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**PRESENT** Clrs K Beatty (in the Chair), J Jones, M Nash, P Mullins, C Newsom, A Durkin, L Oldham, P Batten, K Walker, J Weaver and I Davison.

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

### **ITEMS FOR DETERMINATION**

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

##### Proceedings in Brief

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

##### **MOTION** (Durkin/Oldham)

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

19/08/01 Carried

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

##### Proceedings in Brief

Clr Mullins declared an interest (identified as an actual conflict of interest, pecuniary) in Confidential Items 3 and 4, as he is an affected property owner.

Clr Batten declared an interest (identified as an actual conflict of interest, significant non-pecuniary) in Item 16 and 17 point 3, as he is the chairperson of the Molong Advancement Group.

Clr Oldham declared an interest (identified as a potential conflict of interest, non-significant, non-pecuniary) in Item 21 as she is a board member of the Ophir Reserve Trust.

##### **MOTION** (Jones/Nash)

THAT the declarations of interest be noted.

19/08/02 Carried

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

##### Proceedings in Brief

It was noted there were nil declarations for political donations.

**MOTION** (Oldham/Davison)

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

19/08/03 Carried

It was noted the time being 2.06pm the Hon Andrew Gee MP, Federal Member for Calare addressed Council.

#### **ITEM - 4 MAYORAL MINUTE - APPOINTMENTS**

##### Proceedings in Brief

##### Clr Beatty

23/07/19 – Attended the office for the business paper review with the Acting General Manager and Directors. Attended the Ordinary Council Meeting.

24/07/19 – Attended an interview with the Neil Gill radio program. Attended Orange360 Board Meeting.

25/07/19 – Attended the meeting with Minister Keen at Mt Canobolas regarding the mountain bike trail with the General Manager.

29/07/19 – Attended Orange City Council for a meeting with Orange, Blayney and Cabonne land users strategies.

30/07/19 – Attended the Local Government Week bus tour of the shire with the Councillors and staff.

31/07/19 – Attended the office for a Meeting with the General Manager.

01/08/19 – Attended the Governance Risk Management and Business Improvement Committee at Blayney Community Centre with the General Manager, Risk Management Coordinator and Director of Finance and Corporate Services. Travelled to Sydney for the Country Mayors Association.

02/08/19 – Attended Parliament House, Sydney for the Country Mayors Association Meeting.

07/08/19 – Attended the office for a meeting with the General Manager. Attended an interview with the Neil Gill radio program. Attended Eugowra with the General Manager for a meeting with the Eugowra Self Care Unit Committee.

13/08/19 – Attended the Council Workshop.

15/08/19 – Attended a training course on Finance Issues in Local Government at Blayney.

19/08/19 – Attended the office for a meeting with Kevin Costa regarding Disc Golf in Molong. Meeting with the General Manager.

20/08/19 – Travelled to Toowoomba with the General Manager and Clr Davison for the Inland Rail Conference.

21/08/19 – Attended the Inland Rail Conference. Attended an interview with the Neil Gill radio program.

22/08/19 – Attended the Inland Rail Conference and tabled a report to Council.

Clr Weaver

24/07/19 – Attended the Canowindra Sports Trust meeting. A report to council has been requested for the concerns that the Sports Trust are experiencing.

30/07/19 – Attended the Local Government Week bus tour. Jill Sands pointed out concerns in Cargo. Lunch was held at the Age of Fishes Museum in the company of the students in leadership groups from Canowindra Schools. An informative visit to the fossil shed with the graphic 3D designers working on the slabs containing fossils. This is very exciting for Canowindra after the fossils' 25 years of storage at the Canowindra Show Ground. The tour moved to Eugowra to look at the wonderful murals and Memorial Park work that has been carried out by Cabonne Council, then moved onto where a very entertaining time was spent with the students from St Joseph's School and Eugowra Public School.

31/07/19 – Attended the CCTAC Meeting at Molong, welcoming the new committee, with Alf Cantrell elected to the chair, the next twelve months will hopefully be proactive for this committee, with many exciting projects on the books.

01/08/19 – Presented the prizes to the winners of Christmas in July at Canowindra. 1<sup>st</sup> Prize going to the Bower Bird, Runner Up to Canowindra Newsagency and People's Choice taken out by the Plaque.

12/08/19 – Attended the Age of Fishes board meeting. Over the past couple of weeks the museum has experienced some exciting times with the moving of the fossils and the work the Australian Museum has undertaken to record and catalogue the slabs.

13/08/19 – Attended the Council Workshop.

15/08/19 – Attended a training course on Finance Issues in Local Government at Blayney. The course was very informative and gave insight into understanding how Council's finance works and what as a councillor we should be looking at.

20/08/19 – Attended the Eugowra Community meeting hosted by Orange360 to discuss the masterplan for the town by the community. It was a positive outcome, with two young members of the community taking ownership of the process. Caddie Marshall has had a very positive affect on this project.

Clr Newsom

Attended the Canowindra Chamber and Progress Association Meeting.

Clr Jones

23/07/19 – Attended the July Council Meeting.

30/07/19 – Attended the Local Government Week bus tour to Cargo, Canowindra, Eugowra and Westlime.

25/07/19 – Attended the Cudal Central Inc. meeting hosted by Orange360.

13/08/19 – Attended the Council Workshop and Eugowra Promotion and Progress Association Meeting.

15/08/19 – Attended the Finance Issues in Local Government training course in Blayney.

20/08/19 – Attended the Eugowra Community meeting hosted by Orange 360 to discuss their masterplan.

**MOTION** (Beatty/-)

THAT the information contained in the Mayoral Minute be noted.

19/08/04 Carried

**ITEM - 5 COMMITTEE OF THE WHOLE**

**MOTION** (Oldham/Newsom)

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

19/08/05 Carried

**ITEM - 6 GROUPING OF REPORT ADOPTION**

Proceedings in Brief

It was noted the Mayor called item 8 to be further considered.

**MOTION** (Durkin/Jones)

THAT:

1. Item 8 be further consider; and
2. Items 7, 9, 10, 11 and 12 be moved and seconded.

19/08/06 Carried

**ITEM - 7 CONFIRMATION OF THE MINUTES**

**MOTION** (Durkin/Jones)

THAT the minutes of the Ordinary meeting held 23 July 2019 be adopted.

19/08/07 Carried

**ITEM - 8 COUNCIL UNION PICNIC DAY**

Proceedings in Brief

The General Manager noted the wording in the award provisions for Union Picnic Days have changed, and stated staff who are Union members are entitled to an additional days leave while non-union members can apply for a Rostered Day Off or Annual Leave to attend Picnic Day.

Clr Weaver queried if for those who aren't union members and don't put in for leave then go to work.

The General Manager advised that is correct and it would depend on the number of staff especially in customer service as to whether council would open the doors. At this stage front of house will be closed.

**MOTION** (Durkin/Weaver)

THAT Council:

1. Approve the annual Union Picnic Day to be held on Friday 11 October 2019.
2. Authorise the attendance of all councillors at the Union Picnic Day.
3. Note the cost of \$52 for attending the Union Picnic Day to be paid to the Union Picnic Committee from the Councillor Expense Account.

19/08/08 Carried

**ITEM - 9 POLICY REVIEW - CODE OF CONDUCT & GIFT AND BENEFIT  
POLICY**

**MOTION** (Durkin/Jones)

THAT Council supercede the Gift and Benefit Policy that has now been included in the previously adopted Code of Conduct Policy.

19/08/09 Carried

**ITEM - 10 GOVERNMENT INFORMATION PUBLIC ACCESS ACT 2009  
(GIPA) AGENCY INFORMATION GUIDE - ANNUAL REVIEW**

**MOTION** (Durkin/Jones)

THAT Council adopt the annexed draft 2019/20 Agency Information Guide.

19/08/10 Carried

**ITEM - 11 AUDIT, RISK AND IMPROVEMENT COMMITTEE**

**MOTION** (Durkin/Jones)

THAT Council:

1. Note that the Governance, Risk Management and Business Improvement Committee will now be known as the Audit, Risk and Improvement Committee, and
2. Adopt the minutes of the meeting held on 1 August 2019.

19/08/11 Carried

**ITEM - 12 DRAFT CORPORATE CREDIT CARD POLICY**

**MOTION** (Durkin/Jones)

THAT Council adopt the draft Corporate Credit Card Policy annexed to this report.

19/08/12 Carried

**ITEM - 13 ANNUAL FINANCIAL STATEMENTS**

**MOTION** (Davison/Batten)

THAT:

1. The Mayor, Deputy Mayor, General Manager and Director of Finance & Corporate Services sign the Statement by councillors and management pursuant to section 413(2) of the Local Government Act for both the General Purpose and Special Purpose Financial Statements.
2. Council refer the General-Purpose Financial Statements and Special Purpose Financial Statements to the Audit Office NSW for audit.

19/08/13 Carried

**ITEM - 14 WRITE OFF RATES OUTSTANDING FOR PARCELS OF LAND  
TRANSFERRED TO CABONNE COUNCIL**

**MOTION** (Oldham/Newsom)

THAT Council write off rates and interest outstanding on Assessment 89128 and Assessment 89226 being \$21,535.74 that have been transferred into Cabonne Council's ownership.

19/08/14 Carried

**ITEM - 15 MEMBERSHIP OF ORANGE 360 REGIONAL TOURISM  
ORGANISATION**

**MOTION** (Mullins/Jones)



THAT Council renew its membership of Orange 360 for the 2019-20 financial year.

19/08/15 Carried

It was noted the time being 2.39pm Clr Batten declared an interest (identified as an actual conflict of interest, significant non-pecuniary) in the following item, as he is the chairperson of the Molong Advancement Group, and left the chamber.

**ITEM - 16 STRONGER COUNTRY COMMUNITIES FUND - ROUND THREE**

**MOTION** (Nash/Oldham)

THAT Council:

Submit the following applications for funding under round three of the Stronger Country Communities Fund

- a. Lighting upgrade at Dr Andrew Ross Memorial Recreation Ground 'The Rec', Molong
- b. Lighting upgrade at Tom Clyburn Oval, Canowindra

19/08/16 Carried

It was noted the time being 2.39pm Clr Batten returned to the Chamber.

It was noted Clr Batten declared an interest (identified as an actual conflict of interest, significant non-pecuniary) in point 3, as he is the chairperson of Molong Advancement group and left the Chamber.

**ITEM - 17 EVENTS ASSISTANCE PROGRAM**

**MOTION** (Oldham/Durkin)

THAT Council approve:

1. Funding of \$500 under the 2019-2020 Events Assistance Program to Central West Disc Golf for NSW Disc Golf Championship event,
2. Funding of \$5,000 under the 2019-20 Events Assistance Program to Orange Regional Vignerons Assoc. for 2019 Orange Wine Festival, and
3. Funding of \$2,000 to the Molong Advancement Group for the 'PINK Up' Molong

19/08/17 Carried

It was noted the time being 2.42pm Clr Batten returned to the Chamber.

**ITEM - 18 RE-ESTABLISHMENT OF ALCOHOL FREE ZONES**

**MOTION** (Oldham/Weaver)

THAT Council:

1. In accordance with s644B of the Local Government Act 1993, and the Ministerial Guidelines, re-establish alcohol free zones and alcohol prohibited zones as outlined in the report, for a maximum period of four (4) years effective from 9 September 2019, and
2. Amend the 'Alcohol Control in Public Places Policy' to include in clause 11 when referencing Alcohol Free Zones, the statement that 'Implementation of these zones would not prevent the consumption of alcohol in any footpath dining areas that have a liquor licence covering the footpath dining areas'.

19/08/18 Carried

**ITEM - 19 ENFORCEMENT POLICY**

**MOTION** (Davison/Durkin)

THAT Council adopt the draft Enforcement and Compliance Policy and the guidelines as established by Ombudsman's Model Compliance and Enforcement Policy (2015).

19/08/19 Carried

**ITEM - 20 REQUEST FOR DONATION EQUIVALENT TO DEVELOPMENT  
APPLICATION FEES PAID BY EUGOWRA PROMOTION AND  
PROGRESS ASSOCIATION**

**MOTION** (Durkin/Jones)

THAT Council donate from its s356 budget to the Eugowra Promotion and Progress Association:

1. \$831.66, being the development application, construction certificate, inspection and occupation certificate fees (excluding GST) paid to council in relation to DA 2019/0111 for alterations and additions to the Eugowra museum located upon council owned land known as Lot 283 DP 1192242, 15 Pye Street, Eugowra,
2. \$658.18, being the development application, construction certificate, inspection and occupation certificate fees (less GST) paid to council in relation to DA 2019/140 for construction of a billboard and mural upon privately owned land known as Lot 2 DP 10272, Broad Street, Eugowra, and
3. \$658.18, being the development application, construction certificate, inspection and occupation certificate fees (less GST) paid to council

in relation to DA 2019/161 for construction of two billboards and mural upon council maintained land known as Apex Park, being Lot 1 DP 314764, Grevillea Street, Eugowra

19/08/20 Carried

It was noted the time being 2.46pm Clr Oldham declared an interest (identified as a potential conflict of interest, non-significant, non-pecuniary) in the following item, as she is a board member of the Ophir Reserve Trust and left the Chamber.

**ITEM - 21 REQUEST FOR DONATION - FEES PAID ASSOCIATED WITH  
DEVELOPMENT APPLICATION 2017/094**

**MOTION** (Weaver/Davison)

THAT Council donate from its s356 budget to the Ophir Reserve Trust \$756.24, being the development application, construction certificate, inspection and occupation certificate fees (excluding GST) paid to council in relation to DA 2017/094 for installation of bbqs, footpath and interpretation panels incorporated into existing picnic shelter structure located at the Ophir Reserve being Lot 7002 DP 1020644, Ophir Road, Ophir.

19/08/21 Carried

It was noted the time being 2.47pm Clr Oldham returned to the chamber.

**ITEM - 22 QUESTIONS FOR NEXT MEETING**

Proceedings in Brief

Clr Davison queried Alternate Energy and if Council should have a representative on that board or committee. He then suggested Clr Batten chair the matter.

The General Manager advised there hasn't been a committee established at this stage but a working group will be formed and Clr Batten can be brought into the discussion.

Clr Batten noted he would be happy to be involved.

Clr Jones suggested Council hold a workshop to consider the Roads to Recovery program and the Building Better Regions program.

**MOTION** (Davison/Jones)

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

19/08/22 Carried

**ITEM - 23 BUSINESS PAPER ITEMS FOR NOTING**

Proceedings in Brief

It was noted Clr Davison called items 5, 6, 7, 8 and 12 to be further considered.

**MOTION** (Davison/Durkin)

THAT:

1. Items 5, 6, 7, 8 and 12 be further consider.
2. The balance of the items be noted.

19/08/23 Carried

**ITEMS FOR NOTATION**

**ITEM - 5 FORTESQUE METALS GROUP**

Proceedings in Brief

Clr Davison queried if there is a date when Fortesque Metals Group will address council.

The General Manager advised there hasn't been a date set as this report was seeking Council's approval for the organisation to address Council.

**MOTION** (Davison/Durkin)

THAT the information be noted.

19/08/24 Carried

**ITEM - 6 PROPOSED MOUNTAIN BIKE DEVELOPMENT FOR MOUNT  
CANOBOLAS**

Proceedings in Brief

Clr Davison noted he is unsure from the report which agency/authority actually controls the mountain.

**MOTION** (Davison/Durkin)

THAT the information be noted.

19/08/25 Carried

**ITEM - 7 COUNTRY MAYORS ASSOCIATION**

Proceedings in Brief

Clr Davison noted that Cabonne Council were one of the councils leading the right to farm policy. This shows we are a small council actively recognising this issue.

**MOTION** (Davison/Durkin)

THAT the information be noted.

19/08/26 Carried

**ITEM - 8 LOCAL GOVERNMENT AND INFRASTRUCTURE DELIVERY  
PROJECT**

**MOTION** (Davison/Durkin)

THAT the information be noted.

19/08/27 Carried

**ITEM - 12 CABONNE ACQUISITIVE ART PRIZE**

Proceedings in Brief

Clr Davison requested clarification that the costs for the opening and the prizes were accurately reported. The General Manager confirmed that this was right.

**MOTION** (Davison/Durkin)

THAT the information be noted.

19/08/28 Carried

**ITEM - 24 MATTERS OF URGENCY**

Proceedings in Brief

Clr Weaver noted she attended the CCTAC meeting and it was brought to her attention that there is a tree in danger of falling at Yuranigh's Grave. She suggested Council look at this and remove the danger.

The Mayor advised the Director of Engineering and Technical Services will attend to this matter, and convey the concerns to National Parks and Wildlife Services in whose control the site is.

**MOTION** (Weaver/Durkin)

THAT it be noted there were nil matters of urgency.

19/08/29 Carried

**ITEM - 25 COMMITTEE OF THE WHOLE SECTION OF THE MEETING**

**MOTION** (Durkin/Oldham)

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

19/08/30 Carried

**ITEM - 26 MAYORAL MINUTE - INLAND RAIL CONFERENCE**

Proceedings in Brief

The Mayor tabled the Inland Rail Conference report in Item 4 Mayoral Minute – Appointments.

**RECOMMENDATION** (Beatty/-)

THAT the information be noted.

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 COMMITTEE RESOLUTION INTO CLOSED COMMITTEE OF THE WHOLE MEETING**

**RECOMMENDATION** (Davison/Oldham)

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** (Durkin/Jones)

THAT the Committee endorse the accuracy of the Report of the Proceedings of Confidential Matters at the Ordinary Council meeting held on 23 July 2019 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.

3. Carried

It was noted the time being 2.59pm Clr Mullins declared an interest (identified as an actual conflict of interest, pecuniary) in the following two items, as he is an affected property owner.

\* **ITEM - 3 REQUEST FOR CONSIDERATION OF WATER CHARGES FOR  
3967100003**

**RECOMMENDATION** (Batten/Oldham)

THAT Council

1. Write off 50% of water consumption costs being \$2,853.22 for account 3967100003 for two billing periods due to a water leak after all other consumption and access costs have been paid by the owner.
2. Write off interest charges accrued during this investigation.

4. Carried

\* **ITEM - 4 REQUEST FOR CONSIDERATION OF INTEREST CHARGES  
FOR RATES A9109 AND WATER/SEWER 682000005**

**RECOMMENDATION** (Oldham/Jones)

THAT Council write off interest charges of \$1,362.51 for rate assessment number A9109 and \$2,149.68 for water/sewer account number 682000005.

5. Carried

It was noted the time being 3.09pm Clr Mullins returned to the Chamber.

**ITEM - 5 EVALUATION OF TILT/TIP TRUCKS**

**RECOMMENDATION** (Durkin/Nash)

THAT Council purchase from West Orange Motors, a Hino GH 1832 Long truck, fitted with a Tilt/Tip tray from Almighty Industries for a total purchase price of \$188,381 excl GST.

6. Carried

It was noted the time being 3.11pm the Mayor resumed the Ordinary Meeting.

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

**MOTION** (Weaver/Newsom)

THAT the Report and Recommendations of the Committee of the Whole Meeting held on Tuesday 27 August, 2019 be adopted.

19/08/31 Carried

There being no further business, the meeting closed at 3.11pm.

CHAIRMAN.

Chairman of the Ordinary Meeting of Cabonne Council held on the 24 September, 2019 at which meeting the listed minutes were confirmed and the signature hereon was subscribed.