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

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

It was noted the time being 2.02pm the Mayor called for a minute silence to acknowledge the passing of former Councillor Ron Fanning and local resident Peter Darley.

ITEMS FOR DETERMINATION

ITEM - 1 APPLICATIONS FOR LEAVE OF ABSENCE

Proceedings in Brief

Apologies were tendered on behalf of Clrs Batten and Newsom for their absence from the meeting.

MOTION (Durkin/Treavors)

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

19/05/01 Carried

ITEM - 2 DECLARATIONS OF INTEREST

Proceedings in Brief

It was noted Clr Mullins declared an interest (identified as a potential conflict of interest, significant non-pecuniary) in Confidential Item 5 as he may be making a similar claim for reduction of water charges in the future.

MOTION (Davison/Oldham)

THAT the declaration of interest be noted.

19/05/02 Carried

ITEM - 3 DECLARATIONS FOR POLITICAL DONATIONS

Proceedings in Brief

There were nil declarations for political donations.

MOTION (Nash/Oldham)

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

19/05/03 Carried

It was noted the time being 2.05pm there was a Youth of the Month presentation made to Sophia Redenbach.

It was noted the time being 2.07pm there were Outstanding Service Awards presented to Stephen Harding, Denis O'Brien and Gary Brown.

It was noted the time being 2.25pm students from Molong Central, Canowindra High and Yeoval Central schools made presentations to Council.

ITEM - 4 MAYORAL MINUTE - APPOINTMENTS

Proceedings in Brief

Clr Beatty

30/04/19 – Attended the office for a meeting with Western Area Health, also present was the General Manager, Director of Environmental Services and the Deputy Mayor. Attended the business paper review with the Acting General Manager and Directors. Attended the Ordinary Council meeting.

01/05/19 – Attended the office for an interview with Neil Gill radio program. Meeting and site inspection of the Multi-Purpose Sporting Facility with the General Manager and Director of Engineering and Technical Services.

02/05/19 – Attended Centroc and J.O. meeting in Orange. Attended an interview with Prime News.

03/05/19 – Attended the Molong Ambulance Station Official Opening. Attended the office for a meeting with the General Manager and teleconference with McArthur Consultants.

07/05/19 – Attended the office for a meeting with the General Manager. Meeting with East Molong sporting precinct state holders.

08/05/19 – Attended the office for a meeting with the General Manager, Director of Finance and Corporate Services and the Eugowra Aged Care Committee.

09/05/19 – Attended Canowindra Showground funding announcement with Federal Member Andrew Gee and Deputy PM McCormack.

10/05/19 – Attended the office to conduct a Citizenship Ceremony.

14/05/19 – Attend Eugowra for a site inspection for the proposed aged care units. Attended Eugowra Showground for a funding announcement for Puzzle Flat Creek Levee. Attended the office for the Council Workshop. Attended the Grow Molong meeting with the Director of Engineering and Technical Services and the Deputy Mayor.

15/05/19 – Attended an interview with Neil Gill radio program.

21/05/19 – Attended the office for a meeting with the General Manager and attended to correspondence.

22/05/19 – Attended the Orange360 meeting. Attended the Orange Botanical Gardens for a funding announcement. Attended the Canobolas RFS Awards Ceremony.

23/05/19 – Attended the office for a meeting with Linda Scott, Local Government NSW President.

27/05/19 – Attended Orange for a meeting with Telstra executive.

Clr Weaver

03/05/19 – Attended Molong Ambulance Station opening.

25/05/19 – Attended the seniors afternoon tea organised by Canowindra Hospital Auxiliary. All money raised went to the Cancer Council.

27/05/19 – Attended the Age of Fishes Museum AGM.

Clr Nash

Attended the Molong Health Service meeting.

Clr Treavors

Attended the Cudal Central Incorporated meeting with Clr Jones and the General Manager, and advised council that this group meets once a school term.

Clr Oldham

Attended the Cudal Community Children's Centre opening.

Attended the Australian Local Government Association conference.

Attended the Arts Out West Advisory Meeting.

Clr Davison

Attended the Association of Mining and Energy Related Councils quarterly meeting (held in Forbes) with the General Manager.

MOTION (Beatty/-)

THAT the information contained in the Mayoral Minute be noted.

19/05/04 Carried

ITEM - 5 COMMITTEE OF THE WHOLE

Proceedings in Brief

Clr Durkin called Items 14 and 15 to be debated in Committee of the Whole.

MOTION (Davison/Jones)

THAT items 14 and 15 be debated in Committee of the Whole.

19/05/05 Carried

ITEM - 6 GROUPING OF REPORT ADOPTION

MOTION (Durkin/Oldham)

THAT items 7 and 8 be moved and seconded.

19/05/06 Carried

ITEM - 7 CONFIRMATION OF THE MINUTES

MOTION (Durkin/Oldham)

THAT the minutes of the Ordinary meeting held 30 April 2019 be adopted.

19/05/07 Carried

**ITEM - 8 CENTRAL NSW JOINT ORGANISATION - SOUTHERN LIGHTS
PROJECT**

MOTION (Durkin/Oldham)

THAT Council provide in principle support for Central NSW Joint Organisation in seeking funding to progress the replacement of Council's existing street lights with smart-enabled LED lighting.

19/05/08 Carried

**ITEM - 9 DELEGATES TO OTHER ORGANISATIONS - COMMUNITY
PEAK ORGANISATIONS**

Proceedings in Brief

It was noted that Clr Durkin nominated Clr Treavors as delegate and Clr Oldham as alternate delegate. Clrs Treavors and Oldham accepted the nomination.

MOTION (Oldham/Treavors)

THAT Council:

1. Acknowledge and thank the Cudal Progress and Commerce Association for its contribution to the community; and
2. Appoint Clr Treavors as delegate and Clr Oldham as alternate delegate to Cudal Central Incorporated.

19/05/09 Carried

ITEM - 10 EMERGENCY SERVICES LEVY INCREASE

Proceedings in Brief

Clr Davison noted the 11.26% increase from last year's levy is far higher than the rate increase that is set at 2.7%. He suggested that Council write to the

State Government and Revenue NSW requesting more notice be given in the future so that any levy increases can be included in the annual budget.

MOTION (Oldham/Nash)

THAT Council support Local Government NSW in its lobbying efforts regarding the increase to the Emergency Services Levy.

19/05/10 Carried

ITEM - 11 QUARTERLY BUDGET REVIEW

MOTION (Jones/Treavors)

THAT Council note the variances in the report and authorise those changes to be included in the 2018/2019 Council Budget.

19/05/11 Carried

ITEM - 12 LOCAL GOVERNMENT REMUNERATION TRIBUNAL

MOTION (Oldham/Treavors)

THAT from 1 July 2019 the annual fees payable to each councillor be set at \$12,160 and the additional annual payable fee to the Mayor be set at \$26,530.

19/05/12 Carried

ITEM - 13 POLICY REVIEW - CODE OF MEETING PRACTICE

MOTION (Weaver/Nash)

THAT Council adopt the exhibited draft Code of Meeting Practice.

19/05/13 Carried

It was noted that Items 14 and 15 were called to be debated in Committee of the Whole.

ITEM - 16 YOUNG PEOPLE TO ADDRESS COUNCIL MEETING

Proceedings in Brief

It was agreed by all councillors that the presentations by the high school students were very good, and that Council should be able to fulfil most of their requests.

MOTION (Weaver/Jones)

THAT a report be presented to the June Council meeting on matters raised by the school representatives.

19/05/14 Carried

ITEM - 17 SENIORS FESTIVAL 2019

MOTION (Weaver/Oldham)

THAT Council donate

1. \$500 to the Eugowra Lions Club;
2. \$500 to the Canowindra Lions Club; and
3. Use the remaining Seniors Festival budgeted funds to sponsor Council provided activities.

19/05/15 Carried

ITEM - 18 REQUEST FOR DONATION

MOTION (Nash/Treavors)

THAT Council donate:

1. \$900 to Peter Selmes for costs to attend an international sports event;
2. \$550 to Molong Advancement Group for replacement of glass in information boards; and
3. \$300 to Cambell Williams for costs to attend an international sports event.

19/05/16 Carried

ITEM - 19 EVENTS ASSISTANCE PROGRAM

MOTION (Jones/Nash)

THAT Council approve:

1. Funding of \$500 under the 2018-19 Events Assistance Program to Eugowra Events & Tourism Association for the 2019 Woodfired Eugowra; and
2. Funding of \$3,000 under the 2018-19 Events Assistance Program to Wine Industry Suppliers Australia for the Wine Industry IMPACT Conference to be held in the Orange region.

19/05/17 Carried

ITEM - 20 RURAL ROADS DUST POLICY

MOTION (Nash/Oldham)

THAT Council adopt the draft Rural Roads Dust Sealing Policy.

19/05/18 Carried

**ITEM - 21 RE-ESTABLISHMENT OF ALCOHOL FREE ZONES AND
ALCOHOL PROHIBITED AREAS WITHIN CABONNE COUNCIL
LOCAL GOVERNMENT AREA**

MOTION (Durkin/Oldham)

THAT Council:

1. Undertake public notification in accordance with s644(5) of the Local Government Act 1993 and the Ministerial Guidelines, to re-establish alcohol free zones and alcohol prohibited zones as outlined in the report; 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', and undertake public notification of the proposed amended wording.

19/05/19 Carried

**ITEM - 22 DRAFT DEVELOPMENT CONTROL PLAN NO. 17: RURAL
TOURISM**

Proceedings in Brief

Clr Davison queried the controls applying to all Rural Tourism Developments and if there is a requirement to notify adjoining land owners. The Acting Director of Environmental Services confirmed that advertising would take place.

MOTION (Jones/Oldham)

THAT Council notify the Draft Development Control Plan No. 17: Rural Tourism for public comment for a period of 28 days.

19/05/20 Carried

ITEM - 23 QUESTIONS FOR NEXT MEETING

Proceedings in Brief

Clr Weaver queried with NAIDOC Week coming up if Council had contact with a liaison officer from the local Aboriginal Land Council that could be invited to address council at a workshop. The Acting General Manager advised the question would be taken on notice.

MOTION (Weaver/Durkin)

THAT it be noted there were nil questions asked/matters raised that require a report to the next Council meeting.

19/05/21 Carried

ITEM - 24 BUSINESS PAPER ITEMS FOR NOTING

Proceedings in Brief

It was noted that Cllr Mullins called Item 5 to be further considered.

MOTION (Jones/Walker)

THAT:

1. Item 5 be further consider; and
2. The balance of the items be noted.

19/05/22 Carried

ITEMS FOR NOTATION

ITEM - 5 CANOWINDRA RETIREMENT VILLAGE PROJECT

Proceedings in Brief

Cllr Walker requested a progress update. The Director of Finance and Corporate Services advised that the transfer of land from the committee to Council has happened and Council's solicitor is currently reviewing the lease agreement.

MOTION (Walker/Jones)

THAT the information be noted.

19/05/23 Carried

ITEM - 25 MATTERS OF URGENCY

MOTION (Oldham/Nash)

THAT it be noted there were nil matters of urgency.

19/05/24 Carried

ITEM - 26 COMMITTEE OF THE WHOLE SECTION OF THE MEETING

MOTION (Jones/Durkin)

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

19/05/25 Carried

ITEM - 14 RESCISSION MOTION - ITEM 13 - DROUGHT ASSISTANCE

Proceedings in Brief

Clr Davison stressed that by ceasing the drought assistance currently in place Council are sending a message to the community, especially the farming community, that it does not believe the water situation is great enough to help them out. He further stated that Cabonne is an agricultural-based shire and that farmers contribute about 50% of the rates income. Clr Davison advised that discussions with Bruce Buchanan from St Vincent de Paul revealed that assistance provided to farmers has significantly increased and requested that councillors consider this issue properly.

Clr Mullins queried how many individual households have accessed assistance. The Director of Engineering and Technical Services estimated between five and ten.

Clr Mullins spoke against the motion and stressed that the water is being taken out of the towns water supply, which the town water supply users are paying for and those users will be facing Level 4 Water Restrictions in the coming days. He noted if someone was out of water, had an empty tank, there are other organisations, i.e. Rotary, St Vincent de Paul and CWA that are able to provide assistance, and in fact have provided approximately \$8M in assistance in this area over the past months.

Clr Nash spoke for the motion and stated that councillors need to keep in mind that some farmers have no other source of income and thought that Council should continue to provide assistance.

Clr Durkin speaking against the motion advised that Central Tablelands Water supplies the bulk of the water to many of Cabonne's towns and villages, noting the Molong water supply is significantly smaller. He said although he has empathy for the farmers, the Molong town water consumers need to know what they are paying for.

Clr Walker stated that the cost to date is only approximately \$7,000. He noted the use of water will decrease over winter and with Level 4 Water Restrictions soon to be imposed, he said Council should continue to provide primary producers with water.

The Mayor confirmed Level 4 Water Restrictions will be in place in Molong on Thursday.

Clr Jones speaking against the motion noted that all of Cabonne has been declared drought affected and although the forecast does not look good, the issue is not about money but about being a responsible government organisation and stressed that Council cannot continue to provide water free of charge as that would be irresponsible. The water supply is fast approaching

40% and if Council continue with this scheme at what point will residents be advised that there is no more water.

Clr Walker queried at what percentage would supply of water to the town be ceased, noting the dam is currently at 40%. The Director of Engineering and Technical Services advised when the dam reached 10%.

RECOMMENDATION (Davison/Weaver)

That Council rescind the following motion resolved at the Council meeting held 30 April 2019:-

ITEM 13 – DROUGHT ASSISTANCE

MOTION (Durkin/Treavors)

THAT Council cease the drought assistance measure currently in place.

Lost

ITEM - 15 LOCAL GOVERNMENT WEEK 2019

Proceedings in Brief

It was agreed for councillors to take a bus tour and visit Cargo, Cudal, Canowindra and Eugowra. The trip could include viewing major capital projects on the way, brief visits to Cudal, Cargo and Eugowra schools and a visit to the Age of Fishes Museum in Canowindra, noting local schools will be invited to meet councillors at the Age of Fishes Museum.

RECOMMENDATION (Durkin/Oldham)

THAT councillors visit Cargo, Cudal, Canowindra and Eugowra as part of Local Government Week 2019.

1. Carried

It was noted the time being 3.35pm 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 (Oldham/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.

2. Carried

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

RECOMMENDATION (Walker/Jones)

THAT the Committee endorse the accuracy of the Report of the Proceedings of Confidential Matters at the Ordinary Council meeting held on 30 April 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

**ITEM - 3 CENTRAL NSW JOINT ORGANISATION - ELECTRICITY
PROCUREMENT**

RECOMMENDATION (Durkin/Weaver)

THAT Council:

1. Delegate the authority to execute the contracts for the supply of electricity for small tariff sites, large contract sites and streetlighting to the General Manager.
2. Contribute 20% of Council's electricity load to a renewable energy Power Purchase Agreement where the pricing is financially advantageous, and
3. Advise Central NSW Joint Organisation of Council's decision.

4. Carried

**ITEM - 4 GRAZING LICENCE - COUNCIL OWNED LAND - LOT 1 DP
828007 CANOWINDRA**

RECOMMENDATION (Walker/Nash)

THAT Council:

1. Approve and authorise continuation of grazing licence for Canowindra Industrial Estate land, being Lot 1 DP 828007 with the adjoining landowners Mr and Mrs Davis; and
2. Authorise the affixing of the Common Seal to the licence agreement documents.

5. Carried

It was noted the time being 3.37pm Clr Mullins declared an interest and left the Chamber.

**ITEM - 5 REQUEST FOR CONSIDERATION OF WATER CHARGES FOR
412700000**

RECOMMENDATION (Oldham/Nash)

THAT Council not grant a reduction to the water consumption costs and allow a further 4 weeks to complete payment and write off interest accrued during this period for account 412700000.

6. Carried

It was noted the time being 3.38pm Clr Mullins returned to the Chamber.

ITEM - 6 PROPOSED SALE OF LAND FOR OVERDUE RATES

RECOMMENDATION (Oldham/Treavors)

THAT:

1. The report by the Senior Rates Officer on the Sale of Land, under Section 713 of the Local Government Act 1993, for unpaid rate be received.
2. Council proceeds with the sale of land for unpaid rates for the attached list of properties.
3. The General Manager be authorised to sign the General Manager's Certificates to enable the sale process to commence.
4. Outstanding Collections (Aust) Pty Ltd be appointed to administer the sale on Council's behalf.
5. The sale of land for unpaid rates and charges be held by public auction and land not sold at auction be sold by private treaty.
6. In order for property(s) to be withdrawn from sale for unpaid rates, all rates and charges accrued including arrears, current amounts and fees associated with the sale of land, be paid in full.
7. Council reserves the right to withdraw the property from sale for technical or legal reasons.

7. Carried

ITEM - 7 DEBT RECOVERY REPORT OF OUTSTANDING DEBTS

RECOMMENDATION (Jones/Oldham)

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, Council intends to issue a Statement of Claim for the recovery of all monies owed to Council.

8. Carried

**ITEM - 8 EVALUATION OF SUPPLY, INSTALLATION AND
MAINTENANCE OF PRINTER FLEET TENDER**

RECOMMENDATION (Nash/Treavors)

THAT Council engage Inland Digital for the Supply, Installation and Maintenance of its Printer Fleet at an estimated cost over 5 years of \$177,065.40.

9. Carried

**ITEM - 9 CONTRACT NO 957221 - CONSTRUCTION OF WATER
RETICULATION SYSTEM CABONNE COUNCIL**

RECOMMENDATION (Walker/Oldham)

THAT Council:

1. Accept the tender from TCM Civil Pty Ltd for the construction of the Water Reticulation System at the tendered price of \$1,032,000 excluding GST; and
2. Authorise any variation to the contact for the project provided the variations are contained within the overall approved budget within the program.

10. Carried

It was noted the time being 3.42pm the Mayor resumed the Ordinary Meeting.

REPORT & RESOLUTIONS OF COMMITTEE OF THE WHOLE

MOTION (Weaver/Durkin)

THAT the Report and Recommendations of the Committee of the Whole Meeting held on Tuesday 28 May, 2019 be adopted.

19/05/26 Carried

There being no further business, the meeting closed at 3.43pm.

CHAIRMAN.

Chairman of the Ordinary Meeting of Cabonne Council held on the 25 June, 2019 at which meeting the listed minutes were confirmed and the signature hereon was subscribed.