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PRESENT Clr K Beatty (in the Chair), Clrs P Batten, J Jones, M Nash, L Oldham, K O’Ryan, A Pull, A Rawson, J Weaver.

Also present were the General Manager, Deputy General Manager - Cabonne Services, Acting Deputy General Manager - Cabonne Infrastructure, IT Coordinator, Department Leader – Governance & Corporate Performance and Governance Officer.

ITEMS FOR DETERMINATION

ITEM - 1 APPLICATIONS FOR LEAVE OF ABSENCE

MOTION (Oldham/O’Ryan)

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

24/07/01 Carried

ITEM - 2 DECLARATIONS OF INTEREST

Proceedings in Brief

Clr Rawson declared an interest (identified as a perceived conflict of interest, non-significant, non-pecuniary) in item 17 as he is a member of the Australian National Field Days Committee.

Clr Oldham declared an interest (identified as an actual conflict of interest, significant, non-pecuniary) in item 16 as she is the president of the Arts Council.

Clr O’Ryan declared an interest (identified as an actual conflict of interest, significant, non-pecuniary) in item 16 as she is the treasurer of the Arts Council.

Clr Batten declared an interest (identified as an actual conflict of interest, non-significant, non-pecuniary) in item 16 as he is a member of the Arts Council.

MOTION (Rawson/Weaver)

THAT the declarations of interest be noted.

24/07/02 Carried

ITEM - 3 DECLARATIONS OF POLITICAL DONATION

MOTION (Oldham/Nash)

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

24/07/03 Carried

It was noted the time being 2.09 the Chair adjourned the Ordinary Council meeting.

ADJOURNMENT OF MEETING

MOTION (Oldham/Nash)

THAT council adjourn the Ordinary Council meeting until the conclusion of the Youth of the Month Award presentation and the Canowindra High School student representative's presentation.

24/07/04 Carried

It was noted the time being 2.32pm the Chair resumed the Ordinary Council meeting.

ITEM - 4 MAYORAL MINUTE - APPOINTMENTS

Proceedings in Brief

Clr Beatty

25/06/2024 – Pre-meeting presentation and Ordinary Council meeting, Molong.

26/06/2024 – Orange 360 board meeting, Orange. Interview 2BS regarding the opening of completed projects.

27/06/2024 – Interview with Triple M regarding the opening of completed projects. Central West Community Leaders forum, Microsoft Teams.

28/06/2024 – Molong Town Centre Activation official opening, Molong. Official opening Manildra female changerooms, Manildra.

29/06/2024 – Official opening of Canowindra changerooms, Canowindra. Official opening of Nyrang Creek Bridge, Canowindra.

02/07/2024 – National General Assembly, Canberra.

03/07/2024 – National General Assembly, Canberra. Parliament meeting with the Hon. Catherine King's chief of staff, Canberra. Meeting with Senator the Hon. Murray Watt, Minister for Agriculture, Fisheries and Forestry and Minister for Emergency Management.

04/07/2024 – Meeting with Kerren Crosthwaite, First Assistant Secretary – Housing Division, Commonwealth Treasury regarding housing package. Meeting with the Hon. Darren Chester, MP. Meeting with Senator Tony Sheldon. National General Assembly, Canberra. Parliamentary dinner, Canberra.

05/07/2024 – National General Assembly, Canberra.

09/07/2024 – Committee meetings and councillor workshop, Molong.

12/07/2024 – General Manager's performance review, Molong.

17/07/2024 – Central NSW Joint Organisation (CNSWJO) Mayoral Advocacy opt in meeting. Interview with Neil Gill radio program. Audit Risk and Improvement Committee meeting, Cudal.

18/07/2024 – Conducted Australian Citizenship Ceremony, Cabonne Community Centre, Molong. Meeting with the General Manager, Molong.

19/07/2024 – Lego Competition judging, Molong Vacation Care. Meeting with the General Manager, Molong.

21/07/2024 – Official opening Mandagery Creek Bridge, Manildra.

Clr Jones

25/06/2024 – Briefing and Ordinary Council meeting, Molong. Cabonne Floodplain Management Advisory committee meeting.

28/06/2024 – Molong Town Centre Activation official opening. Official opening of Manildra female changerooms, Manildra.

29/06/2024 – Official opening of Canowindra changerooms and grandstand, Canowindra. Official opening of Nyrang Creek Bridge, Canowindra.

03/07/2024 – Interview with Win News regarding the Molong Town Centre Activation.

04/07/2024 – Visit from the Minister for Health the Hon. Ryan Park, MP and Member for Orange, Mr Philip Donato, MP, Canowindra Hospital.

09/07/2024 – Infrastructure (Other) Committee meeting and councillor workshop, Molong. Eugowra Progress Association meeting, Eugowra.

12/07/2024 – General Manager's performance review, Molong.

19/07/2024 – Lego Competition judging, Molong Vacation Care.

21/07/2024 – Official opening Mandagery Creek Bridge, Manildra.

22/07/2024 – Eugowra Recovery Advisory Committee meeting.

Clr Nash

28/06/2024 – Molong Town Centre Activation official opening. Official opening of Manildra female changerooms, Manildra.

29/06/2024 – Official opening of Canowindra grandstand, Canowindra. Official opening of Nyrang Creek Bridge, Canowindra.

21/07/2024 – Official opening of Mandagery Creek bridge, Manildra.

Clr Weaver

28/06/2024 – Official opening of Manildra female changerooms, Manildra.

29/06/2024 – Official opening of Canowindra grandstand, Canowindra. Official opening of Nyrang Creek Bridge, Canowindra.

02/07/2024 – Eugowra Museum meeting.

12/07/2024 – General Manager's performance review, Molong.

23/07/2024 – Ordinary Council meeting, Molong.

Clr Rawson

25/06/2024 – Presentation on TfNSW Cudal testing site, Molong. Ordinary Council meeting, Molong. Cabonne Floodplain Management Advisory committee meeting, Molong.

26/06/2024 – CNSWJO Disaster Risk Reduction fund showcase, Microsoft Teams.

01/07/2024 – Meeting with Central Tablelands Water (CTW) interim General Manager, Orange (CTW). Mullion Creek Progress Association meeting, Mullion Creek.

02/07/2024 – Nashdale Consultative Committee meeting, Nashdale.

09/07/2024 – Council committees and councillor workshop, Molong.

18/07/2024 – Meeting with CTW interim General Manager regarding General Manager recruitment, Blayney (CTW).

19/07/2024 – Conducted CTW General Manager interviews, Blayney (CTW).

20/07/2024 – Meeting with residents, Windera.

21/07/2024 – Borenore Progress Association meeting, Borenore.

MOTION (Beatty/-)

THAT the information contained in the Mayoral Minute be noted.

24/07/05 Carried

ITEM - 5 COMMITTEE OF THE WHOLE

MOTION (Oldham/Batten)

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

24/07/06 Carried

ITEM - 6 LOCAL STUDENTS TO ADDRESS COUNCIL MEETING

MOTION (Rawson/Pull)

THAT the matters raised by Canowindra High School student representatives be noted.

24/07/07 Carried

ITEM - 7 CONFIRMATION OF THE MINUTES

MOTION (Nash/Rawson)

THAT the minutes of the following meetings be adopted;

1. Ordinary Council meeting held on 25 June 2024;
2. Environment, Innovation & Energy Committee meeting held on 9 July 2024, and
3. Infrastructure (Other) Committee meeting held on 9 July 2024.

24/07/08 Carried

ITEM - 8 CONFIRMATION OF THE CABONNE LOCAL TRAFFIC COMMITTEE MEETING MINUTES

MOTION (Nash/Weaver)

THAT council accept the minutes from the Local Traffic Committee held on 3 July 2024 and;

1. Support the reduction of the speed limit along Pinnacle Road, Towac, and make an application to Transport for NSW to undertake a speed zone review along Pinnacle Road for the section within Cabonne Council,
2. Forward a request for a speed zone assessment to be undertaken on Yuranigh Road, Molong, to Transport for NSW, as well as undertake an assessment for advisory signage to be placed at locations identified during the technical assessment,
3. Approve road closures and disruptions for the Lonely Mountain Ultra Event being held on 5 October 2024, and
4. Approve Camp Quality to undertake the Big Walk event through the Cabonne LGA on 20 August 2024.

24/07/09 Carried

ITEM - 9 INTEGRATED PLANNING & REPORTING - OPERATIONAL PLAN - FINAL HALF YEARLY REPORT

MOTION (Pull/Batten)

THAT the update of the Operational Plan to 30 June 2024, as presented, be adopted.

24/07/10 Carried

ITEM - 10 2024 LOCAL GOVERNMENT NSW ANNUAL CONFERENCE

MOTION (Pull/Oldham)

THAT council:

1. Be represented at the 2024 Local Government NSW Annual Conference by the Mayor or his delegate, two observers nominated by council, and the General Manager or his alternate delegate in an advisory capacity; and
2. Identify issues and/or motions to be submitted to the conference.

24/07/11 Carried

ITEM - 11 COUNCIL'S MEETING SCHEDULE

MOTION (Jones/Pull)

THAT, due to Local Government Elections being held on Saturday 14 September 2024, council:

1. Not conduct the Infrastructure (Transport) and the Community, Economy and Culture committee meetings on Tuesday 13 August 2024,

2. Hold its ordinary meeting for August 2024 on Tuesday 13 August 2024, and
3. Not conduct an ordinary meeting on Tuesday 24 September 2024.

24/07/12 Carried

ITEM - 12 DELEGATIONS TO THE GENERAL MANAGER

MOTION (Pull/Jones)

THAT:

1. Council notes the report,
2. Council delegate the authority to accept all tenders to the General Manager between 15 September 2024 and the date of the first Ordinary Meeting of Council following the 14 September 2024 election, and
3. A report on the exercise of such delegation be provided to the second Ordinary Meeting of Council following elections.

24/07/13 Carried

ITEM - 13 RATING CATEGORIES STRATEGIC REVIEW

MOTION (Pull/Nash)

THAT council endorse the engagement of a qualified consultant to review council's rating structure.

24/07/14 Carried

ITEM - 14 ORANGE360 FUNDING AGREEMENT 2024-2026

MOTION (Batten/O'Ryan)

THAT council:

1. Note the Orange 360 Annual Report,
2. Approve the General Manager to execute a 2-year funding agreement between Council and TDO Limited trading as Orange360 for \$95,534.47+GST (CPI indexed annually),
3. Seek a formal council briefing from Orange360 prior to adoption of the 2025-26 Budget including a detailed benefit cost analysis, and
4. Endorse Mayor Kevin Beatty as the nominated council representative and delegate on the Orange360 Board for the remaining term of council (September 2024).

24/07/15 Carried

ITEM - 15 COMMUNITY ASSISTANCE PROGRAM 2024/25

MOTION (Pull/Jones)

THAT council approves:

1. Opening the 2024-25 Community Assistance Program - Round 1, and
2. An amendment to the Community Assistance Program guidelines recommending a maximum council contribution for projects be capped at \$5,000.

24/07/16 Carried

It was noted the time being 2.51pm Clrs Oldham, Batten and O’Ryan declared an interest in the following item and left the chamber.

ITEM - 16 EVENTS ASSISTANCE PROGRAM

MOTION (Nash/Weaver)

THAT council approves under its 2024/25 Event Assistance Program:

1. \$3,300 for the 2024 Acquisitive Art Prize
2. \$5,000 for the Australian Disc Golf Championships
3. \$2,000 for the Canowindra Esky Ball
4. \$5,000 for Woodfired Eugowra
5. \$1,000 for Celebrating the Seekers – 60 Year Anniversary concert

24/07/17 Carried

It was noted the time being 2.53pm Clrs Oldham, Batten and O’Ryan returned to the Chamber.

It was noted the time being 2.57pm Clr Rawson declared an interest in the following item and left the Chamber.

ITEM - 17 SPONSORSHIP PROGRAM

MOTION (Jones/Pull)

THAT council approve the application from the Australian National Field Days under the 2024/2025 Sponsorship Program for \$15,000.

24/07/18 Carried

It was noted the time being 3.00pm Clr Rawson returned to the Chamber.

ITEM - 18 CROWN LANDS PLANS OF MANAGEMENT

MOTION (Batten/Pull)

THAT council:

1. Endorse the draft Plans of Management for the Canowindra and Cudal caravan parks and swimming pools;

2. Forward the draft Plans of Management to the NSW Department of Planning and Environment for consent to place the plans on public exhibition; and
3. Authorise the General Manager to place the draft Plans of Management on public exhibition, following State government consent being granted.

24/07/19 Carried

ITEM - 19 MONTANA PARK UPGRADE

MOTION (Nash/Weaver)

THAT council endorse to reallocate savings generated from other projects from the General Fund to cover additional funds required to complete the Montana Park Upgrade project.

24/07/20 Carried

ITEM - 20 PLANNING PROPOSAL – PROPOSED REZONING OF 3732 THE ESCORT WAY CUDAL FROM RU1 PRIMARY PRODUCTION TO PART E4 GENERAL INDUSTRIAL

MOTION (Nash/Jones)

THAT:

1. Council receive and note the Planning Proposal (PP-2023-2772) for the rezoning of part of Lot 27 DP 750137 and Lot 1 DP 1172771 known as 3732, The Escort Way, Cudal, from RU1 Primary Production to E4 General Industrial and amend the Minimum Lot Size Map for the E4 part from 100ha to 0.4ha and the remaining RU1 part from 100ha to 5ha;
2. The applicant be advised that the following studies, subject to a Gateway Determination from the NSW Department of Planning, Housing and Infrastructure, may be required to be completed prior to agency referral and public exhibition:
 - Strategic Bush Fire Study that meets the requirements of *Planning for Bushfire Protection 2019*;
 - Aboriginal Cultural Heritage Assessment Report that meets the Heritage NSW guidelines; and
 - Preliminary Contamination Assessment that meets the requirements of Ministerial Direction 4.4 - Remediation of Contaminated lands;
3. Council forward the planning proposal to the NSW Department of Planning Housing and Infrastructure for a Gateway Determination in accordance with section 3.33 of the *Environmental Planning and Assessment Act 1979*; and
4. If no submissions are received in response to public exhibition then delegate authority to the General Manager to finalise the planning proposal and associated Local Environmental Plan Amendment,

however, if submissions are received then present a further report to council on submissions received during the exhibition phase.

24/07/21 Carried

**ITEM - 21 DEVELOPMENT APPLICATION 2024/0115 BEING 14
TOOGONG STREET, CUDAL, AND DA 2024/0138 BEING 162
HIGGINS ROAD, YEOVAL.**

MOTION (Pull/Rawson)

THAT:

1. Development Application 2024/0115 for a change of use from a storage shed to a vehicle repair station at 14 Toogong Street, Cudal, be refused based on insufficient information provided with the application to enable determination of the proposed development, and
2. Development Application 2024/0138 for a private cemetery at 162 Higgins Road, Yeoval, be refused based on insufficient information provided with the application to enable determination of the proposed development,

24/07/22 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 P Batten, K Beatty, J Jones, M Nash, L Oldham, K O’Ryan, A Pull, A Rawson and J Weaver.

Against: Nil

**ITEM - 22 DEVELOPMENT APPLICATION 2024-0061-1 - 10 LOFTUS ST,
EUGOWRA**

MOTION (Jones/Weaver)

THAT Development Application 2024/0061/1 for modification to the location of the proposed dwelling at 10 Loftus Street, Eugowra, be granted consent subject to the conditions attached.

24/07/23 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 P Batten, K Beatty, J Jones, M Nash, L Oldham, K O’Ryan, A Pull, A Rawson and J Weaver.

Against: Nil

ITEM - 23 QUESTIONS FOR NEXT MEETING

MOTION (Oldham/Pull)

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

24/07/24 Carried

ITEM - 24 BUSINESS PAPER ITEMS FOR NOTING

MOTION (Pull/Nash)

THAT the notation items be noted.

24/07/25 Carried

ITEM - 25 MATTERS OF URGENCY

MOTION (Weaver/Nash)

THAT it be noted there were nil matters of urgency.

24/07/26 Carried

ITEM - 26 COMMITTEE OF THE WHOLE SECTION OF THE MEETING

MOTION (Jones/Rawson)

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

24/07/27 Carried

It was noted the time being 3.09pm staff left the Chamber.

ITEM - 27 MAYORAL MINUTE - GENERAL MANAGER'S PERFORMANCE REVIEW

MOTION (Beatty/-)

THAT:

1. Council agree to award a discretionary increase of 3% to the General Manager's total remuneration package (TRP), in recognition of the high standards and results achieved for the period,
2. The increase be applied effective from the contract anniversary date in April 2023,
3. The attached Performance Agreement for the 2024/25 year be adopted.

4. That the term of the new agreement be 14 months instead of 12, in order to bring it in line with council's financial year, that is April 2024 to June 2025.

24/07/28 Carried

It was noted the time being 3.14pm staff returned to the Chamber.

ITEM - 28 EVENTS ASSISTANCE PROGRAM

MOTION (Weaver/Pull)

THAT council approves under its 2024/25 Event Assistance Program \$5,000 for the Cumnock Community Family Fun Day.

24/07/29 Carried

ITEM - 29 HOUSING SUPPORT PROGRAM

MOTION (Jones/Pull)

THAT council apply for funding through the Australian Government's Housing Support Program – Community Enabling Infrastructure Stream, for the following project being the Molong Housing Infrastructure Growth Strategy, estimated at \$17,000,000.

24/07/30 Carried

**ITEM - 30 MODIFICATION OF DEVELOPMENT APPLICATION
2022/216/2 - 1031 OPHIR ROAD, SUMMER HILL CREEK**

MOTION (Pull/Nash)

THAT modification of Development Application 2022/0216/2 for Intensive Livestock Agriculture and an Animal Training or Boarding Establishment on Lot 25 DP 750372 and Lot 21 DP 543420 being 1031 Ophir Road, Summer Hill Creek, be granted consent subject to the modified conditions attached.

24/07/31 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: Ctrs P Batten, K Beatty, J Jones, M Nash, L Oldham, K O'Ryan, A Pull, A Rawson and J Weaver.

Against: Nil

It was noted the time being 3.17pm 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

RECOMMENDATION (Batten/Jones)

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 ACQUISITION OF ROAD RESERVE - CARGO ROAD, LIDSTER

RECOMMENDATION (Batten/Jones)

THAT council:

1. Gives authority to the General Manager to negotiate terms of purchase of part Lot 3 on DP 629039, Lots 1 & 2 on DP1291114, Lot 39 on DP750139 on behalf of council, and
2. Authorises the Mayor and General Manager to execute all documentation required to finalise the purchase of the part allotments.

2. Carried

ITEM - 3 ACQUISITION OF ROAD RESERVE - FINNS LANE, CANOWINDRA

RECOMMENDATION (Weaver/Pull)

THAT council:

1. Gives authority to the General Manager to negotiate terms of purchase of part Lots 1000 & 1001 DP 1126208, Lot 100 DP 1125864, Lot 2 DP 229593, Lot 1 DP151878 & Lot 1 DP 32529 on behalf of council, and
2. Authorises the Mayor and General Manager to execute all documentation required to finalise the purchase of the part allotments.

3. Carried

ITEM - 4 CABONNE POOLS UPGRADE - STAGE 1 - CONTRACTOR NEGOTIATIONS REPORT

RECOMMENDATION (Jones/Pull)

THAT council:

1. Note the report on contract negotiations with the preferred contractor TWS (NSW) Pty Ltd for the Cabonne Pools Upgrade Works – Stage 1, and
2. Endorse the actions of the General Manager entering into a contract with TWS (NSW) Pty Ltd for the price of \$736,850 including GST, subject to variations.

4. Carried

ITEM - 5 CONTRACT 1695006 - ROAD PAVEMENT RESTORATION WORKS

RECOMMENDATION (Batten/Weaver)

THAT council accepts the proposed panel to provide Road Pavement Restoration works in order to:

1. Durack Civil Pty Ltd
2. Stabilised Pavements Australia Pty Ltd
3. CountryWide Asphalt Pty Ltd

5. Carried

ITEM - 6 PLANT REPLACEMENT - TILT/TIP TRAY TRUCK

RECOMMENDATION (Weaver/Nash)

THAT council:

1. Resolves to purchase from Tracserv Trucks, one Isuzu FVD 165 300, fitted with a Tilt Tip tray from Almighty Industries in Orange for the purchase price of \$300,458 ex GST, and
2. Fund from the Plant reserve, \$100,458, being the difference between the budget allocation of \$200,000 and the tendered price \$300,458. ex GST

6. Carried

ITEM - 7 TENDER 1712181 - SUPPLY OF CENTRAL INVERTER AND BATTERY ENERGY STORAGE SYSTEM FOR EUGOWRA SOLAR FARM

RECOMMENDATION (Rawson/Batten)

THAT council:

1. Note the report on Tender 1712181 - Supply of Central Inverter (Medium Voltage Power Station) and Battery Energy Storage System for Eugowra Solar Farm.

2. Award Tender 1712181 - Supply of Central Inverter (Medium Voltage Power Station) and Battery Energy Storage System for Eugowra Solar Farm to Sungrow Pty Ltd in the amount of \$1,240,580 (USD ex GST).
3. Delegate authority to the General Manager to finalise contract details with the preferred tenderer.

7. Carried

ITEM - 8 REQUEST FOR CONSIDERATION OF WATER CONSUMPTION CHARGES

RECOMMENDATION (Pull/Nash)

THAT council:

1. Write off 50% of water consumption costs of \$6,802.77 for account 4637011000 for the billing period 1 February 2024 – 30 April 2024 plus interest accrued during investigations, and
2. Decline to write off 50% of water consumption costs of \$795.46 for account 993951000005 for the billing periods 1 May – 31 July 2023 and 1 November 2023 – 31 January 2024 and associated sewerage charges of \$351.65 plus interest accrued during investigations.

8. Carried

It was noted the time being 3.41pm the Chair resumed the Ordinary meeting.

REPORT & RESOLUTIONS OF COMMITTEE OF THE WHOLE

MOTION (Oldham/O'Ryan)

THAT the Report and Recommendations of the Committee of the Whole Meeting held on Tuesday 23 July, 2024 be adopted.

24/07/32 Carried

There being no further business, the meeting closed at 3.42pm.

CHAIRMAN.

Chairman of the Ordinary Meeting of Cabonne Council held on the 13 August, 2024 at which meeting the listed minutes were confirmed and the signature hereon was subscribed.