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

Clr C Newsom attended remotely.

Also present were the General Manager, Deputy General Manager - Cabonne Services, Deputy General Manager - Cabonne Infrastructure, Department Leader – Innovation & Technology, Department Leader - Governance & Corporate Performance and Executive Support Officer – Cabonne Services.

ITEMS FOR DETERMINATION

ITEM - 1 APPLICATIONS FOR LEAVE OF ABSENCE

MOTION (Weaver/Oldham)

THAT it be noted there were nil applications for leave of absence.

21/10/01 Carried

ITEM - 2 DECLARATIONS OF INTEREST

MOTION (Davison/Newsom)

THAT it be noted there were nil declarations of interest.

21/10/02 Carried

ITEM - 3 DECLARATIONS FOR POLITICAL DONATIONS

MOTION (Oldham/Nash)

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

21/10/03 Carried

ITEM - 4 MAYORAL MINUTE - APPOINTMENTS

Proceedings in Brief

Clr Beatty

28/9/21 – Attended the office for the business paper review. Attended the Ordinary Council meeting.

29/9/21 – Interview with 2MC Bathurst. Interview with the Neil Gill radio program. Attended the CNSWJO meeting in Orange.

30/9/21 – Attended the office. Attended the Cabonne Family Day Care funding announcement with the Hon. Andrew Gee, MP.

6/10/21 – Attend the office and Cabonne Community Centre site inspection.

12/10/21 – Attend the office for Councillor Workshop. Attended the Cabonne Community Strategic Plan (CSP) community forum for Cudal.

13/10/21 – Interview with the Neil Gill radio program. Attended the Cabonne CSP community forum for Canowindra.

14/10/21 – Attended the office. Attended the Building Better Regions funding announcement for the Molong main street with the Hon. Andrew Gee, MP.

15/10/21 – Attended the Building Better Regions funding announcement for the Canowindra main street with the Hon. Andrew Gee, MP. Attended the Eugowra Medical Centre meeting.

18/10/21 – Interview with 2MC Bathurst.

19/10/21 – Attended the Cabonne CSP community forum for Yeoval.

20/10/21 – Attended the Cabonne CSP community forum for Manildra.

25/10/21 - Attended the Cabonne CSP community forum for Cargo.

Clr Jones

28/9/21 – Attended the September Ordinary Council meeting.

30/9/21 – Attended the Cabonne Family Day Care funding announcement with the Hon. Andrew Gee, MP and the Mayor.

12/10/21 – Attended the Councillor Workshop and briefing session.

14/10/21 - Attended the Building Better Regions funding announcement for the Molong main street with the Hon. Andrew Gee, MP, the Mayor and General Manager.

15/10/21 – Attended the Building Better Regions funding announcement for the Canowindra main street with the Hon. Andrew Gee, MP, the Mayor and General Manager.

15/10/21 – Attended a meeting regarding the Eugowra Medical Centre refurbishment with the local committee, the Mayor, Clr Weaver and the General Manager.

Attended Community Strategic Plan community forums at Mullion Creek, Cudal, Molong, Eugowra, Yeoval, Manildra, Cumnock and Cargo.

Clr Newsom

Attended the Canowindra Business and Progress Association Annual General Meeting.

Clr Oldham

Attended the Nashdale Consultative Committee meeting.

MOTION (Beatty/-)

THAT the information contained in the Mayoral Minute be noted.

21/10/04 Carried

ITEM - 5 COMMITTEE OF THE WHOLE

MOTION (Durkin/Treavors)

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

21/10/05 Carried

ITEM - 6 CONFIRMATION OF THE MINUTES

MOTION (Oldham/Treavors)

THAT the minutes of the Ordinary meeting held 28 September 2021 be adopted.

21/10/06 Carried

**ITEM - 7 RESCISSION MOTION - ITEM 21 OF SEPTEMBER 2021
COUNCIL BUSINESS PAPER - EUGOWRA MEDICAL CENTRE
REFURBISHMENT PROJECT**

Proceedings in Brief

Clr Jones stated that, as was explained at the last meeting when the matter was discussed, the word abandoning in point 1 of the motion was purely for legal reasons, and at no point was council going to walk away and abandon this project. It was made clear in point 2 of the motion that council would continue to work with the committee.

Clr Jones stated that the reason for the rescission motion is that further discussions have taken place, and alternatives sites, options and timeframes have been considered.

MOTION (Jones/Oldham)

THAT item 21 from the Ordinary Council meeting held on 28 September 2021 be rescinded.

21/10/07 Carried

**ITEM - 8 CONSIDERATION OF COUNCIL'S MEETING SCHEDULE FOR
DECEMBER 2021 AND JANUARY 2022**

MOTION (Oldham/Nash)

THAT, due to the Local Government Elections to be held on Saturday 4 December 2021, Council:

1. Not conduct an ordinary meeting in December 2021; and
2. Hold an extraordinary meeting on Thursday 6 January 2022.

21/10/08 Carried

ITEM - 9 DELEGATIONS TO THE GENERAL MANAGER - CARETAKER PROVISIONS

MOTION (Weaver/Oldham)

THAT:

1. Council note the report;
2. Council delegate the authority to accept all tenders to the General Manager between 5 December 2021 and the date of the first Ordinary Meeting of Council following the 4 December 2021 election; and
3. A report on the exercise of such delegation be provided to the second Ordinary Meeting of Council following elections.

21/10/09 Carried

ITEM - 10 PECUNIARY INTEREST RETURNS 2021

MOTION (Davison/Newsom)

THAT Council note the tabling of Pecuniary Interest Returns for the period to 30 June 2021 for councillors and designated persons.

21/10/10 Carried

ITEM - 11 QUARTERLY BUDGET REVIEW

MOTION (Treavors/Nash)

THAT Council note the variances in the report and authorise those changes to be included in the 2021/2022 Council Budget.

21/10/11 Carried

ITEM - 12 VARIATION TO CABONNE FAMILY DAY CARE FEES AND CHARGES

Proceedings in Brief

Clr Jones advised that himself and the Mayor met with the Hon. Andrew Gee, MP for the funding announcement and the he wished to acknowledge the great work of the Family Day Care Coordinator, staff and educators.

MOTION (Jones/Weaver)

THAT council adopts the proposed changes to Cabonne Family Day Care's Fees and Charges as follows;

- lower the parent administration levy from \$1.45 to \$1.15,
- lower the educator levy to \$10 per week,
- decrease initial enrolment fee levy to \$25 from \$50 per family,
- void annual enrolment fee levy until 2024-2025.

21/10/12 Carried

**ITEM - 13 REQUEST TO ACCESS RESERVE FUNDS - AFTER SCHOOL
CARE MOLONG START UP**

MOTION (Durkin/Newsom)

THAT council support the transfer of \$40,000 from the Cabonne After School Care reserve to facilitate the fit out and establishment of the Molong After School Care service.

21/10/13 Carried

ITEM - 14 EUGOWRA MEDICAL CENTRE REFURBISHMENT PROJECT

MOTION (Weaver/Nash)

THAT Council:

1. Agree to proceed with delivery of the Eugowra Medical Centre Refurbishment project,
2. Underwrite the additional budget of \$278,000 from Reserves, and
3. Continue to seek further funding opportunities for the completion of the Eugowra Medical Centre Refurbishment project.

21/10/14 Carried

**ITEM - 15 REGIONAL TOWN WATER STRATEGY - MEMORANDUM OF
UNDERSTANDING**

Proceedings in Brief

The Mayor advised that the annexure provided in the business paper relating to this item was incorrect and that the correct annexure had been tabled for the information of councillors.

MOTION (Davison/Nash)

THAT Council:

1. Note the report on the Development of the Safe and Secure Water Program – Cabonne, Orange and Central Tablelands Water Regional Town Water Strategy (SSWP270),
2. Endorse the Memorandum of Understanding - Development of the Safe and Secure Water Program – Cabonne, Orange and Central Tablelands Water Regional Town Water Strategy, and
3. Authorise the Mayor and General Manager to execute all necessary documentation to enter into the Memorandum of Understanding - Development of the Safe and Secure Water Program – Cabonne, Orange and Central Tablelands Water Regional Town Water Strategy.

21/10/15 Carried

ITEM - 16 FIXING LOCAL ROAD ACCEPTANCE OF FUNDING

MOTION (Newsom/Oldham)

THAT:

1. Council accepts the funding offered under Fixing Local Roads Round 3 FLR300253, and
2. The funding deed be executed on behalf of council by the General Manager.

21/10/16 Carried

ITEM - 17 RURAL ROAD MAINTENANCE WET WEATHER IMPACT

MOTION (Davison/Nash)

THAT Council:

1. Notes the impact of the ongoing wet weather on the rural road network, and
2. Allocates an additional \$450,000 to the Rural Roads Maintenance budget allocation, to be transferred from council's roads reserve.

21/10/17 Carried

**ITEM - 18 MODIFICATION OF DA2018/0084/3 RESTAURANT AND
CONCEPT APPROVAL OF CELLAR DOOR PREMISES LOT B
D179711, 194 NANCARROW LANE NASHDALE**

Proceedings in Brief

The Deputy General Manager – Cabonne Services explained that the proponent, upon reviewing the planning assessment report, has requested to further modify the current application by deleting reference to two of the three proposed modification issues. This significantly alters the planning assessment, and thus the report and draft notice included in the business paper are now superfluous. The sole remaining part of the modification is to seek variation to the layout of the internal carpark. It was noted the current assessment report addresses this component and considered there to be no environmental impact. Given the minor nature of the now revised modification application, council was requested to consider either deferring the application to the November meeting, or delegating the determination of the revised report to the General Manager.

RECOMMENDATION (Jones/Oldham)

THAT Development Application 2018/0084/3 for the modification of Restaurant and Concept Approval for a Cellar Door Premises, at Lot B DP179711, 194 Nancarrow Lane, Nashdale be granted consent subject to the conditions attached.

AMENDMENT (Jones/Mullins)

THAT Council delegate to the General Manager the determination of the Development Application 2018/0084/3 for the modification of Restaurant and Concept Approval for a Cellar Door Premises, at Lot B DP179711, 194 Nancarrow Lane, Nashdale.

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

MOTION (Jones/Mullins)

THAT Council delegate to the General Manager the determination of the Development Application 2018/0084/3 for the modification of Restaurant and Concept Approval for a Cellar Door Premises, at Lot B DP179711, 194 Nancarrow Lane, Nashdale.

21/10/18 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 as follows:

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

Against: Nil

ITEM - 19 REQUEST FOR DONATION

Proceedings in Brief

Clr Durkin suggested that there be an annual donation made to Ronald McDonald House Charities Orange. The General Manager suggested this be a submission through the Delivery Program process.

MOTION (Weaver/Durkin)

THAT Council donate \$500 to Ronald McDonald House Charities Orange in support of its program to assist families accessing the service.

21/10/19 Carried

ITEM - 20 VILLAGE ENHANCEMENT FUND 2021-2022

MOTION (Batten/Newsom)

THAT Council approve the Cumnock and District Progress Association accessing \$5,040 from their allocated funding in the Village Enhancement Fund for the purpose of purchasing of a ride on lawn mower for use by the Progress Association.

21/10/20 Carried

ITEM - 21 MANILDRA MASTERPLAN

MOTION (Nash/Mullins)

THAT the draft Manildra Masterplan be placed upon 28 days public exhibition, with a further report to be presented to council following the exhibition phase.

21/10/21 Carried

ITEM - 22 COMMUNITY ASSISTANCE PROGRAM 2021-2022 - ROUND ONE

MOTION (Weaver/Newsom)

THAT Council approve applications 1 through 11 of the listed projects.

21/10/22 Carried

ITEM - 23 UNION PICNIC DAY 2021

MOTION (Oldham/Nash)

THAT Council approve the annual Union Picnic Day to be held on Friday 19 November 2021.

21/10/23 Carried

ITEM - 24 QUESTIONS FOR NEXT MEETING

MOTION (Davison/Durkin)

THAT it be noted there were nil questions raised for the next meeting.

21/10/24 Carried

ITEM - 25 BUSINESS PAPER ITEMS FOR NOTING

MOTION (Weaver/Treavors)

THAT the notation items be noted.

21/10/25 Carried

ITEM - 26 MATTERS OF URGENCY

MOTION (Treavors/Nash)

THAT it be noted there were nil matters of urgency.

21/10/26 Carried

ITEM - 28 CARBON NEUTRAL STRATEGY DEVELOPMENT

MOTION (Batten/Oldham)

THAT Council endorse the development of an Emissions Reduction Plan.

21/10/27 Carried

ITEM - 27 COMMITTEE OF THE WHOLE SECTION OF THE MEETING

MOTION (Oldham/Treavors)

THAT Council hereby resolve itself into Committee of the Whole.

21/10/28 Carried

It was noted the time being 2.45pm 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/Newsom)

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

RECOMMENDATION (Nash/Weaver)

THAT the Committee endorse the accuracy of the Report of the Proceedings of Confidential Matters at the Ordinary Council meeting held on 24 August 2021 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

**ITEM - 3 MOLONG LIMESTONE MINE - ENVIRONMENTAL
PROTECTION LICENCE**

RECOMMENDATION (Davison/Nash)

THAT council authorise the General Manager to apply to the NSW Environment Protection Authority for an Environmental Protection Licence for operation of the Molong limestone quarry.

3. Carried

**ITEM - 4 EUGOWRA MULTI-PURPOSE CENTRE - TENDER FOR
DESIGN AND CONSTRUCT**

RECOMMENDATION (Jones/Oldham)

THAT Council:

1. Resolve not to accept any Tender for the design and construction of Eugowra Multi-Purpose Community Centre, in accordance with Clause 178 (1b) of the Local Government (General) Regulation 2021,

2. In accordance with Clause 178 (3e) of the Local Government (General) Regulation 2021, enter into negotiations with the intent to enter into a contract for the project,
3. Resolve in accordance with Clause 178 (4b) of the Local Government (General) Regulation 2021, it is considered that a contract can be made through direct negotiation from the tenders received that will achieve Council's strategic objectives for the project,
4. Authorise the General Manager to enter into a contract with the contractor to deliver the design and construction of the Eugowra Multi-Purpose Centre, subject to successful negotiations.

4. Carried

It was noted the time being 3.00pm the Mayor resumed the Ordinary Meeting.

REPORT & RESOLUTIONS OF COMMITTEE OF THE WHOLE

MOTION (Treavors/Weaver)

THAT the Report and Recommendations of the Committee of the Whole Meeting held on Tuesday 26 October, 2021 be adopted.

21/10/29 Carried

There being no further business, the meeting closed at 3.00pm.

CHAIRMAN.

Chairman of the Ordinary Meeting of Cabonne Council held on the 23 November, 2021 at which meeting the listed minutes were confirmed and the signature hereon was subscribed.