

3 June 2020

NOTICE OF EXTRAORDINARY COUNCIL MEETING

Your attendance is respectfully requested at the Extraordinary Meeting of Cabonne Council convened for <u>Tuesday 9 June</u>, <u>2020</u> commencing at <u>2:00pm</u>, at the Cabonne Council Chambers, Bank Street, Molong to consider the undermentioned business.

Yours faithfully

BJ Byrnes

GENERAL MANAGER

ORDER OF BUSINESS

- 1) Open Extraordinary Meeting
- 2) Consideration of General Manager's Report
- 3) Resolve into Committee of the Whole
 - a) Consideration of Called Items
 - b) Consideration of Closed Items
- 4) Adoption of Committee of the Whole Report

Please be advised that this Council meeting is being recorded. By speaking at this meeting, you agree to being recorded. Please ensure that if and when you speak you are respectful to others and use appropriate language at all times. Cabonne Council accepts no liability for any defamatory or offensive remarks or gestures made during the course of this meeting. The recording of this meeting will be made publicly available on Council's website.



COUNCIL'S MISSION

"To be a progressive and innovative Council which maintains relevance through local governance to its community and diverse rural area by facilitating the provision of services to satisfy identified current and future needs."

COUNCIL'S VISION

Cabonne Council is committed to providing sustainable local government to our rural communities through consultation and sound financial management which will ensure equitable resource allocation.

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	CONFIDENTIAL ITEMS
Council to the public Council v	40(4) of the Local Government (General) Regulation 2005 requires orefer any business to be considered when the meeting is closed to in the Ordinary Business Paper prepared for the same meeting. Will discuss the following items under the terms of the Local ent Act 1993 Section 10A(2), as follows:
ITEM 1	CARRYING OF COMMITTEE RESOLUTION INTO CLOSED COMMITTEE OF THE WHOLE MEETING
	Procedural
ITEM 2	MOLONG LIMESTONE QUARRY LEASE
	Procedural
	ANNEXURE ITEMS
ANNEXU	RE 5.1 CUMNOCK TOWNSHIP - PETITION RE FLOODPLAIN MANAGEMENT7

ITEM 1 - APPLICATIONS FOR LEAVE OF ABSENCE

REPORT IN BRIEF

Reason For Report	To allow tendering of apologies for councillors not
	present.
Policy Implications	Nil
Budget Implications	Nil
IPR Linkage	4.5.1.g - Code of Meeting Practice adopted and
	implemented.
Annexures	Nil
File Number	\OFFICIAL RECORDS LIBRARY\GOVERNANCE\COUNCIL MEETINGS\COUNCIL - COUNCILLORS LEAVE OF ABSENCE - 1126202

RECOMMENDATION

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

GENERAL MANAGER REPORT

A call for apologies is to be made.

ITEM 2 - DECLARATIONS OF INTEREST

REPORT IN BRIEF

Reason For Report	To allow an opportunity for councillors to declare an interest in any items to be determined at this meeting.			
	, , , , , , , , , , , , , , , , , , , ,			
Policy Implications	Nil			
Budget Implications	Nil			
IPR Linkage	4.5.1.g - Code of Meeting Practice adopted and			
	implemented.			
Annexures	Nil			
File Number	\OFFICIAL RECORDS LIBRARY\GOVERNANCE\COUNCIL			
	MEETINGS\COUNCIL - COUNCILLORS AND STAFF			
	DECLARATIONS OF INTEREST - 2019 - 1126206			

RECOMMENDATION

THAT the Declarations of Interest be noted.

GENERAL MANAGER REPORT

A call for Declarations of Interest.

ITEM 3 - DECLARATIONS FOR POLITICAL DONATIONS

REPORT IN BRIEF

Reason For Report	To allow an opportunity for Councillors to declare any Political Donations received.		
Policy Implications	Nil		
Budget Implications	Nil		
IPR Linkage	4.5.1.g - Code of Meeting Practice adopted and		
	implemented.		
Annexures	Nil		
File Number	\OFFICIAL RECORDS LIBRARY\GOVERNANCE\COUNCIL MEETINGS\COUNCIL - COUNCILLORS DECLARATION OF POLITICAL DONATIONS - 1126207		

RECOMMENDATION

THAT any Political Donations be noted.

GENERAL MANAGER REPORT

A call for declarations of any Political Donations.

ITEM 4 - INTEGRATED PLANNING AND REPORTING 2020/2021 DOCUMENTATION

REPORT IN BRIEF

Reason For Report	To advise council of nil submissions received relating to the Draft IP&R documentation, which has been on public exhibition.
Policy Implications	Nil
Budget Implications	Nil
IPR Linkage	4.5.2.c Engage with community to determine future
	needs & objectives
Annexures	Nil
File Number	\OFFICIAL RECORDS LIBRARY\CORPORATE
	MANAGEMENT\PLANNING\INTEGRATED PLANNING AND
	REPORTING 2020-2021 - 1126531

RECOMMENDATION

THAT Council note:

- 1. There were nil submissions received in relation to the draft 2020/2021 IP&R documentation; and
- The maximum interest rate payable on overdue rates and charges determined in accordance with section 566(3) of the Act, detailed in the report.

<u>DEPARTMENT LEADER - GOVERNANCE & CORPORATE</u> PERFORMANCE'S REPORT

In accordance with the Local Government Act 1993, council's draft 2020/2021 Budget, Fees and Charges and Operational Plan were placed on public exhibition for 28 days from 4 May until 31 May 2020.

There was an advertising campaign which informed the community of the public exhibition of the documents and invited comments.

There were nil submissions received in relation to the Integrated Planning & Reporting 2020/21 documentation.

The Office of Local Government have advised in Circular 20-19 issued on 26 May 2020 that there is a change to the maximum interest rate that can be charged on overdue rates and charges.

In accordance with section 566(3) of the Act, it has been determined that the maximum rate of interest payable on overdue rates and charges for the period 1 July 2020 to 31 December 2020 (inclusive) will be 0.0% per annum and that the maximum rate of interest payable on overdue rates and charges for the period 1 January 2021 to 30 June 2021 (inclusive) will be 7.0% per annum.

The interest rate has been set at 0.0% for the first half of the 2020/21 financial year in response to the financial impacts faced by the community as a result of the COVID-19 Pandemic.

Councils draft IP&R documentation will be changed in accordance.

ITEM 5 - CUMNOCK FLOOD PLAIN MANAGEMENT RECEIVING OF PETITION.

REPORT IN BRIEF

Reason For Report	For	council	to	consider	the	petition	regarding
	Cumnock Flood Plain Management.						
Policy Implications	Nil						

GENERAL MANAGER'S REPORT ON MATTERS FOR DETERMINATION SUBMITTED TO THE EXTRAORDINARY COUNCIL MEETING TO BE HELD ON TUESDAY 9 JUNE, 2020

Page 5

Budget Implications	Nil				
IPR Linkage	4.5.2.c - Engage with community to determine future				
	needs & objectives				
Annexures	1. Cumnock Township - Petition re				
	Floodplain Management <u></u>				
File Number	\OFFICIAL RECORDS LIBRARY\SEWERAGE AND				
	DRAINAGE\REPORTING\FLOODS - 1126575				

RECOMMENDATION

THAT Council:

- 1. Receive the Cumnock Floodplain Management Petition
- Write to the lead petitioner advising that the petition has been accepted in accordance with Council's Draft Petition Operational Policy
- 3. Call for a future report to be presented on Cumnock Township Floodplain Management

<u>DEPUTY GENERAL MANAGER CABONNE INFRASTRUCTURE'S</u> <u>REPORT</u>

Background

Cabonne Council has received a petition from the Cumnock Community seeking Council action to prevent further flooding within the township.

The petition, received by Council on 13 May 2020, contains 118 signatures.

Of note, the petition was noted as a submission to the Molong Floodplain Management Advisory Committee terms of reference public exhibition. Given the uniqueness of the two townships, it is appropriate to consider both separately.

Petitions Policy

Previously, receiving of policies by Council was contained with the Code of Meeting Practice, however, recent editions of the model Code from the Office of Local Government have omitted this matter.

A draft operational policy has been developed in consideration of this omission from the code. The draft policy contains guidelines of appropriateness of submissions, and the form a petition must take to be received.

This draft policy has been applied in receiving this petition relating to floodplain management of Cumnock township.

The petition received is generally in accordance with the standard of submission required within Council's operational policy.

THIS IS PAGE NO 5 OF THE GENERAL MANAGER'S REPORT ON MATTERS FOR DETERMINATION TO THE EXTRAORDINARY MEETING OF CABONNE COUNCIL TO BE HELD ON 9 JUNE, 2020

GENERAL MANAGER'S REPORT ON MATTERS FOR DETERMINATION SUBMITTED TO THE EXTRAORDINARY COUNCIL MEETING TO BE HELD ON TUESDAY 9 JUNE, 2020

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Cumnock Floodplain Management

Receiving the petition at this stage is an acknowledgement of lodgement, and at this stage, a future report will be tabled detailing the options to Council to consider the intent of the petition.

The petition itself requests Council to address the issue, however it is not specific in what the community would like to see, or how it would be achieved. By receiving a future report on the matter, further data and investigation can provide guidance with relation to flooding in Cumnock.

AHENTION: Bradley Burns General Manager 12-05-2020

Dear Sir, I read with interest Caboune Council Public Notice: Terms of Reference Molong Flood Plain Risk Management Advisory Counithee. Considering the shocking storm Cumrock received of 25th Monch 2020, I have taken the opportunity to vouse a petition among The locals to try and achewe some positive action, to be accomplished, to try and prevent or reduce the terrible affects, of the aftermath, expenenced by several residents. Talking to many of the locals during The period of collecting signatures, I learn to all their own experiences: many losing fencing, others with water wisk to ditiques, and others their homes invaded by the stown. So I enclose signatures and many photos of The event. I would like to add, that I think it would be agreat clea for the community to get to-getner with council members, to tell of Their own stories, of fields covered in 70

Item 5 - Annexure 1

flooding waters, That covered the voads, and took with it, too much debuis, including trees, logs and even cars! At the meeting, They could advise Where the water came from, and Where it ended up. This story of flooding has gone on for more than 100 years, with nothing efficient ever being acheived. We would be very grateful of something could be finally done! Regards Vanchica Ceme

Page 9

97 Obley St CUMHOCK NSW

97 Obley St Cumnock

25th March 2020 is the day that will remain ingrained in my mind for a long time.

5.15pm, I was tossing up, wether to keep weeding or give up because of the light shower we were experiencing.

By 5.30pm, I gave up!

The rain started to increase very quickly!

And I did my usual running from inside the back of the house, checking the flow of water outside the grandchildren's window, to the front bedroom window, checking how high the water was flowing down the "stormwater ditch", and how far back it had backed up at my neighbours driveway!

By this time the water was coming into the bathroom and the grandchildren's bedroom!

Then the septic tank alarm went off.

Unable to switch it off, wading in water that was now pouring into my gumboots, Jack Christie, our SES local arrived and advised me how.

At this point, my gaze wondered from my already flooded garden, across to my neighbours, I had never seen it flooded like that!

And then I realised her new neighbour was unaware that he needed to remove a panel from the aluminium fence, to allow the freeflow of the water, which was now backing up quickly!

I ran over to their house, to let them know!

By the time I returned to my house, SES had returned, and enquired if I was staying or leaving. Adamantly I advised I was staying!

But by the time I walked inside, I realised that was a big mistake!

400 MLS of water had invaded the inside, and my house was now uninhabitable!

I had to leave! I grabbed an overnight bag and had to leave my home!

The time was now 7.30pm!

Item 5 - Annexure 1

Attached to the Draft Terms of Reference

Attention: Bradley Burns General Manger

PO Box 17 Molong NSW 2866 - council@cabonne.nsw.gov.au

With reference to your Terms of Reference required to set expectations of outcomes from the committee, re the guidance of management of flood liable land, including the establishment of floodplain risk committees, we the community of Cumnock NSW 2867, present our proposal of a petition, to provide advice to the Council on decision making. This proposal covers the social, economic, environmental and cultural issues pursuant to the local community of Cumnock!

Floods have been consuming our region for more than 100 years!

To reduce further suffering, heartache and expense to ourselves and to our insurance companies, who pass the debt back on to us, we believe that our government should take time to examine and research, ways to reduce and completely desist the flooding.

We the townsfolk have had enough!

NAME
PAULA RUDO
PARHOLL

SIGNATURE

NUMBER & STREET

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12.5 2020

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NAME

VERONICA ANNIE

SIGNATURE

NUMBER & STREET

91 Obley St 62 05 - 2020

TONDONE

42 Googledery Rd 8:5:20.

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NAME		SIGNATURE	NUMBER & STREET	DATE
Rebecca	Rose	Nove.	43 JAMES ST SEVEN HILLS	2147. 2.5.2020
KERAIC	CHRISTIE	Dhuke	14 BRUCEST, CUM	
Panny (Cashman	Den	24 Bruce St (u	mnock 28672520
Damlan	F154	8	27 Bruce & Co	mnock 2/5/2020
Je55	FISH	72	21 Bruce St Co	mvoc / 2/5/220
Nicole	Jones	1000	27 Brucest (umnoo R215/2026
Celas Il	ellon	P14	8 Keng ST Cvane	ek l
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NAME		SIGNATURE	NUMBER & STREET	DATE	
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	ing Hammond	K. M. Papinos	1 Railray lde	Cunada 8/	5/20
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BILL	91B30N	U.T. Gilson	16 MCLAUGH	WAN ST	8/5/20
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Richard Manuder

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NAME		SIGNATURE	NUMBER & STREET	DATE
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Molong Flood Plain Risk Management Advisory Committee

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