

**TABLE OF CONTENTS**

<b>ITEMS FOR DETERMINATION.....</b>	<b>1</b>
<b>ITEM - 1 APPLICATIONS FOR LEAVE OF ABSENCE .....</b>	<b>1</b>
<b>ITEM - 2 DECLARATIONS OF INTEREST .....</b>	<b>1</b>
<b>ITEM - 3 DECLARATIONS FOR POLITICAL DONATIONS.....</b>	<b>1</b>
<b>ITEM - 4 MAYORAL MINUTE - APPOINTMENTS.....</b>	<b>2</b>
<b>ITEM - 5 COMMITTEE OF THE WHOLE .....</b>	<b>3</b>
<b>ITEM - 6 GROUPING OF REPORT ADOPTION.....</b>	<b>3</b>
<b>ITEM - 7 CONFIRMATION OF THE MINUTES .....</b>	<b>4</b>
<b>ITEM - 8 AUSTRALIA DAY AWARDS COMMITTEE MEETING .....</b>	<b>4</b>
<b>ITEM - 9 PECUNIARY INTEREST RETURNS 2017 - NEWLY ELECTED COUNCILLORS .....</b>	<b>4</b>
<b>ITEM - 10 NOVEMBER 2017 LOCAL EXTRAORDINARY TRAFFIC COMMITTEE MEETING .....</b>	<b>4</b>
<b>ITEM - 11 2018 AUSTRALIAN LOCAL GOVERNMENT WOMEN'S ASSOCIATION (NSW) ANNUAL CONFERENCE .....</b>	<b>4</b>
<b>ITEM - 13 RESPONSIBILITY TO PROTECT CROWDED PLACES.....</b>	<b>5</b>
<b>ITEM - 14 EVENTS ASSISTANCE PROGRAM 2017/18 .....</b>	<b>5</b>
<b>ITEM - 15 PLANT REPLACEMENT ONE SKIP LOADER TRUCK .....</b>	<b>5</b>
<b>ITEM - 16 ADDITIONAL FUNDING FOR THE CUMNOCK SHOWGROUND - NEW AMENITIES BUILDING.....</b>	<b>6</b>
<b>ITEM - 17 MOLONG FLOODPLAIN MANAGEMENT STUDY.....</b>	<b>6</b>
<b>ITEM - 18 MODIFICATION APPLICATION - DEVELOPMENT APPLICATION 2016/128 LIMESTONE MINE, CANOMODINE LANE, CANOWINDRA .....</b>	<b>6</b>
<b>ITEM - 19 MODIFICATION OF CONSENT DA 2006/251 FOR PROPOSED 73 LOT SUBDIVISION LOT 11 DP 546140, EUCHAREENA ROAD MOLONG .....</b>	<b>6</b>
<b>ITEM - 20 DEVELOPMENT APPLICATION 2016/173 EIGHT (8) UNITS AND STRATA SUBDIVISION OF LOT 3 DP 1165660 LAND ALSO KNOWN AS 60 EDWARD STREET, MOLONG .....</b>	<b>7</b>
<b>ITEM - 21 QUESTIONS FOR NEXT MEETING.....</b>	<b>8</b>
<b>ITEM - 22 BUSINESS PAPER ITEMS FOR NOTING .....</b>	<b>8</b>
<b>ITEM - 23 MATTERS OF URGENCY .....</b>	<b>8</b>
<b>ITEM - 24 COMMITTEE OF THE WHOLE SECTION OF THE MEETING.....</b>	<b>8</b>
<b>ITEM - 12 THE FUTURE OF ORANA HOUSE.....</b>	<b>8</b>

**ITEM - 18 MODIFICATION APPLICATION - DEVELOPMENT  
APPLICATION 2016/128 - LIMESTONE MINE,  
CANOMODINE LANE, CANOWINDRA .....9**

**CONFIDENTIAL ITEMS ..... 10**

**ITEM - 1 CARRYING OF COUNCIL RESOLUTION INTO CLOSED  
COMMITTEE OF THE WHOLE MEETING ..... 11**

**ITEM - 2 ENDORSEMENT OF PROCEEDINGS OF CONFIDENTIAL  
MATTERS CONSIDERED AT COMMITTEE OF THE  
WHOLE MEETING ..... 11**

**ITEM - 3 DEBT RECOVERY REPORT OF OUTSTANDING DEBTS ..... 11**

**ITEM - 4 CONTRACT 834904 CONSTRUCTION FOR THE CENTRAL  
TABLELANDS REGIONAL WATER SECURITY PIPELINE  
PROJECT MOLONG TO CUMNOCK AND YEOVAL ..... 11**

**REPORT & RESOLUTIONS OF COMMITTEE OF THE WHOLE ..... 12**

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

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

## **ITEMS FOR DETERMINATION**

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

#### Proceedings in Brief

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

#### **MOTION** (Nash/Davison)

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

17/12/01 Carried

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

#### Proceedings in Brief

There were nil declarations of interest.

#### **MOTION** (Oldham/Treavors)

THAT it be noted there were nil Declarations of Interest.

17/12/02 Carried

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

#### Proceedings in Brief

There were nil declarations for political donations.

#### **MOTION** (Newsom/Jones)

THAT it be noted there were nil Political Donations.

17/12/03 Carried

It was noted the time being 2:03pm there was a Youth of the Month presentation for October to Amelia Holmes of Canowindra High School.

It was noted the time being 2:07pm there was a retirement plaque presented to Darryl Fliedner.

It was noted the time being 2:11pm Andrew Cummins addressed council regarding Item 18 - Modification of Consent DA 2016/128 – Limestone Mine, Canomodine Lane, Canowindra.

It was noted the time being 2:16pm Peter Hamilton from RMS did a presentation on the MR61 Mandagery Creek Bridge Replacement.

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

##### Proceedings in Brief

##### **Mayor**

26/11/17 – Attended TDO meeting in Orange with Clr Davison

28/11/17 – Review of the business papers with the General Manager, directors and Clr Mullins and attended Council meeting

30/11/17 – Attended public meeting at Canowindra in relation to Orana House future. Councillors, Directors and the General Manager were also present.

04/12/17 – Attended LGNSW Annual Conference in Sydney from 4-6 December 2017. The General Manager, Clrs Davison and Newsom were also present.

06/12/17 – Meeting in Sydney with Minister Gabrielle Upton and Nationals MP Rick Colless.

08/12/17 – Interview with WIN News regarding the library project.

08/12/17 – Meeting with Rhonda Watt regarding the Country Community Grant.

08/12/17 – Meeting with Lachlan Bunting regarding the Cudal Limestone Quarry.

11/12/17 – Interview with The Land newspaper regarding the Banjo Paterson Way grant.

11/12/17 – Attended the Molong Central School presentation night.

##### **Clr Weaver**

Attended the Canowindra Public School presentation night.

##### **Clr Nash**

Attended the Manildra Public School and St Joseph's presentation night.

##### **Clr Jones**

Attended Yeoval Central School presentation evening.

##### **Clr Newsom**

Attended the Cargo Public School Christmas presentation night.

Attended the LGNSW conference.

**Clr Treavors**

Attended the Cudal Public School presentation night and the Mullion Creek presentation night.

Attended the Mullion Creek Progress Association where they received the NSW Department of Industry, Lands, Crown Reserve Trust Corporate Managers Award.

**Clr Davison**

Attended Clergate and Nashdale schools presentation.

Attended the LGNSW conference.

**Clr Mullins**

Attended St Joseph's School Molong presentation.

Also suggested that at least half the councillors attend the LGNSW conference in the future.

**Clr Batten**

Attended Alf Cantrell invitation regarding school project on Banjo Paterson. Alf appreciative of what council have contributed and supported.

**MOTION** (Beatty/-)

THAT the information contained in the Mayoral Minute be noted.

17/12/04 Carried

**ITEM - 5 COMMITTEE OF THE WHOLE**

Proceedings in Brief

It was noted that Clr Durkin called Item 12 to be debated in Committee of the Whole.

**MOTION** (Davison/Durkin)

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

17/12/05 Carried

**ITEM - 6 GROUPING OF REPORT ADOPTION**

**MOTION** (Durkin/Jones)

THAT:

1. Councillors call any items they wish to further consider
2. Items 7 to 10 be moved and seconded.

17/12/06 Carried

**ITEM - 7 CONFIRMATION OF THE MINUTES**

**MOTION** (Durkin/Jones)

THAT the minutes of the Ordinary meeting held 28 November 2017 be adopted.

17/12/07 Carried

**ITEM - 8 AUSTRALIA DAY AWARDS COMMITTEE MEETING**

**MOTION** (Durkin/Jones)

THAT the report and recommendations of the Australia Day Awards Committee Meeting of Cabonne Council held on 28 November, 2017 be adopted.

17/12/08 Carried

**ITEM - 9 PECUNIARY INTEREST RETURNS 2017 - NEWLY ELECTED  
COUNCILLORS**

Proceedings in Brief

The General Manager tabled Pecuniary Interest Returns for the newly elected councillors.

**MOTION** (Durkin/Jones)

THAT Council note the tabling of the Pecuniary Interest Returns for newly elected councillors.

17/12/09 Carried

**ITEM - 10 NOVEMBER 2017 LOCAL EXTRAORDINARY TRAFFIC  
COMMITTEE MEETING**

**MOTION** (Durkin/Jones)

THAT Council ratify the recommendations of the Local Traffic Committee.

17/12/10 Carried

**ITEM - 11 2018 AUSTRALIAN LOCAL GOVERNMENT WOMEN'S  
ASSOCIATION (NSW) ANNUAL CONFERENCE**

Proceedings in Brief

The Council nominated Cllrs Nash, Weaver, Oldham and Newsom to attend the ALGWA (NSW) Conference.

**MOTION** (Durkin/Jones)

THAT Clrs Nash, Weaver, Oldham and Newsom be authorised to attend the 2017 ALGWA (NSW) Conference.

17/12/11 Carried

It was noted that Item 12 was called to be debated in Committee of the Whole.

It was noted, the time being 2:43pm Clr Mullins left the Chambers.

**ITEM - 13 RESPONSIBILITY TO PROTECT CROWDED PLACES**

Proceedings in Brief

Clr Davison asked if the 12 month planning was a requirement and when the starting date was. The General Manager advised that it was a suggestion due to the amount of work it may take for the planning and the requirements had already started.

Clr Davison also asked if the committees were aware of the changes. The General Manager advised that notification letters state the State Government Guidelines will be sent out to all affected committees.

**MOTION** (Treavors/Nash)

THAT individuals and organisations planning events on Council-owned or public land be required to undertake a crowded places vulnerability assessment and security audit, in addition to other conditions currently outlined in Council's Procedure Manual for Planning a Public Event.

17/12/12 Carried

It was noted, the time being 2:45pm Clr Mullins rejoined the meeting.

**ITEM - 14 EVENTS ASSISTANCE PROGRAM 2017/18**

**MOTION** (Davison/Oldham)

THAT Council approve funding under the 2017/2018 Events Assistance Program (EAP) of \$5,000 for the event F.O.O.D Week Inc.

17/12/13 Carried

**ITEM - 15 PLANT REPLACEMENT ONE SKIP LOADER TRUCK**

**MOTION** (Durkin/Treavors)

THAT Council purchase from Tracserv Trucks one Isuzu FVR 165-300 truck, fitted with a West Trans Skip Loader for the purchase price of \$191,870.90 excl GST.

17/12/14 Carried

**ITEM - 16 ADDITIONAL FUNDING FOR THE CUMNOCK SHOWGROUND  
- NEW AMENITIES BUILDING**

Proceedings in Brief

Clr Davison advised the council that we had to keep in mind there is a need for the fence to be repaired and a letter is being put forward by the Cumnock Little Athletics Club. The Mayor said he had spoken with the Cumnock Progress Association regarding assistance and a report to go to next council suggesting funds come from the Community Facilitation Fund.

**MOTION** (Weaver/Newsom)

THAT Council approve funding of \$30,000 from the Capital Reserve for the purchase and installation of all water and sewer related infrastructure for the new amenities building at the Cumnock Showground.

17/12/15 Carried

**ITEM - 17 MOLONG FLOODPLAIN MANAGEMENT STUDY**

**MOTION** (Mullins/Weaver)

THAT Council approve \$45,000 to be transferred from the 'Project pre planning activities' budget to the Molong Floodplain budget to fund the completion of the study being conducted by SMEC.

17/12/16 Carried

**ITEM – 18 MODIFICATION APPLICATION - DEVELOPMENT APPLICATION  
2016/128 LIMESTONE MINE, CANOMODINE LANE, CANOWINDRA**

**MOTION** (Davison/Nash)

THAT council refuse the modification application 2016/128/2 seeking to amend conditions 28 and 29 of Development Consent 2016/128 for a limestone mine upon Lot 201 DP 1232203, Canomodine Lane, Canowindra. and retain the conditions as written in the consent.

After initial debate Clr Davison withdrew the motion with the permission of Clr Nash.

**MOTION** (Durkin/Weaver)

THAT this item be dealt with in the Committee of the Whole section.

17/12/17 Carried

**ITEM - 19 MODIFICATION OF CONSENT DA 2006/251 FOR PROPOSED  
73 LOT SUBDIVISION LOT 11 DP 546140, EUCHAREENA ROAD**

**MOLONG**

Proceedings in Brief

It was requested by the applicant that this item be withdrawn.

**MOTION** (Durkin/Weaver)

THAT Item 19 be withdrawn from the business paper.

17/12/18 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 Clr Walker) as follows:

For: Clrs K Beatty, J Jones, M Nash, P Mullins, G Treavors, C Newsom, A Durkin, L Oldham, P Batten, J Weaver and I Davison.

Against: Nil

**ITEM - 20 DEVELOPMENT APPLICATION 2016/173 EIGHT (8) UNITS  
AND STRATA SUBDIVISION OF LOT 3 DP 1165660 LAND ALSO  
KNOWN AS 60 EDWARD STREET, MOLONG**

Proceedings in Brief

Clr Mullins had spoken with the proponent and advised council that he had taken into account the objections received.

Clr Mullins said there was a need for more housing in Molong.

Clr Weaver said the biggest problems from those objection received was the stormwater. The General Manager said that stormwater issues have been addressed.

**MOTION** (Jones/Mullins)

THAT Development Application 2016/173 for eight (8) pre-fabricated units and strata subdivision of lot 3 DP 1165660 land also known as 60 Edward St, Molong be granted consent subject to the conditions attached.

17/12/19 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 Clr Walker) as follows:

For: Clrs K Beatty, J Jones, M Nash, P Mullins, G Treavors, C Newsom, A Durkin, L Oldham, P Batten, J Weaver and I Davison.

Against: Nil

**ITEM - 21 QUESTIONS FOR NEXT MEETING**

Proceedings in Brief

Clr Durkin asked for a costing report to install Closed Circuit TV (CCTV) cameras in Molong and Canowindra.

**MOTION** (Newsom/Treavors)

THAT Council receive a report at the next Council meeting in relation to questions asked/matters raised where necessary.

17/12/20 Carried

**ITEM - 22 BUSINESS PAPER ITEMS FOR NOTING**

**MOTION** (Davison/Nash)

THAT the items be noted.

17/12/21 Carried

**ITEM - 23 MATTERS OF URGENCY**

Proceedings in Brief

There were nil matters of urgency.

**MOTION** (Durkin/Oldham)

THAT it be noted there were nil matters of urgency.

17/12/22 Carried

**ITEM - 24 COMMITTEE OF THE WHOLE SECTION OF THE MEETING**

**MOTION** (Weaver/Durkin)

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

17/12/23 Carried

**ITEM - 12 THE FUTURE OF ORANA HOUSE**

Proceedings in Brief

There was a briefing to Council from the community meeting held 30 November 2017.

Clr Batten asked that the motion be changed to "THAT Council allocates funding for the refurbishment of Orana House in Canowindra and that any

refurbishments are sympathetic to the original design of the house". The General Manager suggested that a report come back to next council meeting requesting the amount required. Clr Batten said the amount was in the vicinity of \$190,000.

Clr Newsom said it was obvious that council has a responsibility for the upkeep and maintenance of the building, and this is currently not happening.

Clr Nash said that she did not realise the building was being used by so many community groups.

Clr Davison said because the refurbishment of the HACC office doesn't need to be done, that the funds could be used for the refurbishment of Orana house.

Clr Durkin supported Clr Batten's motion but also agreed that a report requesting funds come to next council meeting, he also asked that a regular maintenance plan be put in place for this building.

Clr Jones requested that a councillor representative be a member of the trust. The General Manager said that there was no trust but will look at management options in the future.

**RECOMMENDATION** (Batten/Jones)

THAT Council receive a report to allocate funding for the refurbishment of Orana House in Canowindra and that any refurbishments are sympathetic to the original design of the house.

1. Carried

**ITEM - 18 MODIFICATION APPLICATION - DEVELOPMENT  
APPLICATION 2016/128 - LIMESTONE MINE, CANOMODINE  
LANE, CANOWINDRA**

Proceedings in Brief

Clr Davison said that this was a bad example of dotting the i's and crossing the t's to the detriment of jobs.

Clr Davison asked that the Director of Engineering and Technical Services explain to council the reasons why the application be refused. The Director of Environmental Services spoke and explained that the conditions were in place to protect the community in that area. To modify, alters the conditions of consent.

The General Manager said that he had sought legal advice as council does not have a legal binding document. Once Council has received a draft document from council's solicitors, a copy will be sent out to all parties concerned and councillors.

Clr Nash said that we have been rough on these guys.

Clr Newsom said that the issues she has concerns about, is the time lag in getting information back to the Developer. She said that Westlime wanted to

progress with production so what can council do to move the legalities so the business can start running.

The Mayor asked if there was a cost to council if the modification was accepted. The General Manager said there was a clause in the Memorandum of Understanding that any damage to Cargo Road in 30 years is covered by the maintenance agreement and the proposed changes would shift the burden to the ratepayers.

**MOTION** (Davison/Nash)

That council refuse the modification application 2016/128/2 seeking to amend conditions 28 and 29 of Development Consent 2016/128 for a limestone mine upon Lot 201 DP 1232203, Canomodine Lane, Canowindra and retain the conditions as written in the consent.

**AMENDMENT** (Durkin/Newsom)

That council accept the modification application 2016/128/2 seeking to amend conditions 28 and 29 of Development Consent 2016/128 for a limestone mine upon Lot 201 DP 1232203, Canomodine Lane, Canowindra.

The amendment was put and carried becoming the motion, the motion was put and carried.

**RECOMMENDATION** (Durkin/Newsom)

That council accept the modification application 2016/128/2 seeking to amend conditions 28 and 29 of Development Consent 2016/128 for a limestone mine upon Lot 201 DP 1232203, Canomodine Lane, Canowindra.

2. Carried

The Chair called for a Division of Council as required under Section 375A (3) of the Local Government Act which resulted in a vote for the motion as follows:

For: Clrs, M Nash, P Mullins, G Treavors, C Newsom, A Durkin, J Weaver and I Davison.

Against: Clrs K Beatty, J Jones, L Oldham, P Batten.

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

It was noted the time being 3:47pm 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/Nash)

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.

3. Carried

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

**RECOMMENDATION** (Durkin/Newsom)

THAT the Committee endorse the accuracy of the Report of the Proceedings of Confidential Matters at the Closed Australia Day Committee meeting held on 28 November 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 Committee.

4. Carried

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

**RECOMMENDATION** (Durkin/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.

5. Carried

**ITEM - 4 CONTRACT 834904 CONSTRUCTION FOR THE CENTRAL  
TABLELANDS REGIONAL WATER SECURITY PIPELINE  
PROJECT MOLONG TO CUMNOCK AND YEOVAL**

Proceedings in Brief

The General Manager advised that dot point 2 in the recommendation can be amended as council has received confirmation that the variation was accepted.

**RECOMMENDATION** (Jones/Weaver)

THAT Council:

1. Accept the tender of Leed Engineering and Construction Pty Ltd. for the construction of Molong to Cumnock Pipeline at the tendered price of \$7,228,961.82 excluding GST.
2. Accept the tender of Leed Engineering and Construction Pty Ltd. for the construction of Cumnock to Yeoval Pipeline at the tendered price of \$2,132,014.55 excluding GST.
3. Authorise the affixation of the Common Seal of Council and appropriate signatures on the contract deed of agreement between Cabonne Council and Leed Engineering and Construction Pty Ltd.
4. Authorise any variation to the contract for the project provided the variations are contained within the overall approved budget.

6. Carried

It was noted the time being 3:52pm the Mayor resumed the Ordinary meeting.

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

**MOTION** (Oldham/Batten)

THAT the Report and Recommendations of the Committee of the Whole Meeting held on Tuesday 12 December, 2017 be adopted.

17/12/24 Carried

There being no further business, the meeting closed at 3:56pm.

CHAIRMAN.

Chairman of the Ordinary Meeting of Cabonne Council held on the 27 February, 2018 at which meeting the listed minutes were confirmed and the signature hereon was subscribed.