal for the rezoning of land identified as Lot 9 DP 243046 and Crown road reserve known as White Hill Lane, situated off Lower Lewis Ponds Road, Clifton Grove, Orange, and located within the Strategy Area 3 (SA3) as described in the Blayney Cabonne Orange Sub Regional Rural and Industrial Land Use Strategy July 2008.
2. Forward the Planning Proposal to the Department of Planning and Infrastructure for Gateway Determination in accordance with Section 56 of the Environmental Planning and Assessment Act 1979.
3. Receive a further report following the public exhibition period to provide details of any submissions received during the exhibition process.

17/05/20 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 as follows:

For: Ctrs Gosper, Dean, Nash, Wilcox, Durkin, Treavors, Walker and Davison.

Against: Nil.

**ITEM - 22 REQUEST TO MODIFY DEVELOPMENT CONSENT -
DEVELOPMENT APPLICATION 2015/133/1 - 104 KENT ROAD,
MULLION CREEK**

Proceedings in Brief

In response to Clr Dean advising he was against the motion based on advice he had received that trees should not be within 2.5 metres of a roadway and that Council should fund tree removal, the Acting General Manager cautioned that if Council were to adopt such a policy it would need to be costed as he felt Council could not afford to clear all trees in breach in the Shire.

MOTION (Wilcox/Nash)

THAT the Modification Application seeking to delete condition 11 of Development Application 2015/133 for a dwelling upon Lot 102 DP 1070947, 104 Kent Road, Mullion Creek, be refused.

17/05/21 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 as follows:

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

Against: Clrs Dean and Treavors.

**ITEM - 23 MODIFIED DEVELOPMENT APPLICATION 2010/177/4 FOR AN
ANIMAL BOARDING AND TRAINING ESTABLISHMENT AT LOT
100 DP 1145134 LAND ALSO KNOWN AS 130 FOUR MILE CREEK
ROAD, SPRINGSIDE**

MOTION (Durkin/Davison)

THAT Modified Development Application 2010/0177 for Animal boarding and training establishment and ancillary dwelling on Lot 100 DP 1145134, corner Four Mile Creek Road & Giles Road, Spring Side, be granted consent subject to the amended conditions attached.

17/05/22 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 as follows:

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

Against: Nil.

**ITEM - 24 PROPOSED PROVISION OF A WASTE AND RECYCLING
SERVICE IN MULLION CREEK**

MOTION (Wilcox/Walker)

THAT Council:

1. Provide a waste and recycling service to the Mullion Creek locality through JR Richards, with a view to commence service on 1 July 2017; and
2. Remove the recycling point located at the Mullion Creek RFS upon commencement of the waste and recycling service.

17/05/23 Carried

ITEM - 25 QUESTIONS FOR NEXT MEETING

Proceedings in Brief

Clr Durkin requested a report relating to Canowindra School's Student Representative Council receiving a donation of \$500 towards paint and maters for a mural near the skate park.

Clr Wilcox requested a report relating to the balance of the donations s356 budget, less any donations yet to be made, being donated to the Mullion Creek's Progress Association for enhancement of a children's play area.

Clr Wilcox noted advice at the Australian Local Government Women's Association (NSW) Annual Conference that some councils have adopted a Domestic Violence policy and requested a report relating to adoption of one at Cabonne Council.

Clr Treavors requested a report relating to land availability for skate parks at Cudal, Cumnock and Yeoval

Clr Nash requested a report relating to establishment of ladies change rooms at all Council recreational fields.

MOTION (Wilcox/Nash)

THAT Council receive a report at the next Council meeting in relation to the following:

1. Canowindra School's Student Representative Council receiving a donation of \$500 towards a mural near the skate park.
2. A donation for Mullion Creek's Progress Association being the balance of the donations budget, less any donations yet to be made, for a children's play area.
3. Consideration of adopting a Domestic Violence policy.
4. Availability of land for skate parks at Cudal, Cumnock and Yeoval.
5. Establishment of "ladies" change rooms at all Council recreational fields.

17/05/24 Carried

It was noted the time being 3:34pm that Clr Durkin left the Chambers and was absent during consideration of the following item.

ITEM - 26 BUSINESS PAPER ITEMS FOR NOTING

Proceedings in Brief

It was noted nil items were called for further consideration.

MOTION (Dean/Walker)

THAT the Notation items be noted.

17/05/25 Carried

It was noted the time being 3:35pm, Clr Durkin rejoined the meeting.

ITEM - 27 MATTERS OF URGENCY

Proceedings in Brief

Clr Wilcox raised the need for a progress update on determining of a new venue for the Molong Library due to an upcoming meeting with the visiting Library Council of NSW.

The Mayor ruled the matter to be of urgency however on advice from the Acting General Manager that the update would include 'commercial-in-confidence' information, the matter was to be discussed in the closed session of the meeting.

MOTION (Wilcox/Davison)

THAT an update on progress with a venue for the Molong Library be provided in the closed session of the meeting.

17/05/26 Carried

ITEM - 28 COMMITTEE OF THE WHOLE SECTION OF THE MEETING

MOTION (Wilcox/Treavors)

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

17/05/27 Carried

ITEM - 8 PUBLIC ACCESS TO COUNCIL MEETINGS

Proceedings in Brief

In response to Clr Dean's request for clarification of the proposed amendment to the Code of Meeting, wherein he used the example of whether Andrew Gee Federal MP would also be required to address Council at the open forum on Workshop day, the Acting General Manager confirmed that he was correct.

Some councillors stated their preferred position was that proponents or objectors for a DA address Council at a public forum before the Workshops whilst other councillors favoured a forum before the Council meetings. Some felt addresses by MPs or students should continue during Council meetings.

The Mayor by way of summary proposed that addresses relating to any item to come before Council (e.g. a Development Application) be at a forum on Workshop day, and that other addresses be during Council meetings.

RECOMMENDATION (Dean/Nash)

THAT a further report be submitted to Council with proposed amendments relating to addresses to the Council within the Code of Meeting for consideration.

1. Carried

It was noted the time being 3:42pm the Chair announced that the Council would now be resolving into a Closed Committee of the Whole.

CONFIDENTIAL ITEMS

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

RECOMMENDATION (Walker/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.

2. Carried

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

RECOMMENDATION (Davison/Durkin)

THAT the Committee endorse the accuracy of the Report of the Proceedings of Confidential Matters at the Closed Ordinary Council on 26 April 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.

3. Carried

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

Proceedings in Brief

Clr Durkin noted the annexures date read “2016” and suggested it should be corrected in case it was required for legal reasons.

RECOMMENDATION (Durkin/Davison)

THAT:

1. 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.
2. It be noted the date on the annexure should read “2017”.

4. Carried

ITEM - 4 NOXIOUS WEEDS - PRIVATE WORKS

RECOMMENDATION (Walker/Treavors)

THAT the information be noted.

5. Carried

ITEM - 5 SECTION 18A WEEDS NOTICES

RECOMMENDATION (Dean/Nash)

THAT the information be noted.

6. Carried

ITEM - 6 SECTION 18 WEEDS NOTICES

RECOMMENDATION (Walker/Davison)

THAT the information be noted.

7. Carried

* **MATTER OF URGENCY - MOLONG LIBRARY UPDATE**

RECOMMENDATION (Walker/Wilcox)

THAT Council:

1. Authorise the Acting General Manager to attempt to purchase the property at a cost within the amount recorded in the Proceedings in Brief.
2. Receive a report to the next meeting with costings for a suitable building behind Connelly's store.

8. Carried

It was noted the time being 4:10pm the Chair resumed the Ordinary meeting.

REPORT & RESOLUTIONS OF COMMITTEE OF THE WHOLE

MOTION (Davison/Wilcox)

THAT the Report and Recommendations of the Committee of the Whole Meeting held on Tuesday 23 May, 2017 be adopted.

17/05/28 Carried

There being no further business, the meeting closed at 4:11pm.

CHAIRMAN.

Chairman of the Ordinary Meeting of Cabonne Council held on the 27 June, 2017 at which meeting the listed minutes were confirmed and the signature hereon was subscribed.