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**PRESENT**      Cllr I Gosper (in the Chair), Cllrs G Dean, M Nash, L MacSmith, M Hayes, S Wilcox, A Durkin, K Walker, I Davison and J Culverson.

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

## **ITEMS FOR DETERMINATION**

### **ITEM - 1   ACKNOWLEDGEMENT OF COUNTRY**

#### Proceedings in Brief

The Mayor recited an Acknowledgement of Country in accord with Council's Code of Meeting Practice policy.

#### **MOTION** (Wilcox/Durkin)

THAT the Mayor recites an Acknowledgement of Country in accord with Council's Code of Meeting Practice policy.

16/09/01      Carried

### **ITEM - 2   APPLICATIONS FOR LEAVE OF ABSENCE**

#### Proceedings in Brief

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

#### **MOTION** (Durkin/Davison)

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

16/09/02      Carried

### **ITEM - 3   DECLARATIONS OF INTEREST**

#### Proceedings in Brief

Cllr Culverson declared an interest (identified as an actual pecuniary interest) in item 3 in closed due to her private business being mentioned in the report.

Cllr Durkin declared an interest (identified as a perceived significant non-pecuniary interest) in item 30 due to having children enrolled as students at the school of the applicant.

Clr Durkin also declared an interest (identified as a perceived significant non-pecuniary interest) in item 6 in closed due to being personal friends with two of the applicants.

Clr Nash declared an interest (identified as a pecuniary interest) in item 7 in closed due to her son being an employee of the business in mention.

**MOTION** (Wilcox/Hayes)

THAT the Declarations of Interest be noted.

16/09/03 Carried

**ITEM - 4 DECLARATIONS FOR POLITICAL DONATIONS**

Proceedings in Brief

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

**MOTION** (Davison/Dean)

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

16/09/04 Carried

**ITEM - 5 MAYORAL ELECTIONS PROCEDURE 2016**

Proceedings in Brief

It was noted the time being 2:04pm the Mayor declared the position of Mayor vacant and handed over to the Acting General Manager as Returning Officer.

**MOTION** (Culverson/Dean)

THAT Council:

1. Re-affirm its previous practice of conducting voting for the positions of Mayor and Deputy Mayor by preferential ballot where three or more nominations are received, otherwise by ordinary ballot.
2. Make the details of the voting for the positions of Mayor and Deputy Mayor public.

16/09/05 Carried

**ITEM - 6 ELECTION OF MAYOR FOR 2016/2017**

Proceedings in Brief

The Acting General Manager advised that there had been one nomination for the position of Mayor, that being from Clr Gosper who accepted the nomination. The Acting General Manager, as Returning Officer, declared Clr Gosper duly elected as Mayor for the ensuing term.

**MOTION** (Walker/Culverson)

THAT the Acting General Manager proceed with the requirements for the election of the Mayor for Cabonne Council as detailed in the item relating to the determination of requirements for the election process.

16/09/06 Carried

**ITEM - 7 ELECTION OF DEPUTY MAYOR 2016/2017**

Proceedings in Brief

The Acting General Manager advised that there had been one nomination for the position of Deputy Mayor, that being from Cllr MacSmith who accepted the nomination. The Acting General Manager, as Returning Officer, declared Cllr MacSmith duly elected as Deputy Mayor for the ensuing term.

**MOTION** (Wilcox/Davison)

THAT the Acting General Manager proceed with the requirements for the election of the Deputy Mayor for Cabonne Council as detailed in the item relating to the determination of requirements for the election process.

16/09/07 Carried

**ITEM - 8 DESTRUCTION OF BALLOT PAPERS**

**MOTION** (Wilcox/Davison)

THAT it be noted that the ballots for the positions of Mayor and Deputy Mayor were not required.

16/09/08 Carried

It was noted the time being 2:08pm Cllr Gosper resumed the Chair as the elected Mayor.

It was noted the time being 2:09pm the following item was addressed.

**ITEM - 9 DELEGATION TO MAYOR AND DEPUTY MAYOR (IN MAYOR'S ABSENCE)**

Proceedings in Brief

Cllr Dean requested through the Chair that items 9 to 15 being moved as a group with former Cllr Smith's positions in item 14 being amended as per the previous year.

Cllr Culverson requested that it be noted that in item 14 it be noted that the meeting date of the Mullion Creek & District Progress Association be amended to the 1<sup>st</sup> Monday of each month.

The Acting General Manager noted that point 1 of item 11 would be amended to state that the Australia Day Awards committee is to comprise the whole of

the council and the General Manager and will meet as and when required for the 2016/2017 year.

**MOTION** (Davison/Dean)

THAT subject to not receiving direction from the Council as to the consideration of any particular matter by the Council itself and subject to the requirements of the Local Government Act 1993 and Regulations thereunder and any express policy of the Council or regulations of any public authority other than the Council and pursuant to the powers conferred on Council by s377 of the *Local Government Act 1993*, the Mayor Ian Joseph Gosper and, where allowed, in his absence the Deputy Mayor Lachlan Bruce MacSmith be authorised to exercise or perform on behalf of the Council the powers, authorities, duties and functions as follows:

1. To incur expenditure up to the sum of \$3,000 for incidental expenses, within approved votes of Council.
2. To receive a public interest disclosure in circumstances assigned to the position of Mayor in Council's Public Interest Disclosure (Internal Reporting) Policy.

16/09/09 Carried

**ITEM - 10 STANDING COMMITTEES**

**MOTION** (Davison/Dean)

THAT Council continue to hold workshops as and when required.

16/09/10 Carried

**ITEM - 11 OTHER COUNCIL COMMITTEES THAT MEET AS WHEN  
REQUIRED**

**MOTION** (Davison/Dean)

THAT Council:

1. Note that the Australia Day Awards committee is to comprise the whole of the council and the General Manager and will meet as and when required for the 2016/2017 year.
2. Note the membership of the Heritage Working Party.
3. Note the membership of the General Manager Performance Review Panel.

16/09/11 Carried

**ITEM - 12 DELEGATES TO OTHER ORGANISATIONS - FOR THE TERM  
OF COUNCIL**

**MOTION** (Davison/Dean)

THAT Council note its delegates to Central Tablelands Water, Central West Libraries and Central NSW Business Enterprise Centre committees for the term of Council.

16/09/12 Carried

**ITEM - 13 DELEGATES TO OTHER ORGANISATIONS - FOR THE YEAR  
2016/2017**

**MOTION** (Davison/Dean)

THAT Council's delegates and representatives to other organisations (as listed below) for the balance of the 2016/2017 year be as follows.

1) ARTS OUT WEST

Clr Wilcox.

2) ASSOCIATION OF MINE RELATED COUNCILS INC

Clr Wilcox (with Clr Davison as alternative delegate) and the Director of Environmental Services.

3) AUSTRALIA WIDE RURAL ROAD GROUP (AWRRG)

Clrs Gosper and Hayes, with Clr Culverson as alternative delegate.

4) BELUBULA RIVER JOINT COMMITTEE

Clr Walker with Clr Durkin as an alternative delegate.

5) CABONNE CARAVAN PARK COMMITTEE

Clrs Gosper, Dean and Walker. The Urban Assets Coordinator and Urban Services Coordinator also attend.

6) CABONNE CONSULTATIVE COMMITTEE

Clrs Dean and Culverson.

7) CABONNE/ORANGE ROAD SAFETY COMMITTEE

Clr Treavors with Clr Dean as the alternative representative.

8) CABONNE COUNTRY TOURISM ADVISORY COMMITTEE

Clr Davison with Clr Wilcox as the alternative representative. The Promotion and Tourism Officer and Economic Development Manager attend these meetings.

9) CADIA - MREMP COMMITTEE

The Director of Environmental Services.

10) CADIA – COMMUNITY CONSULTATIVE COMMITTEE

The Director of Environmental Services with Clr MacSmith as the alternative representative.

11) CANOBOLAS BUSH FIRE MANAGEMENT COMMITTEE



Clr Culverson with Clr MacSmith as alternative delegate and the Acting Director of Engineering and Technical Services.

**12) CANOBOLAS ZONE LIAISON COMMITTEE**

Clr Gosper with Clr MacSmith as alternative delegate and the Acting Director of Engineering and Technical Services.

**13) CANOWINDRA AGE OF FISHES MUSEUM BOARD and STRATEGIC ADVISORY COMMITTEE OF THE CANOWINDRA AGE OF FISHES MUSEUM**

Clr Durkin with Clr Walker as the alternative delegate.

**14) CANOWINDRA FOOD BASKET ADVISORY GROUP**

Clr Walker.

**15) CANOWINDRA RETIREMENT VILLAGE PROJECT WORKING COMMITTEE**

Clr Hayes and the Director of Finance and Corporate Services with Clr Walker as the alternate representative.

**16) CARGO ROAD USERS ASSOCIATION**

Clr MacSmith with Clr Dean as an alternative delegate.

**17) CENTRAL TABLELANDS LOCAL LAND SERVICES (LLS) previously Central West Catchment Management Authority (CWCMA)**

Clr MacSmith as delegate and Clr Wilcox as alternative delegate.

**18) CENTRAL WEST COUNCILS ENVIRONMENT & WATERWAYS ALLIANCE previously the Salinity Action Alliance**

Clr MacSmith with Clr Hayes as the alternative delegate and the Director of Environmental Services.

**19) CENTRAL WEST MINING LIAISON COMMITTEE - (CABONNE/ORANGE/BLAYNEY)**

The Mayor (Clr Gosper) with Clr MacSmith as the alternative delegate.

**20) CENTROC HEALTH WORKFORCE COMMITTEE**

Clr Nash with the Mayor (Clr Gosper) as the alternative delegate and the Community Services Manager.

**21) CABONNE HEALTH COUNCIL**

It is recommended that the Council note no delegate is required for this organisation.

**22) HACC JOINT COMMITTEE**

Clr Walker with Council's Community Services Manager as alternative delegate.

**23) LACHLAN REGIONAL TRANSPORT COMMITTEE**

Clr Durkin with Clr Walker as the alternative delegate and the Acting Director of Engineering and Technical Services (as and when required).

24) LITTLE RIVER LANDCARE CATCHMENT MANAGEMENT

Clr Davison with Clr Nash as the alternative representative.

25) LOCAL EMERGENCY MANAGEMENT COMMITTEE

The Mayor (Clr Gosper), the Acting Director of Engineering and Technical Services as the Local Emergency Management Officer and the Operations Manager Roads & Bridges as the Deputy Local Emergency Management Officer.

26) MOLONG MEDICAL COMMITTEE

Clr Hayes with Clr Nash as the alternative representative.

27) NOXIOUS WEEDS ADVISORY COMMITTEES

Lachlan Valley Noxious Weeds Advisory Committee

Clr Walker with Clr Hayes being the alternative delegate.

Upper Macquarie Noxious Weeds Advisory Committee

Clr Gosper with Clr MacSmith being the alternative delegate.

28) OPHIR RESERVE TRUST BOARD

Council's representative on this Board to fill the position of 'councillor' has been Clr Culverson.

29) RESTART WATER SECURITY TASKFORCE

Clr MacSmith.

30) SYDNEY ROADLINKS COMMITTEE

The Mayor (Clr Gosper) with Clrs Davison and Walker as the optional alternative delegates. The Acting Director of Engineering & Technical Services also attends these meetings as an observer.

31) TRAFFIC COMMITTEE

Clr Dean with the Mayor (Clr Gosper) as the alternative delegate. Clr Culverson also attends these meetings as an observer.

32) VERTO LTD

Clr Wilcox.

33) WALUWIN CENTRE GOVERNANCE COMMITTEE

Clr Hayes with Clr Wilcox as the alternative delegate.

34) WALUWIN MOLONG HEALTHONE HEALTH SERVICES ADVISORY COMMITTEE

Clr Hayes with Clr Nash as the alternative delegate.

35) WELLINGTON/DUBBO LANDCARE MANAGEMENT

Clr Davison with Clr Wilcox as the alternative delegate.

16/09/13 Carried

**ITEM - 14 DELEGATES TO OTHER ORGANISATIONS - COMMUNITY  
PEAK ORGANISATIONS**

**MOTION** (Davison/Dean)

THAT Council appoint delegates to Community Peak Organisations (as listed below), subject to the support from these organisations for the 2016/17.

<b>Town</b>	<b>Organisation</b>	<b>Meetings</b>	<b>Representative</b>
Manildra	Manildra and District Improvement Association (MADIA)	1 <sup>st</sup> Wednesday of each month	Clr M Hayes (Clr M Nash as alternate)
Cumnock	Cumnock and District Progress Association	3 <sup>rd</sup> Thursday of each month	Clr S Wilcox (Clr M Nash as alternate)
Yeoval	Yeoval and District Progress Association	1 <sup>st</sup> Tuesday of each month	Clr I Gosper (Clr M Hayes as alternate)
Molong	Molong Advancement Group	1 <sup>st</sup> Thursday of each month	Clr I Gosper (Clr M Hayes as alternate)
Mullion Creek	Mullion Creek & District Progress Association	1 <sup>st</sup> Monday each month	Clr J Culverson (Clr S Wilcox as alternate)
Cargo	Cargo Progress Association	Meet as and when required	Clr L MacSmith (Clr G Dean as alternate)
Borenore	Borenore Committee Progress Association	As and when advised	Clr I Davison (Clr L MacSmith as alternate)
Canowindra	Canowindra Business Chamber	2 <sup>nd</sup> Wednesday of each month	Clr A Durkin (Clr K Walker as alternate)
Eugowra	Eugowra Promotion and Progress Association	2 <sup>nd</sup> Tuesday of each month	Clr K Walker (Clr G Dean as alternate)
Cudal	Cudal Progress Association	1 <sup>st</sup> Tuesday of each month	Clr G Treavors (Clr G Dean as alternate)
Spring Hill/Spring	Spring Hill/Spring	As and when advised	Clr S Wilcox (Clr L MacSmith as alternate)

Terrace	Terrace Committee		alternate)
Canowindra	Canowindra Sports Trust	2 <sup>nd</sup> Wednesday of each month	Clr A Durkin (Clr K Walker as alternate)

16/09/14 Carried

**ITEM - 15 ALTERNATE DELEGATE TO COMMITTEES OTHER THAN COUNCIL COMMITTEES**

**MOTION** (Davison/Dean)

THAT the information be noted.

16/09/15 Carried

**ITEM - 16 FIXING THE DATE AND TIME FOR COUNCIL AND OTHER MEETINGS**

Proceedings in Brief

It was noted that the ordinary meetings of Council are currently held on the fourth Tuesday of each month, commencing at 2:00pm.

**MOTION** (Hayes/MacSmith)

THAT Council set the date and time to 5:00pm on the fourth Tuesday of the month for the regular meetings of Council.

Lost

**MOTION** (Dean/Nash)

THAT Council continue to keep the date and time to 2:00pm on the fourth Tuesday of the month for the regular meetings of Council.

16/09/16 Carried

**ITEM - 17 MAYORAL MINUTE - APPOINTMENTS**

Proceedings in Brief

The Mayor noted that the Councillors and Acting General Manager would be holding a closed workshop after the Ordinary Council Meeting.

The Mayor also noted that Councillors should be aware that extra traffic would be expected on the Cabonne Shire roads due to diversions caused by the flooding in Forbes and surrounding areas which may cause deterioration to the Cabonne roads and that council would be contacting the RMS to seek compensation for any road deterioration that was caused.

The Mayor with the support of all the Councillors made special mention to Michael Ryan for Acting in the Director of Engineering and Technical Services role for the past 18 months.

Clr Nash noted that the ANTY group had held a successful protest on the 10<sup>th</sup> of September.

In response to the Mayor's comments on road deterioration, Clr Hayes queried whether it was possible for Council to look at obtaining funding for widening the bridge on Peabody Road.

### **Appointments**

Mayor Ian Gosper

- 23/8/16 Attended the August Council meeting
- 25/8/16 Attended the CENTROC Board meeting in Cowra with the Acting General Manager
- 25/8/16 Attended the Mayor's Office for a meeting with the Acting General Manager
- 2/9/16 Attended the Cabonne Council Molong office for a meeting with the Acting General Manger
- 2/9/16 Attended a meeting with the Molong Express proprietors with the Acting General Manager and the Director of Environmental Services
- 5/9/16 Attended a webinar briefing on the changes to the Emergency Services funding in the Cabonne Council Chambers
- 7/9/16 Attended a meeting with the new General Manager Peter Sharpe and the Manager of Health, Safety, Environment and Social Responsibility Nedra Burns of Cadia Mines along with the Deputy Mayor, Acting General Manager and the Director of Environmental Services.
- 9/9/16 Attended the Cabonne Council Molong office for a meeting with the Acting General Manger
- 10/9/16 Attended the ANTY group protest mock election in Molong
- 12/9/16 Attended the Cabonne Council Molong office for a meeting with the Acting General Manger and Industrial Water Users
- 16/9/16 Attended the Cabonne Council Molong office for a meeting with the Acting General Manger
- 17/9/16 Presented awards at the Molong Junior Hockey Clubs Presentation
- 20/9/16 Attended the Canobolas Zone Rural Fire Service Quarterly Liaison meeting in Orange as Cabonne Council's delegate
- 21/9/16 Presented awards at the Yeoval Central School's Annual Sports Awards Ceremony
- 22/9/16 Attended the Cabonne Council Molong office for a meeting with the Acting General Manger
- 27/9/16 Attended the September Council meeting

### **MOTION** (Gosper/)

THAT the information contained in the Mayoral Minute be noted.

16/09/17 Carried

**ITEM - 18 COMMITTEE OF THE WHOLE**

**MOTION** (Dean/Culverson)

THAT it be noted no items were called to be debated in Committee of the Whole.

16/09/18 Carried

**ITEM - 19 GROUPING OF REPORT ADOPTION**

**MOTION** (Durkin/Wilcox)

THAT:

1. It be noted no items were called for further consideration
2. Items 20 to 23 be moved and seconded.

16/09/19 Carried

**ITEM - 20 CONFIRMATION OF THE MINUTES**

**MOTION** (Durkin/Wilcox)

THAT the minutes of the Ordinary meeting held 23 August 2016 be adopted.

16/09/20 Carried

**ITEM - 21 REPLACEMENT AIR CONDITIONER IN COMMITTEE ROOM**

**MOTION** (Durkin/Wilcox)

THAT Council:

1. Approve the expenditure of \$7,975.36 in retrospect for the replacement of the air conditioner in the Council Committee room; and
2. Resolve that the expenditure is required and warranted to enable meeting to continue to be held in acceptable conditions.

16/09/21 Carried

**ITEM - 22 COUNCIL'S POLICY REGISTER - DELETION OF "SIGN OFF OF  
COUNCIL CORRESPONDENCE" POLICY**

**RECOMMENDATION**

THAT the “Sign off of Council correspondence” policy be deleted from Council’s policy register.

**ITEM - 23 AUGUST 2016 LOCAL TRAFFIC COMMITTEE**

**MOTION** (Durkin/Wilcox)

THAT Council ratify the recommendations of the Local Traffic Committee.

16/09/22 Carried

**ITEM - 24 SAFE HAVEN ENTERPRISE VISA SCHEME**

Proceedings in Brief

The Mayor commented that he felt that the Department of Immigration and Border Protection needed to provide more detailed information on the Safe Haven Enterprise Visa Scheme and that he recommended the current information provided should only be noted at this stage.

**MOTION** (Gosper/)

THAT the information be noted until further advice is received regarding the Safe Haven Enterprise Visa Scheme.

16/09/23 Carried

**ITEM - 25 MURRAY DARLING ASSOCIATION NATIONAL CONFERENCE  
& AGM**

Proceedings in Brief

Clr Davison volunteered to attend the MDA National Conference in Dubbo.

The Mayor noted that the invitation would remain open for any other Councillors who may also wish to attend the conference.

**MOTION** (Culverson/Dean)

THAT Clr Davison and any other interested councillors attend the 2016 MDA National Conference in Dubbo.

16/09/24 Carried

**ITEM - 26 IPART REVIEW OF THE LOCAL GOVERNMENT RATING  
SYSTEM**

Proceedings in Brief

At the request of the Mayor the Acting General Manager – who had been invited to sit on the panel - commented that he council had concerns with the IPART Review.

He noted that the main concern was that the review was based around city areas such as areas with high rise buildings and that the review did not take into account smaller populations.

He also noted that there would be huge variations in rates in village areas and undetermined variation in farmland areas if minimum rates were abolished.

He also noted concern that changes to pension concessions, where they would be delayed or deferred for up to a 30-year period or more could go against the value of property causing it to be negatively valued.

Clr Dean requested a further report from the Acting General Manager be put to the Council once more information was provided.

**MOTION** (Dean/Davison)

THAT:

1. Note the information provided in the Draft Report for the Review of the Local Government Rating System and
2. Receive a further report from the Acting General Manager when the submission has been lodged to the Draft Report.

16/09/25 Carried

**ITEM - 27 REQUESTS FOR DONATIONS**

**MOTION** (Dean/Nash)

THAT Council donate \$500 to the Manildra and District Improvement Association to assist them in providing a Christmas Fireworks display.

16/09/26 Carried

**ITEM - 28 STATECOVER AND STATEWIDE INCENTIVE PAYMENTS  
2016/2017**

**Proceedings in Brief**

In response to a question from Clr Walker the Acting General Manager advised that the funds received from the incentive payments would cover the costs for the recommendations arising from the consultant's Audit.

**MOTION** (Wilcox/Nash)

THAT:

1. The StateWide Mutual Ltd and the StateCover Mutual Ltd incentive payments be utilised for the actions outlined in the Swimming Pool Audit; and
2. Council resolve that the changes are required and warranted to enable the risks identified in the Swimming Pool Audit to be addressed.



16/09/27 Carried

**ITEM - 29 REVOTED EXPENDITURE FROM THE 2015/2016 BUDGET  
YEAR TO 2016/2017 BUDGET**

**MOTION** (Dean/Nash)

THAT Council:

1. Revote funds as per the attached list of variations; and
2. Resolve that the funds are required and warranted to enable the completion of the projects listed as revotes from the 2015/16 year to be completed in the 2016/17 budget.

16/09/28 Carried

It was noted the time being 2:37pm Cllr Durkin declared an interest (identified as a perceived significant non-pecuniary interest) in item 30 due to having children enrolled as students at the school of one of the applicants and left the Chambers.

**ITEM - 30 COMMUNITY ASSISTANCE PROGRAM APPLICATIONS**

**Proceedings in Brief**

It was noted that application numbers 16 and 17 would be advised of other possible funding sources.

**MOTION** (Wilcox/Davison)

THAT Council:

1. Approve Community Assistance Program funding for Applications 1-13;
2. Approve Community Assistance Program funding for Application 14 subject to:
  - (a) Development Approval being granted for the proposed structure;
  - (b) Owner's consent being obtained from Crown Lands; and
  - (c) Consent being obtained from the Wellington Valley Wiradjuri People.
3. Approve Community Assistance Program funding for Application 15 subject to:
  - (a) Modification of an existing 2010 Development Approval being granted; and

- (b) That no work commence until a Plan of Management is prepared for the Molong Village Green.

16/09/29 Carried

It was noted the time being 2:40pm Clr Durkin rejoined the meeting.

**ITEM - 31 EVENTS ASSISTANCE PROGRAM 2016/2017**

**MOTION** (Wilcox/Davison)

THAT Council approve funding for the following applications under the 2016/2017 Events Assistance Program:

1. Canowindra Baroquefest – level of funding \$2,000;
2. Taste Orange @Barangaroo – level of funding \$500; and
3. Mulga Bill Pioneers Camp Cooking Experience – level of funding \$500.

16/09/30 Carried

**ITEM - 32 MONTANA PARK SIGN**

**MOTION** (Wilcox/Walker)

THAT Council:

1. Approve the installation of a Montana Park sign at an estimated cost of \$3,500 to be funded from Capital Reserves; and
2. Resolve that the expenditure is required and warranted to fulfil a prior commitment by Council.

16/09/31 Carried

**ITEM - 33 DEVELOPMENT APPLICATION 2012/0159 FOR RETAIL OF  
FURNITURE AND MACHINERY AT LOT 2 DP 842863 BEING 39  
TILGA STREET, CANOWINDRA**

**MOTION** (Walker/Wilcox)

THAT Development Application 2012/0159 for retail of furniture and machinery at Lot 2 DP 842863 being land known as 39 Tilga Street, Canowindra be refused as insufficient information has been provided to adequately assess the application and the current land owners consent has not been provided in support of the application.

16/09/32 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 Treavors – apology) as follows:

For: Clrs Gosper, Dean, Nash, MacSmith, Hayes, Wilcox, Durkin, Walker, Davison and Culverson

Against: Nil

**ITEM - 34 DEVELOPMENT APPLICATION 2017/6 FOR THREE (3) LOT  
SUBDIVISION AND DWELLING UPON LOT 10 SECTION C DP  
32548 LAND ALSO KNOWN AS 32 WADDELL ST, CANOWINDRA**

**MOTION** (Durkin/Wilcox)

THAT Council:

1. Approve Development Application 2017/6 for three (3) Lot subdivision of Lot 10 Section C DP 32548 and erection of a new dwelling upon proposed Lot 3 subject to the attached draft conditions of consent; and
2. Vary the building alignment policy for a new dwelling upon proposed lot 3 in subdivision of lot 10 Section C DP 32548 to permit a setback from the front building alignment of 5.6m.

16/09/33 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 Treavors – apology) as follows:

For: Clrs Gosper, Dean, Nash, MacSmith, Hayes, Wilcox, Durkin, Walker, Davison and Culverson

Against: Nil

It was noted the time being 2:42pm - Simon Williams addressed the Council in objection to Item 35 until 2:56pm.

It was noted the time being 2:56pm David Walker from Geolyse addressed the Council on behalf of the applicant in relation to Item 35 until 3:06pm.

**ITEM - 35 DEVELOPMENT APPLICATION 2016/153 GREENHOUSES  
AND PACKING SHED UPON LOT 496 DP 1095508 LAND ALSO  
KNOWN AS 621 CANOBOLAS RD, CANOBOLAS**

Proceedings in Brief

After hearing addresses both for and against the proposed Development Application, the Council requested a site inspection of the land and to view a 3 dimensional image of the proposed greenhouses and packing shed to be reviewed at the next Councillor workshop before a decision on approval could be made.

David Walker noted that the 3 dimensional image would depend upon the agreeance of the applicant as there would be a cost involved.

It was agreed that a site inspection would take place on the 11<sup>th</sup> October as part of the Councillor Workshop.

**MOTION** (Wilcox/Durkin)

THAT the decision for Development Application 2016/153 for horticulture, erection of two (2) greenhouses and packing shed upon Lot 496 DP 1095508, land also known as 621 Canobolas Rd, Canobolas be deferred until after a site inspection.

16/09/34 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 Treavors – apology) as follows:

For: Clrs Gosper, Dean, Nash, MacSmith, Hayes, Wilcox, Durkin, Walker, Davison and Culverson

Against: Nil

**ITEM - 36 DEVELOPMENT APPLICATION 2017/17 DUAL OCCUPANCY  
UPON LOT 7 SECTION B DP 11160, 11 MCLAUGHLIN ST,  
CUMNOCK**

**MOTION** (Durkin/Nash)

THAT Council:

1. Approve Development Application 2017/17 for a dual occupancy upon Lot 7 Section B DP 11160, land also known as 11 McLaughlin St, Cumnock, subject to the attached draft conditions of consent; and
2. Vary the building alignment policy for a new dwelling to permit a setback from the front lot boundary of 6m.

16/09/35 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 Treavors – apology) as follows:

For: Clrs Gosper, Dean, Nash, MacSmith, Hayes, Wilcox, Durkin, Walker, Davison and Culverson

Against: Nil

**ITEM - 37 MODIFICATION OF DEVELOPMENT APPLICATION 2016/0024  
- ANIMAL BOARDING AND TRAINING ESTABLISHMENT  
(GREYHOUNDS) - LOT 2 DP 773981, 1321 PEABODY ROAD,  
MOLONG**

Proceedings in Brief

In response to a question from Clr Dean the Director of Environmental Services commented that should the applicant need to modify the development (i.e. if construction of a dam was required instead of relying on a bore), the applicant could apply to modify the development consent.

**MOTION** (Gosper/Wilcox)

THAT Council consent to Condition 7 being amended to enable the proponent to respond within two (2) months, i.e. 26 November 2016 and that condition 10 be granted an extension of three months (December 2016).

16/09/36

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 Treavors – apology) as follows:

For: Clrs Gosper, Dean, Nash, MacSmith, Hayes, Wilcox, Durkin, Walker, Davison and Culverson

Against: Nil

**ITEM - 38 MODIFICATION OF DEVELOPMENT APPLICATION 2008/177/1  
- 89 BRUCE ROAD, ORANGE**

Proceedings in Brief

In response to a question from Clr Davison, the Director of Environmental Services commented that lots 4 and 6 were the only lots to have access to Curtains Road and therefore would be the only lots that would have right of way to the road.

**MOTION** (Durkin/Culverson)

THAT modification of Development Application 2008/177/1 for an eight (8) lot subdivision of land described as Lots 218 and 219 in DP47258, Lots 5, 6 & 7 in DP 702416, Lots 1 & 2 in DP 114761, Lots 9, 10, 11, 12, 19, 20, 24, 30, 31, 148, 189, 210, 211 & 238 in DP 756869, Lot 1 in DP 181139, Lot 4 in DP

114638, Lot 18 in DP 10891443, Lot 1 in DP 1096555 and Lots 1 & 2 in DP 1096882, known as 'Adair', 89 Bruce Road, Orange, be granted consent subject to the modified conditions attached.

16/09/37 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 Treavors – apology) as follows:

For: Clrs Gosper, Dean, Nash, MacSmith, Hayes, Durkin, Walker, Davison and Culverson

Against: Clr Wilcox

### **ITEM - 39 QUESTIONS FOR NEXT MEETING**

#### **Proceedings in Brief**

Clr Durkin requested that the Acting Director of Engineering and Technical Services investigate the sports trust cricket nets at Canowindra Sports Ground to see if they could be repaired.

Clr Durkin requested that years 5 and 6 of St Edward's School in Canowindra be invited to attend the October Council meeting to observe how a Council meeting is conducted.

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

THAT

1. Council receive a report at the next Council meeting in relation to questions asked/matters raised where necessary; and
2. Invite years 5 and 6 of St Edwards School in Canowindra to attend the October Council meeting.

16/09/38 Carried

### **ITEM - 40 BUSINESS PAPER ITEMS FOR NOTING**

#### **Proceedings in Brief**

Clr Culverson called item 14.

#### **MOTION** (Wilcox/Hayes)

THAT:

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

16/09/39 Carried

### **ITEMS FOR NOTATION**

**ITEM - 14 LIBRARIES - WI-FI**

Proceedings in Brief

Clr Culverson requested a letter of thanks be sent to the State Library of NSW for providing a grant which would allow wireless hotspot access to the internet for public library patrons in Cabonne.

**MOTION** (Culverson/Nash)

THAT a letter of thanks be sent to the State Library of NSW.

16/09/40 Carried

**ITEM - 42 MATTERS OF URGENCY**

**MOTION** (Hayes/Dean)

THAT it be noted that nil matters of urgency were called.

16/09/41 Carried

**ITEM - 41 COMMITTEE OF THE WHOLE SECTION OF THE MEETING**

**MOTION** (Wilcox/Durkin)

THAT Council hereby resolve itself into Committee of the Whole.

16/09/42 Carried

It was noted the time being 3:28pm 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** (Durkin/Davison)

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 REQUEST FOR REFUND OF GARBAGE RATES**

**RECOMMENDATION** (Wilcox/Dean)

THAT Council refuse the request for refund of domestic waste management charges on rate assessment A53479.

2. Carried

It was noted the time being 3:33pm Cllr Culverson declared an interest (identified as an actual pecuniary interest) in item 3 due to her private business being mentioned in the report and left the Chambers.

**ITEM - 3 PLANT HIRE TENDER 2016-2018**

**RECOMMENDATION** (Walker/Hayes)

THAT Council:

1. Adopt the attached list of contractors to supply plant hire for the period 1 August 2016 to 31 July 2018; and
2. Note that this tender does not prohibit Council from accepting new tenders for specific projects.

3. Carried

It was noted the time being 3:34pm Cllr Culverson rejoined the meeting.

\*

**ITEM - 4 OFFERS TO PURCHASE LAND (LOTS1-5 DP1187720) AT  
MANILDRA**

**RECOMMENDATION** (Hayes/Walker)

THAT Council accept the offer from Karma Yiwong Samten Ling (Tibetan Buddhist Centre Incorporated) to purchase Lots 1-5 DP1187720 Manildra at a price of \$220,000 with the condition that the purchaser be required to maintain the land in an appropriate condition for a residential area.

4. Carried

Cllr Davison requested that his vote be recorded against the motion.

**ITEM - 5 MOLONG SWIMMING POOL**

**RECOMMENDATION** (Gosper/MacSmith)



THAT Council accept the tender from Cathryn Jeffries for the management of the Molong Swimming Pool and that the Council seal be affixed to the contract.

5. Carried

It was noted the time being 3:43pm Clr Durkin declared an interest (identified as a perceived significant non-pecuniary interest) in item 6 due to being personal friends with two of the applicants and left the Chambers.

\* **ITEM - 6 CANOWINDRA SWIMMING POOL**

**RECOMMENDATION** (Walker/Nash)

THAT Council accept the tender from Jarrod Strange for the management of the Canowindra Swimming Pool and that Council seal be affixed to the contract.

6. Carried

It was noted the time being 3:45pm Clr Durkin rejoined the meeting.

It was noted the time being 3:45pm Clr Nash declared an interest (identified as a pecuniary interest) in item 7 due to her son being an employee of the business in mention and left the Chambers.

\* **ITEM 7 MOLONG LIMESTONE QUARRY**

**RECOMMENDATION** (Hayes/MacSmith)

THAT Council:

1. Approve the amendments to the lease as outlined in the report;
2. Enter into the lease of Molong Limestone Quarry to Earth Plant Hire for a period of 5 years; and
3. Authorise the affixing of Council's Common Seal to the contract document.
4. Only proceed if council is able to comply with Section 23A Guidelines in relation to workforce management.

7. Carried

It was noted the time being 3:55pm Clr Nash rejoined the meeting.

It was noted the time being 3:56pm all staff with the exception of the Acting General Manager left the meeting.

\* **ADDITIONAL ITEM - ACTING GENERAL MANAGER'S UPDATE**

It was noted the time being 4:45pm the Mayor resumed the ordinary meeting.

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

**MOTION** (MacSmith/Wilcox)

THAT the Report and Recommendations of the Committee of the Whole Meeting held on Tuesday 27 September, 2016 be adopted.

16/09/43 Carried

There being no further business, the meeting closed at 4:45pm.

CHAIRMAN.

Chairman of the Ordinary Meeting of Cabonne Council held on the 25 October, 2016 at which meeting the listed minutes were confirmed and the signature hereon was subscribed.