

TABLE OF CONTENTS

ITEMS FOR DETERMINATION.....	1
ITEM - 1 APPLICATIONS FOR LEAVE OF ABSENCE	1
ITEM - 2 DECLARATIONS OF INTEREST	1
ITEM - 3 DECLARATIONS FOR POLITICAL DONATIONS.....	1
ITEM - 4 MAYORAL MINUTE - APPOINTMENTS.....	2
ITEM - 5 COMMITTEE OF THE WHOLE	3
ITEM - 6 GROUPING OF REPORT ADOPTION.....	3
ITEM - 7 CONFIRMATION OF THE MINUTES	3
ITEM - 8 HANOVER BRIDGE - LAND ACQUISITION.....	4
ITEM - 9 INTEGRATED PLANNING & REPORTING - OPERATIONAL PLAN 3RD QUARTER REVIEW	4
ITEM - 10 LEWIS PONDS AND LIDSTER FIRE STATIONS.....	4
ITEM - 11 POLICY REGISTER - UPDATES TO CODE OF CONDUCT AND PROCEDURE FOR ADMINISTRATION OF	5
ITEM - 12 REQUEST FOR DONATION	5
ITEM - 13 ARCBLUE PROJECT.....	5
ITEM - 14 REQUESTED REALLOCATION OF FUNDS	5
ITEM - 15 ORANGE CITY COUNCIL - SPRING HILL AIRPORT PLANNING PROPOSAL - REQUEST FOR SUPPORT OF DRAFT ADDENDUM TO 'COUNCILS OF BLAYNEY, CABONNE AND ORANGE CITY SUB REGIONAL RURAL AND INDUSTRIAL LAND USE STRATEGY 2008'	5
ITEM - 16 DA 2016/0079 SUBDIVISION OF LAND DESCRIBED AS LOT 991 DP 842915, LOT 56 DP 865692, LOT 51 DP 11011892, LOT 1 DP 1147495 AND LOT 2 DP 1209802, STAGECOACH ROAD, ORANGE	6
ITEM - 17 DA 2016/0024 ANIMAL BOARDING & TRAINING ESTABLISHMENT (GREYHOUNDS) ON LOT 2 DP 773981, 1321 PEABODY ROAD, MOLONG.....	7
ITEM - 18 REQUEST FOR REIMBURSEMENT OF DEVELOPMENT APPLICATION FEES - 2012/0160/4 - MURALS UPON LAND KNOWN AS LOTS 7 & 8 DP10272 BROAD STREET, EUGOWRA.....	7
ITEM - 19 WITHDRAWAL OF CAVEAT ON LAND DESCRIBED AS LOT 4 DP 703326, 326 SCENIC DRIVE, CUDAL	8
ITEM - 20 WITHDRAWAL OF CAVEAT ON LAND DESCRIBED AS LOT 5 DP 623569 BEING LAND KNOWN AS 4205 THE ESCORT WAY, CUDAL	8

ITEM - 21 QUESTIONS FOR NEXT MEETING.....	8
ITEM - 22 BUSINESS PAPER ITEMS FOR NOTING	9
ITEM - 23 MATTERS OF URGENCY	9
ITEM - 24 COMMITTEE OF THE WHOLE SECTION OF THE MEETING	9
CONFIDENTIAL ITEMS	9
ITEM - 1 CARRYING OF COUNCIL RESOLUTION INTO CLOSED COMMITTEE OF THE WHOLE MEETING.....	9
ITEM - 2 ENDORSEMENT OF PROCEEDINGS OF CONFIDENTIAL MATTERS CONSIDERED AT COMMITTEE OF THE WHOLE MEETING	10
ITEM - 3 DEBT RECOVERY REPORT OF OUTSTANDING RATES DEBTS.....	10
ITEM - 4 WATER ACCOUNT 4276000009 REQUEST FOR CONSIDERATION OF COSTS.....	10
ITEM - 5 WATER ACCOUNT 4667200002 REQUEST FOR CONSIDERATION OF COSTS.....	11
ITEM - 6 PLANT REPLACEMENT THREE TIPPING TRUCK AND DOG COMBINATIONS.....	11
REPORT & RESOLUTIONS OF COMMITTEE OF THE WHOLE.....	11

PRESENT Clr I Gosper (in the Chair), Clrs G Dean, M Nash, 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 the Personal Assistant to the Director of Engineering & Technical Services.

ITEMS FOR DETERMINATION

ITEM - 1 APPLICATIONS FOR LEAVE OF ABSENCE

Proceedings in Brief

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

MOTION (Davison/Treavors)

THAT the apologies tendered by Clrs Durkin and Hayes be accepted and the necessary leave of absence be granted.

16/04/15 Carried

ITEM - 2 DECLARATIONS OF INTEREST

Proceedings in Brief

Clr Culverson declared an interest in Closed item 3 (identified as a perceived significant non-pecuniary interest) due to a mentioned person being an employee of her business.

MOTION (Davison/Nash)

THAT the declarations of interest be noted.

16/04/16 Carried

ITEM - 3 DECLARATIONS FOR POLITICAL DONATIONS

Proceedings in Brief

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

MOTION (Wilcox/Davison)

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

16/04/17 Carried

It was noted the time being 2:04pm the retiring Federal Member for Calare, John Cobb addressed the Council until 2:24pm.

It was noted the time being 2:25pm the Youth of the Month Award for April was awarded to Rianna Reeves.

ITEM - 4 MAYORAL MINUTE - APPOINTMENTS

Proceedings in Brief

- 22 March 2016
 - Attended Directors meeting
 - Attended Cabonne Council meeting
- 23 March 2016
 - Attended the Mayoral Morning Tea at the NSW Sheep Dog Workers Championship at Molong
- 31 March 2016
 - Attended dinner meeting with Blayney Council Mayor and Deputy Mayor along with Cabonne Council Deputy Mayor at their invite
- 1 April 2016
 - Attended Council office for meetings
 - Attended cheque presentation at Canowindra for our donation to the Ultrasound Machine funding committee along with Cllr Walker.
- 4 April 2016
 - Attended on site meeting and media release for road upgrades between Orange and Molong on Mitchell Highway along with the General Manager, Local Member Andrew Gee and State Roads Minister Duncan Gay
- 5 April 2016
 - Attended Yeoval Progress Association meeting
- 7 April 2016
 - Attended the Canobolas Zone Local Area Command Police Liaison meeting in Orange
- 11 April 2016
 - Attended the 100 Mile Dinner at Molong as part of Food Week activities
- 12 April 2016
 - Attended site inspection for Council Development Application
- 15 April 2016
 - Attended Council office for meetings
 - Along with General Manager attended Cumnock Showground for meetings with Cumnock Progress Association
- 19 April 2016
 - Attended Yeoval Show
- 22 April 2016
 - Attended Council office for meetings
- 25 April 2016
 - Attended Yeoval Dawn Anzac Day march and service
 - Attended Obley Anzac Day service
 - Attended along with Cabonne Youth Ambassador Sarah Cohen the Molong Anzac day service

The Mayor noted Cllr Hayes was not able to attend the next General Manager's Performance Review Panel meeting and had resigned from the

Panel. Cllr Davison advised he was also not able to attend the next meeting but was not resigning. The Mayor suggested a replacement was required for Cllr Hayes and invited nominations.

MOTION (Wilcox/Nash)

THAT Cllr Walker replace Cllr Hayes on the General Manager's Performance Review Panel.

16/04/18 Carried

MOTION (Gosper/-)

THAT the information contained in the Mayoral Minute be noted.

16/04/19 Carried

ITEM - 5 COMMITTEE OF THE WHOLE

Proceedings in Brief

It was noted that no items were called for Committee of the Whole.

MOTION (Walker/MacSmith)

THAT it be noted that no items were called for Committee of the Whole.

16/04/20 Carried

ITEM - 6 GROUPING OF REPORT ADOPTION

Proceedings in Brief

Cllr Nash called item 7.

MOTION (Culverson/Wilcox)

THAT:

1. Councillors further consider the item called.
2. Item 8 be moved and seconded.

16/04/21 Carried

ITEM - 7 CONFIRMATION OF THE MINUTES

Proceedings in Brief

Cllr Nash noted that in the workshop notes attached to item 7 of Notation of the meeting of 26th April she was not mentioned as one of the councillors agreeable to moving a motion to join the legal action instigated by Walcha Shire Council. Cllr Nash wanted it recorded that she did support the ensuing resolution.

MOTION (Dean/Culverson)

THAT the minutes of the Ordinary meeting held 22 March 2016 and the Extraordinary meeting held 12 April 2016 be adopted noting the above

amendment to the workshop notes for Notation item 7 of the meeting of 26th April referred to in the Proceedings in Brief.

16/04/22 Carried

ITEM - 8 HANOVER BRIDGE - LAND ACQUISITION

MOTION (Culverson/Wilcox)

THAT Council authorise:

1. The purchase of 5,500sqm of land from Lot 7300 DP 1144896 by way of compulsory acquisition in accordance with the Land Acquisition (Just Terms Compensation) Act 1991;
2. An application to be made to the Minister and the Governor for approval to acquire part Lot 7300 DP 1144896 by compulsory acquisition process;
3. The affixation of the Common Seal to the Crown licence documents;
4. The affixation of the Common Seal and appropriate signatures on the associated land transfer documents.

16/04/23 Carried

**ITEM - 9 INTEGRATED PLANNING & REPORTING - OPERATIONAL
PLAN 3RD QUARTER REVIEW**

Proceedings in Brief

It was noted the Council considered that no alterations were deemed necessary.

MOTION (Davison/Walker)

THAT the update of the Operational Plan to 31 March 2016, as presented be adopted.

16/04/24 Carried

ITEM - 10 LEWIS PONDS AND LIDSTER FIRE STATIONS

MOTION (Wilcox/Nash)

THAT Council:

1. Vote \$40,000 for extensions to the Lewis Ponds Fire Station and \$1,100 for the DA fees for the new Lidster Fire Station to be reimbursed by the Rural Fire Service; and
2. Resolve that the expenditure is required and warranted to enable allocated works to proceed.

16/04/25 Carried

**ITEM - 11 POLICY REGISTER - UPDATES TO CODE OF CONDUCT AND
PROCEDURE FOR ADMINISTRATION OF**

MOTION (Wilcox/Nash)

THAT Council adopt the:

1. Draft Code of Conduct by way of policy.
2. Draft Procedure for the Administration of the Code of Conduct by way of policy.

16/04/26 Carried

ITEM - 12 REQUEST FOR DONATION

MOTION (Nash/Wilcox)

THAT Council donate \$300 to the Canowindra Preschool fundraiser.

16/04/27 Carried

ITEM - 13 ARCBLUE PROJECT

MOTION (Dean/Walker)

THAT Council:

1. Approve the re-vote of \$14,804 from the Plant Reserve that was previously allocated in the 2014/15 financial year; and
2. Resolve that the funds are required and warranted to enable finalisation of a contract entered into in the previous financial year.

16/04/28 Carried

ITEM - 14 REQUESTED REALLOCATION OF FUNDS

MOTION (Nash/Wilcox)

THAT Council approve reallocation of \$34,500 from pool grease arrestors to pool signage supply and installation.

16/04/29 Carried

It was noted the time being 2:43pm Mr Paul Knight on behalf of the Spring Hill Consultative Committee addressed the Council in relation to the following item until 2:48pm.

**ITEM - 15 ORANGE CITY COUNCIL - SPRING HILL AIRPORT PLANNING
PROPOSAL - REQUEST FOR SUPPORT OF DRAFT ADDENDUM
TO 'COUNCILS OF BLAYNEY, CABONNE AND ORANGE CITY
SUB REGIONAL RURAL AND INDUSTRIAL LAND USE STRATEGY**

2008'

Proceedings in Brief

It was noted Mr Knight advised that the Spring Hill Consultative Committee supports Cabonne Council's proposed motions.

MOTION (MacSmith/Wilcox)

THAT Council:

1. Advise Orange City Council and the Department of Planning and Environment that it does not support *the 'Orange City Council Rural and Industrial Sub-Regional Strategy Section 16 Review and update'* document; and
2. Would support a review of the *'Councils of Blayney, Cabonne and Orange City Sub-Regional Rural and Industrial Lands Use Strategy, July 2008'* in its entirety, with such review to be undertaken prior to the Department of Planning and Environment's Gateway determination of the Spring Hill Airport rezoning Planning Proposal, or any other sub regional planning proposal that is not in accordance with the current endorsed sub regional rural and industrial land use strategy.

The Chair called for a Division of Council which resulted in a vote for the motion (noting the absence of Clrs Durkin and Hayes – apologies) as follows:

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

Against: Nil

16/04/30

Carried

**ITEM - 16 DA 2016/0079 SUBDIVISION OF LAND DESCRIBED AS LOT
991 DP 842915, LOT 56 DP 865692, LOT 51 DP 11011892, LOT 1
DP 1147495 AND LOT 2 DP 1209802, STAGECOACH ROAD,
ORANGE**

MOTION (Davison/Walker)

THAT Council:

1. Support the variation to the 100 hectare development standard using council's assumed concurrence from NSW Department of Planning and Infrastructure Director-General to approve a rural allotment of 92.56ha containing an existing dwelling; and
2. Approve Development Application DA 2016/0079 for subdivision of land described as Lot 991 DP 842915, Lot 56 DP 865692, Lot 51 DP 11011892, Lot 1 DP 1147495 and Lot 2 DP 1209802, Stagecoach and Icely roads, Orange subject to attached conditions of consent.

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 Ctrs Durkin and Hayes – apologies) as follows:

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

Against: Nil

Carried

16/04/31

**ITEM - 17 DA 2016/0024 ANIMAL BOARDING & TRAINING
ESTABLISHMENT (GREYHOUNDS) ON LOT 2 DP 773981, 1321
PEABODY ROAD, MOLONG**

MOTION (Nash/Wilcox)

THAT Development Application 2016/0024 for an Animal Boarding & Training establishment (Greyhounds) on land described as Lot 2 DP 773981, 1321 Peabody Road, Molong, be granted consent subject to the conditions attached.

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 Ctrs Durkin and Hayes – apologies) as follows:

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

Against: Nil

Carried

16/04/32

**ITEM - 18 REQUEST FOR REIMBURSEMENT OF DEVELOPMENT
APPLICATION FEES - 2012/0160/4 - MURALS UPON LAND
KNOWN AS LOTS 7 & 8 DP10272 BROAD STREET, EUGOWRA**

Proceedings in Brief

The Mayor noted a reimbursement of the inspection fees was not included in the recommended donation and suggested that as the murals were for the public benefit they should be.

MOTION (Davison/Dean)

THAT Council donate:

1. \$71.00 from its s356 budget to Max Swift on behalf of the Eugowra Promotion & Progress Association Inc., being the amount equivalent to DA application fees paid in association with Development Application 2012/0160/4 for a mural on Lots 7 & 8 DP 10272 Broad Street, Eugowra and \$74.25 to the Eugowra Promotion & Progress

Association Inc. as reimbursement of Construction Certificate fees paid in association with DA 2012/0160/4 for a mural upon land know as Lots 7 & 8 DP 10272 Broad Street, Eugowra.

2. A further \$140, being the amount equivalent to fees for inspections.

16/04/33

Carried

**ITEM - 19 WITHDRAWAL OF CAVEAT ON LAND DESCRIBED AS LOT 4
DP 703326, 326 SCENIC DRIVE, CUDAL**

MOTION (Walker/Dean)

THAT Council execute the withdrawal of caveat registered on Lot 4 DP 703326, 326 Scenic Drive, Cudal and apply the Council Seal to the required documents.

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 Durkin and Hayes – apologies) as follows:

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

Against: Nil

16/04/34

Carried

**ITEM - 20 WITHDRAWAL OF CAVEAT ON LAND DESCRIBED AS LOT 5
DP 623569 BEING LAND KNOWN AS 4205 THE ESCORT WAY,
CUDAL**

MOTION (Nash/Wilcox)

THAT Council resolve to withdraw the caveat registered upon Lot 5 DP 623569 being land known as 4205 The Escort Way, Cudal and apply the Council Seal to the associated documents.

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 Durkin and Hayes – apologies) as follows:

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

Against: Nil

16/04/35

Carried

ITEM - 21 QUESTIONS FOR NEXT MEETING

Proceedings in Brief

It was noted that nil reports were required for the next council meeting.

MOTION (Wilcox/Nash)

THAT Council note nil reports were required for the next council meeting.

16/04/36 Carried

ITEM - 22 BUSINESS PAPER ITEMS FOR NOTING

Proceedings in Brief

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

MOTION (Dean/Nash)

THAT it be noted that nil items were called for further consideration.

16/04/37 Carried

ITEM - 23 MATTERS OF URGENCY

Proceedings in Brief

It was noted that nil matters of urgency were raised.

MOTION (Nash/MacSmith)

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

16/04/38 Carried

ITEM - 24 COMMITTEE OF THE WHOLE SECTION OF THE MEETING

Proceedings in Brief

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

MOTION (Wilcox/Walker)

THAT Council hereby resolve itself into Committee of the Whole.

16/04/39 Carried

CONFIDENTIAL ITEMS

It was noted the time being 3:22pm Cllr MacSmith left the Chambers and was absent during voting on item 1.

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

RECOMMENDATION (Wilcox/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

It was noted the time being 3:23pm Clr MacSmith rejoined the meeting.

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

RECOMMENDATION (Dean/Davison)

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 22 March 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

It was noted, the time being 3:24pm Clr Culverson declared an interest (identified as a perceived significant non-pecuniary interest) in the following item due to a mentioned person being an employee of her business and left the Chambers.

**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

It was noted, the time being 3.25pm Clr Culverson rejoined the meeting.

*

**ITEM - 4 WATER ACCOUNT 4276000009 REQUEST FOR
CONSIDERATION OF COSTS**

RECOMMENDATION (Gosper/Dean)

That Council reduce charges to the first level of charges for all the consumption charges.

4. Carried

Clr Culverson requested that her vote against the motion be recorded.

* **ITEM - 5 WATER ACCOUNT 4667200002 REQUEST FOR
CONSIDERATION OF COSTS**

RECOMMENDATION (Gosper/Davison)

That Council reduce charges to the first level of charges for all the consumption charges on the two previous bills.

5. Carried

Clr Culverson requested that her vote against the motion be recorded.

**ITEM - 6 PLANT REPLACEMENT THREE TIPPING TRUCK AND DOG
COMBINATIONS**

RECOMMENDATION (Dean/Walker)

THAT Council accept the tender of Volvo Commercial Vehicles Mack (VCV Mack, Sydney) to supply and deliver three Mack Trident tipping trucks fitted with M and S body and dog combinations at \$338,000 each, ex GST for a total price of \$1,014,000 ex GST.

6. Carried

It was noted the time being 3:29pm the Chair resumed the ordinary meeting.

REPORT & RESOLUTIONS OF COMMITTEE OF THE WHOLE

MOTION (Wilcox/Davison)

THAT the Report and Recommendations of the Committee of the Whole Meeting held on Tuesday 26 April, 2016 be adopted.

16/04/40 Carried

There being no further business, the meeting closed at 3:29pm.

CHAIRMAN.

Chairman of the Ordinary Meeting of Cabonne Council held on the 24 May, 2016 at which meeting the listed minutes were confirmed and the signature hereon was subscribed.