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PRESENT Clr I Gosper (in the Chair), Clrs G Dean, M Nash, G Treavors, A Durkin (arrived 2:12pm), and I Davison.

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

Apologies were tendered on behalf of Clrs Walker and Wilcox for their absence from the meeting. The temporary absence of Clr Durkin was noted.

MOTION (Treavors/Davison)

THAT the apologies tendered on behalf of Clrs Walker and Wilcox be accepted and the necessary leave of absence be granted.

17/04/01 Carried

ITEM - 2 DECLARATIONS OF INTEREST

Proceedings in Brief

It was noted that there were nil Declarations of Interest.

MOTION (Davison/Nash)

THAT it be noted there were nil Declarations of Interest.

17/04/02 Carried

ITEM - 3 DECLARATIONS FOR POLITICAL DONATIONS

Proceedings in Brief

It was noted that there were nil Declarations of Political Donations.

MOTION (Dean/Treavors)

THAT it be noted there were nil Declarations of Political Donations.

17/04/03 Carried

ITEM - 4 MAYORAL MINUTE - APPOINTMENTS

Proceedings in Brief

The Mayor

- 28/3/17 Attended the Council Chamber to review the business paper
- 28/3/17 Attended the General Manager Recruitment Committee meeting
- 29/3/17 Attended the Rural Fire Service Gum Tree meeting at Yeoval
- 1/4/17 Attended Cumnock's Long White Lunch as part of F.O.O.D Week 2017
- 3/4/17 Attended Molong's 100 Mile Dinner as part of F.O.O.D Week
- 4/4/17 Attended Canowindra's International Balloon Challenge media launch
- 4/4/17 Attended a meeting with Orange City Council representatives with the Deputy Mayor and Acting General Manager
- 7/4/17 Attended a meeting in the Mayor's Office with Cargo residents
- 7/4/17 Attended meeting in the Mayor's Office with Molong residents regarding the Molong Cemetery
- 7/4/17 Attended a meeting in the Mayor's Office with residents looking to establish a retirement village in the area
- 7/4/17 Attended a meeting in the Mayor's Office with Molong Pre School representatives
- 7/4/17 Attended a meeting in the Mayor's Office with representatives from the Mullion Creek Progress Association
- 11/4/17 Attended the Council Chambers for a Councillor Workshop
- 11/4/17 Attended the General Manager Recruitment Committee meeting with the consultant Allan McCormack
- 11/4/17 Attended the New Library Committee meeting
- 12/4/17 Attended a further meeting in the Mayor's Office with residents looking to establish a retirement village in the area
- 19/4/17 Attended an onsite meeting at Bowens Lane in Cudal with Cllr Dean, a representative from the Roads and Maritime Services and council engineering staff regarding future works at the intersection
- 19/4/17 Attended a Caravan Park Committee meeting at Cudal
- 19/4/17 Attended a meeting in the Mayor's Office
- 21/4/17 Attended various meetings with residents in the Mayor's Office
- 22/4/17 Attended the NSW Masters Road Cycling Championships in Molong
- 22/4/17 Attended the 2017 Cabonne Country Balloon Glow in Canowindra

- 25/4/17 Attended the Anzac Day March and Service that was held in Cudal for the dedication of the new plaques on the Cudal & District War Memorial Gates

Clr Dean noted he was an apology for the Cudal Anzac Day Service due to illness

Clr Nash represented Council at the Manildra Anzac Day Service

Clr Treavors represented Council at the Toogong Anzac Day Dawn Service and the Cudal Anzac Day Service

Clr Durkin represented Council at the Molong Anzac Day Service

Clr Davison represented Council at the Orange Anzac Day Service and the Borenore Anzac Day Service

MOTION (Gosper/-)

THAT the information contained in the Mayoral Minute be noted.

17/04/04 Carried

ITEM - 5 COMMITTEE OF THE WHOLE

Proceedings in Brief

Clr Dean called item 13 for debate in Committee of the Whole.

MOTION (Treavors/Dean)

THAT called items be debated in Committee of the Whole.

17/04/05 Carried

ITEM - 6 GROUPING OF REPORT ADOPTION

Proceedings in Brief

It was noted that nil items were called for further consideration, however the Acting General Manager informed the Council that if Item 8 was not called the wording would be amended to indicate no alterations were deemed necessary.

MOTION (Dean/Davison)

THAT Items 7 to 11 be moved and seconded.

17/04/06 Carried

ITEM - 7 CONFIRMATION OF THE MINUTES

MOTION (Dean/Davison)

THAT the minutes of the Ordinary meeting held 28 March 2017 and Extraordinary Council meeting held 11 April 2017 be adopted.

17/04/07 Carried

**ITEM - 8 INTEGRATED PLANNING & REPORTING - OPERATIONAL
PLAN THIRD QUARTER REVIEW**

MOTION (Dean/Davison)

THAT-the update of the Operational Plan to 31 March 2017, as presented be adopted.

17/04/08 Carried

ITEM - 9 DRAFT ANZAC DAY COMMEMORATIONS POLICY

MOTION (Dean/Davison)

THAT the attached draft ANZAC Day Commemorations policy be adopted.

17/04/09 Carried

ITEM - 10 DISABILITY INCLUSION ACTION PLAN

MOTION (Dean/Davison)

THAT Council:

1. Adopt the Cabonne Disability Inclusion Action Plan 2017; and
2. Publicly exhibit the Cabonne Disability Inclusion Action Plan 2017, at each Council office, Branch Library and other locations throughout the Shire for a period of 28 days, and that a copy of the Plan be made available on a reduced cost basis of \$4.00 per copy, with sections of the plan photocopied at a reduced rate of 15 cents per page.

17/04/10 Carried

ITEM - 11 EUGOWRA PUZZLE FLAT LEVEE EASEMENTS

MOTION (Dean/Davison)

THAT authority be granted to affix the Common Seal of Council to the s88B Instrument for the establishment of the easement.

17/04/11 Carried

It was noted the time being 2:12pm Clr Durkin joined the meeting prior to consideration of delegates for organisation 5 below.

ITEM - 12 DELEGATES TO ORGANISATIONS

Proceedings in Brief

The Acting General Manager informed the Council that organisations 4 and 10 are actually technical committees and do not require Councillor delegates.

MOTION (Davison/Treavors)

THAT Council appoint the delegates to organisations (as listed below), subject to the support from these organisations for the remainder of the Council term.

1. Central West Libraries – Clr Wilcox as delegate.
2. Australia Wide Rural Road Group (AWRRG) – Clr Dean as delegate and Clr Nash as alternate, noting the Mayor is also a delegate.
3. Cabonne Consultative Committee – Clr Treavors as delegate.
4. Cadia Community Consultative Committee – no councillor delegate required.
5. Canobolas Bushfire Management Committee – Clr Gosper as delegate and Clr Nash as alternate.
6. Canobolas Zone Liaison Committee – Clr Nash as alternate.
7. Canowindra Retirement Village Project Working Committee – Clr Walker as delegate, added alternate delegate Clr Durkin.
8. Cargo Road Users Association – Clr Dean as delegate.
9. Central Tablelands Local Land Services (LLS) – Clr Wilcox as delegate.
10. Central West Councils Environment & Waterways Alliance – no councillor delegate required.
11. Central West Mining Liaison Committee (Cabonne/Orange/Blayney) – Clr Davison as alternate.
12. Molong Medical Committee – Clr Nash as delegate, Clr Wilcox now as alternate.
13. Upper Macquarie Noxious Weeds Advisory Committee – Clr Wilcox as alternate.
14. Ophir Reserve Trust Board – Clr Durkin as delegate.
15. Restart Water Security Taskforce – Clr Gosper as delegate.
16. Waluwin Centre Governance Committee – Clr Nash as delegate.
17. Waluwin Molong HealthOne Health Services Advisory Committee – Clr Nash as delegate, Clr Gosper as alternate.
18. Manildra & District Improvement Association (MADIA) – Clr Treavors as alternate.
19. Yeoval & District Progress Association – Clr Davison as alternate.
20. Molong Advancement Group – Clr Davison as alternate.
21. Mullion Creek & District Progress Association – Clr Treavors as delegate, Clr Nash as alternate.

22. Cargo Progress Association – Clr Dean as delegate, Clr Durkin as alternate.
23. Borenore Community Progress Association – Clr Wilcox as alternate.
24. Spring Hill Terrace Committee – Clr Treavors as alternate.

17/04/12 Carried

It was noted Item 13 has been moved for consideration in the Committee of the Whole.

ITEM - 14 WESTERN REGION ACADEMY OF SPORT

MOTION (Durkin/Treavors)

THAT Council contribute \$745 to the Western Region Academy of Sport for 2017/18.

17/04/13 Carried

ITEM - 15 CARGO ROAD - BOWAN PARK ROAD LAND ACQUISITION

MOTION (Dean/Nash)

THAT:

1. Council authorise the purchase of 64.12 sq m of land from Lot 3 DP 1015094 for a purchase price of \$750 with a special condition to also establish a soil mound on the inside of the new fence line that will be approximately 17m long.
2. Council authorise the purchase of 229.1 sq m of land from Lot 511 DP 560739. In lieu of compensation Council agrees to pay the equivalent of \$2,500 in fencing costs to extend the new fence to the south of the acquisition area.
3. Council agree to pay all associated fencing costs associated to the realignment.
4. Council agree to pay all reasonable legal fees, survey fees and plan lodgement fees associated to the purchase.
5. Council authorise the affixation of the Common Seal and appropriate signatures on any associated land transfer documents.

17/04/14 Carried

**ITEM - 16 MODIFICATION TO DEVELOPMENT APPLICATION 2016/141/1
- REQUEST TO DELETE CONDITION 12 - PROPOSED FARM STAY
ACCOMMODATION AT 92 HEIFER STATION LANE, BORENORE
BEING LOT 4 DP 1025766**

MOTION (Nash/Davison)

THAT Modification of a Development Consent (DA 2016/141) seeking deletion of condition 12 of the consent for a proposed farm stay accommodation development at 92 Heifer Station Lane, Borenore being land described as Lot 4 in DP 1025766, be refused and that the Section 94 Roads Development Contribution Plan 2007 condition of consent, as issued, apply to the development.

17/04/15

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 Walker and Wilcox – apologies) as follows:

For: Clrs Gosper, Dean, Nash, Treavors, Durkin and Davison

Against: Nil

It was noted the time being 2:25pm Mrs Low addressed Council and answered questions until 2:31pm.

**ITEM - 17 REQUEST TO MODIFY DEVELOPMENT CONSENT -
DEVELOPMENT APPLICATION 2015/133/1 - 104 KENT ROAD,
MULLION CREEK**

Proceedings in Brief

The Mayor invited Mrs Low to address the Council, the item having been previously deferred to allow same.

Clr Dean queried if the proponent objected to a delay in Council making a decision if the item was deferred to allow a site visit to which the proponent replied she did not.

MOTION (Dean/Treavors)

THAT this matter be deferred to allow a site meeting on the May Councillor Workshop day.

17/04/16

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 Walker and Wilcox – apologies) as follows:

For: Clrs Gosper, Dean, Nash, Treavors, Durkin and Davison

Against: Nil

ITEM - 18 QUESTIONS FOR NEXT MEETING

Proceedings in Brief

It was noted nil reports were requested for the next Council meeting.

MOTION (Dean/Davison)

THAT Council note nil reports were requested for the next Council meeting.

17/04/17

Carried

ITEM - 19 BUSINESS PAPER ITEMS FOR NOTING

Proceedings in Brief

It was noted the Mayor and Clr Davison called item 6 and Clr Dean called item 12.

MOTION (Dean/Nash)

THAT:

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

17/04/18

Carried

ITEMS FOR NOTATION

ITEM - 6 NORTH SYDNEY COUNCIL - CONCERNS WITH LGNSW

Proceedings in Brief

The Mayor noted when the merger of the two former associations (Shires Association and the Local Government Association) was proposed that there were concerns raised that problems may ensue representing both city and rural members.

Clr Davison was concerned where the move proposed by the North Sydney Council may progress.

The Acting General Manager was requested to draft a response letter for consideration at the upcoming May Councillor Workshop.

MOTION (Gosper/Davison)

THAT this matter be placed on the agenda for the May Councillor Workshop following which a letter will be sent to North Sydney Council.

17/04/19

Carried

ITEM - 12 30 MAIN STREET, CUDAL - FORMER HOTEL SITE

Proceedings in Brief

In response to a question from Clr Dean the Director of Environmental Services advised that human health issues are the Council's only area of responsibility. She added that fencing is not a Council bylaw and normal public liability applies with the owner bearing responsibility should a member of the public come to harm from the rubbish still on site.

The Mayor suggested that a letter expressing the Council's concern about the properties' appearance be sent to the owners of the Main Street Cudal property, The Fat Lamb in Eugowra and Sheps Corner Store in Canowindra.

MOTION (Dean/Nash)

THAT Council send a letter to the owners of the Main Street Cudal property, the property formerly known as The Fat Lamb Hotel in Eugowra and the property known as Sheps Corner Store in Canowindra conveying concerns of Council regarding the appearance of the properties.

17/04/20 Carried

ITEM - 20 MATTERS OF URGENCY

Proceedings in Brief

It was noted that there were nil matters of urgency raised.

MOTION (Durkin/Nash)

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

17/04/21 Carried

ITEM - 21 COMMITTEE OF THE WHOLE SECTION OF THE MEETING

MOTION (Durkin/Nash)

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

17/04/22 Carried

ITEM - 13 MULLION CREEK HALL

Proceedings in Brief

The Mayor tabled a document from the Mullion Creek Progress Association and requested a copy be given to all councillors.

Clr Dean suggested a site visit and adding the item to the May Councillor Workshop agenda.

RECOMMENDATION (Dean/Gosper)

THAT Council hold a site visit and include this item on the May Councillor Workshop agenda.

1. Carried

It was noted the time being 2:59pm 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 (Davison/Durkin)

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 (Nash/Davison)

THAT the Committee endorse the accuracy of the Report of the Proceedings of Confidential Matters at the Closed Ordinary Council on 28 March 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

RECOMMENDATION (Davison/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.

4. Carried

ITEM - 4 MOLONG LIBRARY AND COMMUNITY FACILITIES

RECOMMENDATION (Durkin/Treavors)

THAT Council decline to accept any tender for the project.

5. Carried

* **ITEM - 5 LOT 126 DP 1105484, FERGUSON STREET, CANOWINDRA,
KNOWN AS ORANA HOUSE**

RECOMMENDATION (Dean/Nash)

THAT Council:

1. Proceed with the sale of Lot 126 DP 1105484, Ferguson Street, Canowindra, known as Orana House.
2. Set a sale price as recorded in the proceedings in brief.
3. Allocate proceeds from the sale to upgrading the Council's Gaskill St building.
4. Approve the affixing of Council's Seal to the transfer and sale documents.

6. Carried

It was noted Clr Durkin requested his vote against the motion be recorded.

* **ITEM - 6 TOWN ENTRANCES AND MAIN STREET REDESIGN**

RECOMMENDATION (Davison/Nash)

THAT this matter be added to the agenda for the May Councillor Workshop, prior to engaging any consultants.

7. Carried

ITEM - 7 NOXIOUS WEEDS - PRIVATE WORKS

RECOMMENDATION (Durkin/Nash)

THAT the information be noted.

8. Carried

ITEM - 8 SECTION 18A WEEDS NOTICES

RECOMMENDATION (Nash/Treavors)

THAT the information be noted.

9. Carried

ITEM - 9 SECTION 18 WEEDS NOTICES

RECOMMENDATION (Dean/Davison)

THAT the information be noted.

10. Carried

It was noted the time being 3:38pm the Chair resumed the ordinary meeting.

REPORT & RESOLUTIONS OF COMMITTEE OF THE WHOLE

MOTION (Davison/Nash)

THAT the Report and Recommendations of the Committee of the Whole Meeting held on Wednesday 26 April, 2017 be adopted.

17/04/23 Carried

There being no further business, the meeting closed at 3:38pm.

CHAIRMAN.

Chairman of the Ordinary Meeting of Cabonne Council held on the 23 May, 2017 at which meeting the listed minutes were confirmed and the signature hereon was subscribed.