



18 August 2021

### **NOTICE OF ORDINARY COUNCIL MEETING**

Your attendance is respectfully requested at the Ordinary Meeting of Cabonne Council convened for **Tuesday 24 August, 2021** commencing at **2:00PM**, at the Cabonne Council Chambers, Bank Street, Molong to consider the undermentioned business.

Yours faithfully

A handwritten signature in black ink, appearing to read "BJ Byrnes", is written over a light blue horizontal line.

BJ Byrnes  
**GENERAL MANAGER**

### **ORDER OF BUSINESS**

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

Please be advised that this Council meeting is being recorded and live streamed. By speaking at this meeting, you agree to being recorded and live streamed. 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**

*Clause 240(4) of the Local Government (General) Regulation 2005 requires Council to refer any business to be considered when the meeting is closed to the public in the Ordinary Business Paper prepared for the same meeting. Council will discuss the following items under the terms of the Local Government Act 1993 Section 10A(2), as follows:*

**ITEM 1 CARRYING OF COMMITTEE RESOLUTION INTO CLOSED  
COMMITTEE OF THE WHOLE MEETING**

*Procedural*

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

*Procedural*

**ITEM 3    EVALUATION OF SUBMISSIONS TENDER: "NETWASTE  
TENDER FOR COLLECTION AND RECYCLING SCRAP  
METAL F2959"**

*(c) information that would, if disclosed, confer a commercial  
advantage on a person with whom the Council is conducting (or  
proposes to conduct) business*

**ITEM 4    REQUEST FOR CONSIDERATION OF INTEREST  
CHARGES ON ACCOUNT 936100007**

*(b) matters in relation to the personal hardship of a resident or  
ratepayer*

**ANNEXURE ITEMS**

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

### **REPORT IN BRIEF**

<b>Reason For Report</b>	To allow tendering of apologies for councillors not present.
<b>Policy Implications</b>	Nil
<b>Budget Implications</b>	Nil
<b>IPR Linkage</b>	4.5.1.g - Code of Meeting Practice adopted and implemented.
<b>Annexures</b>	Nil
<b>File Number</b>	\OFFICIAL RECORDS LIBRARY\GOVERNANCE\COUNCIL MEETINGS\COUNCIL - COUNCILLORS LEAVE OF ABSENCE - 1284938

### **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**

<b>Reason For Report</b>	To allow an opportunity for councillors to declare an interest in any items to be determined at this meeting.
<b>Policy Implications</b>	Nil
<b>Budget Implications</b>	Nil
<b>IPR Linkage</b>	4.5.1.g - Code of Meeting Practice adopted and implemented.
<b>Annexures</b>	Nil
<b>File Number</b>	\OFFICIAL RECORDS LIBRARY\GOVERNANCE\COUNCIL MEETINGS\COUNCIL - COUNCILLORS AND STAFF DECLARATION OF INTEREST - 2021 - 1284939

### **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**

<b>Reason For Report</b>	To allow an opportunity for Councillors to declare any Political Donations received.
<b>Policy Implications</b>	Nil
<b>Budget Implications</b>	Nil
<b>IPR Linkage</b>	4.5.1.g - Code of Meeting Practice adopted and implemented.
<b>Annexures</b>	Nil
<b>File Number</b>	\\OFFICIAL RECORDS LIBRARY\\GOVERNANCE\\COUNCIL MEETINGS\\COUNCIL - COUNCILLORS DECLARATION OF POLITICAL DONATIONS - 1284942

**RECOMMENDATION**

THAT any Political Donations be noted.

**GENERAL MANAGER REPORT**

A call for declarations of any Political Donations.

**ITEM 4 - MAYORAL MINUTE - APPOINTMENTS**

**REPORT IN BRIEF**

<b>Reason For Report</b>	To allow noting of the Mayoral appointments plus other Councillors' activities Reports.
<b>Policy Implications</b>	Nil
<b>Budget Implications</b>	Nil
<b>IPR Linkage</b>	4.5.1.g - Code of Meeting Practice adopted and implemented.
<b>Annexures</b>	Nil
<b>File Number</b>	\\OFFICIAL RECORDS LIBRARY\\GOVERNANCE\\COUNCIL MEETINGS\\MAYORAL MINUTES - 1284944

**RECOMMENDATION**

THAT the information contained in the Mayoral Minute be noted.

**GENERAL MANAGER REPORT**

A call for the Mayoral appointments and attendances as well as other Councillors' activities reports to be tabled/read out.

**ITEM 5 - COMMITTEE OF THE WHOLE**

**REPORT IN BRIEF**

<b>Reason For Report</b>	Enabling reports to be considered in Committee of the Whole to be called.
<b>Policy Implications</b>	Nil
<b>Budget Implications</b>	Nil
<b>IPR Linkage</b>	4.5.1.g. Code of Meeting Practice adhered to
<b>Annexures</b>	Nil
<b>File Number</b>	\\OFFICIAL RECORDS LIBRARY\GOVERNANCE\COUNCIL MEETINGS\GROUPING OF REPORT ADOPTION and BUSINESS PAPER ITEMS FOR NOTING REPORTS - 1284945

**RECOMMENDATION**

THAT Councillors call any items that they wish to be debated in Committee of the Whole.

**GENERAL MANAGER REPORT**

Council's Code of Meeting Practice allows for the Council to resolve itself into "committee of the whole" to avoid the necessity of limiting the number and duration of speeches as required by Clause 250 of the Local Government (General) Regulation 2005.

This item enables councillors to call any item they wish to be debated in "committee of the whole" at the conclusion of normal business.

The debate process during a 'normal' Council meeting limits the number and duration of speeches as required by Clause 250 of the Local Government (General) Regulation 2005.

Items should only be called at this time if it is expected that discussion beyond the normal debate process is likely to be needed.

## **ITEM 6 - GROUPING OF REPORT ADOPTION**

### **REPORT IN BRIEF**

<b>Reason For Report</b>	Enabling procedural reports to be adopted.
<b>Policy Implications</b>	Nil
<b>Budget Implications</b>	Nil
<b>IPR Linkage</b>	4.5.1.a - Provide quality administrative support and governance to councillors and residents.
<b>Annexures</b>	Nil
<b>File Number</b>	\OFFICIAL RECORDS LIBRARY\GOVERNANCE\COUNCIL MEETINGS\GROUPING OF REPORT ADOPTION and BUSINESS PAPER ITEMS FOR NOTING REPORTS - 1284946

### **RECOMMENDATION**

THAT:

1. Councillors call any items they wish to further consider
2. Items 7 to 8 be moved and seconded.

## **GENERAL MANAGER REPORT**

Items 7 to 8 are considered to be of a procedural nature and it is proposed that they be moved and seconded as a group. Should any Councillor wish to amend or debate any of these items they should do so at this stage with the remainder of the items being moved and seconded.

## **ITEM 7 - CONFIRMATION OF THE MINUTES**

### **REPORT IN BRIEF**

<b>Reason For Report</b>	Adoption of the Minutes
<b>Policy Implications</b>	Nil
<b>Budget Implications</b>	Nil
<b>IPR Linkage</b>	4.5.1.g - Code of Meeting Practice adopted and implemented.
<b>Annexures</b>	1. July 27 2021 Ordinary Council Meeting Minutes <a href="#">↓</a>
<b>File Number</b>	\OFFICIAL RECORDS LIBRARY\GOVERNANCE\COUNCIL MEETINGS\COUNCIL - MINUTES - 2021 - 1284949

**RECOMMENDATION**

THAT the minutes of the Ordinary meeting held 27 July 2021 be adopted.

**GENERAL MANAGER'S REPORT**

The following minutes are attached for endorsement:

1. Minutes of the Ordinary Council meeting held on 27 July 2021.

**ITEM 8 - AUSTRALIA DAY 2022**

**REPORT IN BRIEF**

<b>Reason For Report</b>	Notifying councillors of the schedule for Australia Day 2022
<b>Policy Implications</b>	Nil
<b>Budget Implications</b>	Nil
<b>IPR Linkage</b>	4.4.1.e Facilitate Australia Day events annually
<b>Annexures</b>	Nil
<b>File Number</b>	\\OFFICIAL RECORDS LIBRARY\\RECREATION AND CULTURAL SERVICES\\EVENTS MANAGEMENT\\AUSTRALIA DAY 2022 - 1287894

**RECOMMENDATION**

THAT Council note the schedule for Australia Day 2022.

**DEPARTMENT LEADER - GOVERNANCE & CORPORATE PERFORMANCE'S REPORT**

Preparations for Australia Day 2022 are underway. The registration for the Ambassador program will be lodged with the National Australia Day Council when notification has been received.

Based on previous years it is expected that the Australia Day Ambassador will be announced in mid-December 2021.

**Official Party Timetable**

Council's Australia Day Policy states:



*Visits to various Australia Day celebration events throughout the Cabonne LGA by the Official Party shall be based on a three-year rotating cycle with provision for adding or deleting localities as required.*

The rotation has been as follows:

2020 – Mullion Creek, Cargo and Canowindra

2021 – Borenore/Nashdale, Cudal, Manildra and Yeoval

2022 – Cumnock, Molong and Eugowra

**In 2022, the Official Party will visit Cumnock, Molong and Eugowra**

### **Nominations**

Nominations for Citizen of the Year, Young Citizen of the Year and Community Group of the Year as well as Environmental Champion of the year and Cabonne Sports person of the year will be opened from 30 August until 10 October and will be advertised extensively in all local media.

Nomination forms will be available to download from Council's website and Facebook page, with hard copies available at its Molong, Cudal and Canowindra offices.

All Australia Day Committees/Progress Associations and schools will be sent nomination forms.

Nominations will close 5pm on Sunday 10 October 2021 for determination at the Australia Day Awards Committee Meeting to be held on Tuesday 26 October 2021, following the Ordinary Council Meeting.

### **Promotion and Determination**

Councillors are asked for their continued support by spreading the word in their local area now that nominations are open. To maintain the community involvement and transparency of the process councillors may only nominate in cases where no nominations have been received.

Council continues to encourage all Australia Day Committees to continue with their Australia Day celebrations and have offered support by way of promotion of their events and Council representation on the day for award presentations for those towns not included in the official itinerary this year.

## **ITEM 9 - MANILDRA LIBRARY - PROPERTY LEASE**

### **REPORT IN BRIEF**

<b>Reason For Report</b>	To exercise an 'option to renew' on the building housing the Manildra library.
<b>Policy Implications</b>	Nil
<b>Budget Implications</b>	Nil

<b>IPR Linkage</b>	4.5.1.a - Provide quality administrative support and governance to councillors and residents
<b>Annexures</b>	Nil
<b>File Number</b>	\OFFICIAL RECORDS LIBRARY\COUNCIL PROPERTIES\LEASING FROM\MANILDRA - 7 DEROWIE STREET - ANDREW SHUMACK - 1287301

### **RECOMMENDATION**

THAT Council advises the lessor that Cabonne Council wishes to exercise the option to renew the lease for a further 5 years for Part Lot 6, Section 35, DP 758643, being the premises known as the Manildra Library, located at 7 Derowie Street, Manildra.

### **DEPUTY GENERAL MANAGER - CABONNE SERVICES REPORT**

The Manildra library has occupied a rented shopfront at 7 Derowie Street, Manildra, since 2011. The final extension of the lease agreement is due to be exercised. Approval was sought from council to engage in the final term of the lease contract. Council at its meeting of 22 June 2021 deferred consideration of the following report:

*'Council is currently a tenant at premises being 7 Derowie Street, Manildra, for the purpose of housing the Manildra Library services. The lease has been in place since 1 October 2011 and is a 5x5x5 year lease to a maximum of 15 years. The current lease will terminate on 30 September 2021 if the option to renew is not exercised.*

*The second 5-year option for renewal can be exercised between 30 June, 2021 and 30 September, 2021.*

*The annual rental has been \$4,566.88 (inclusive of GST) by quarterly instalments. Additionally, council contributes local council rates at an annual cost of \$478. Both these amounts are subject to review on renewal based on current market rent and rates.*

*It is recommended that the option to renew be exercised.'*

The minutes of the meeting record as follows:

*'Clr Nash suggested that Council consider the site in the main street for the location of the Manildra Library, she further noted that the recent customer satisfaction survey did not ask residents if they would prefer a bigger site. Clr Nash stated that she believes that a bigger site would double library visits and technology usage.*

*The Deputy General Manager – Services advised that staff are investigating how Council can best work with the community to improve the library facility at Manildra, noting that could be the current site or another site.*

*Clr Nash requested an amendment that the matter be deferred until Council can consider site availability.'*

**AMENDMENT** (Nash/Mullins)

*THAT this matter be deferred until Council considers lease opportunities for suitable sites at Manildra.*

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

Advice received from council's solicitor indicates that to vary the terms of the existing lease would require renegotiation of the lease.

It is suggested that consideration of the location of the Manildra library, its operational capacity, and its future programs, be part of a structured review undertaken in association with the local community and Central West Libraries. It is further suggested that the final option to the current lease be exercised to enable the continued operation of the Manildra library from its current site, pending a detailed review of the Manildra library service and a community engagement strategy.

Central West Libraries have indicated that process and procedure apply to assessing the capability and capacity of the existing site and any considered future site. The NSW SL provides information and spreadsheet data for calculating the minimum floor space for a library based upon population and catchment statistics. Currently a new library facility should have a minimum floor area of 190m<sup>2</sup>. The existing Manildra library, and the site suggested by Clr Nash have floor areas below the minimum standard.

Currently the manager of Central West Libraries is compiling the annual library statistics, which will give a five-year perspective of the library's performance. It will also include a summary of how central west libraries are tracking against the SLNSW standards. The Service Level agreement between central west libraries and Cabonne Council includes an annual community consultation process to ensure that services are aligned with the community's needs.

It is recommended that the option be exercised as per the report, and that the suggestions made by Clr Nash be incorporated into the forthcoming community engagement for council's Community Strategic Plan and form the basis for further discussions with the manager of Central West Libraries.

**ITEM 10 - CABONNE FAMILY DAY CARE COMMUNITY CHILD CARE FUNDING**

**REPORT IN BRIEF**

<b>Reason For Report</b>	For Council to consider changing fees and charges
<b>Policy Implications</b>	Nil
<b>Budget Implications</b>	To be funded from external funding
<b>IPR Linkage</b>	3.1.1.d - Review financial sustainability of children's services
<b>Annexures</b>	Nil
<b>File Number</b>	\\OFFICIAL RECORDS LIBRARY\\COMMUNITY SERVICES\\SERVICE PROVISION\\FAMILY DAY CARE - FAMILIES AND CARERS - 1291486

**RECOMMENDATION**

THAT Council:

1. Supports the proposed changes to Cabonne Family Day Care's Fees and Charges, and
2. Gives 28 days public notice of the proposed changes to the community services fees and charges as outlined in the report on this matter.

**DEPARTMENT LEADER - COMMUNITY SERVICES' REPORT**

Cabonne Family Day Care were successful in gaining Community Child Care Funding (CCCF) for the 2021-2024 period. The total amount of funding is \$203,400.

<b>2021-2022</b>	<b>2022-2023</b>	<b>2023-2024</b>
\$67,800	\$67,800	\$67,800

The grant was successful per the following budgeted areas:

<b>Description</b>	<b>Budget Per Year</b>	<b>Total Budget</b>
Marketing strategies	\$13,400	\$40,200
Parent administration levy	\$33,000	\$99,000
Educator Levy	\$13,300	\$39,900
Annual enrolment fee	\$6,300	\$18,900
Initial enrolment fee	\$1,800	\$5,400

The Department Leader is requesting approval to apply the funding in the following ways over the next three financial years, commencing Monday, 4 October 2021.

## **MARKETING STRATEGIES**

**Goal:** Increase presence in the community and increase advertisements in towns in need for more childcare.

**Strategies:**

- Purchase promotional materials (magnets, keyrings, pens, hats etc.)
- Attend market days in various towns to encourage new educators to register.
- TV Advertisements
- Radio Advertisements
- Sponsored Social Media Advertisements

TV and radio advertisements will be completed with guidance and approval from Community & Economy staff.

## **PARENT ADMINISTRATION LEVY**

**Goal:** Decrease Parent Administration Levy to \$1.15 per hour, per child.

The current Parent Administration Levy is \$1.45 per hour, per child. At the current levy the service will receive \$159,244 in income. At the proposed \$1.15 levy, the service will receive \$126,297 in income. The difference of \$32,947 will be covered by funding received of \$33,000.

**Approval from Council:** to lower the levy from \$1.45 to \$1.15. New levy to commence on Monday, 4 October 2021.

## **EDUCATOR LEVY**

**Goal:** Decrease the Educator Levy to \$10 per week, per educator.

The levy is currently \$20-\$25 per week, per educator. At the current levy the service will receive \$25,740 in income. At the proposed \$10 fee, the service will receive \$12,480 in income. The difference of \$13,260 will be covered by funding received of \$13,300.

**Approval from Council:** to lower the levy to \$10 per week. New levy will commence on Monday, 4 October 2021.

## **INITIAL ENROLMENT FEE**

**Goal:** Decrease levy to \$25 per family.

The enrolment fee is currently \$50 per family. At the current fess the service will receive \$3,600 in income. At the proposed \$25 fee, the service will receive \$1,800 in income. The difference of \$1,800 will be covered by the funding received of \$1,800.

## **ANNUAL ENROLMENT FEE**

The service proposed to eliminate the annual enrolment fee, with the income covered by the Community Child Care Fund. The funding received of \$6,300 will cover this levy.

**Approval from Council:** to void this levy until 2024-2025.

### **Procedure to amend council's fees and charges**

To facilitate the changes to the fee structure as detailed above, council must comply with s610F(3) of the Local Government Act 1993 which specifies that if after the date on which an operational plan commences, the nature or extent of an existing service is changed, the council must give public notice in accordance with s705 for at least 28 days, of the fee proposed for the changed service.

## **ITEM 11 - REQUESTS FOR DONATIONS**

### **REPORT IN BRIEF**

<b>Reason For Report</b>	For Council to consider the requests received for donations
<b>Policy Implications</b>	Nil
<b>Budget Implications</b>	To be funded from existing s356 budget allocation
<b>IPR Linkage</b>	4.4.1.c - Provide assistance to community groups
<b>Annexures</b>	1. Cudal Soccer Club <a href="#">1</a> 2. Cumnock Progress Letter <a href="#">2</a>
<b>File Number</b>	\\OFFICIAL RECORDS LIBRARY\\COMMUNITY RELATIONS\\SPONSORSHIP - DONATIONS\\SPONSORSHIP - DONATIONS - 2021 - 1292609

### **RECOMMENDATION**

THAT Council donates:

1. \$182.98 to Cudal & Districts Soccer Club to replace a soccer net, and
2. \$200 to Cumnock & District Progress Association Inc as sponsorship for the Cumnock Markets Family Fun Day to be held on 16 October 2021.

## **DEPARTMENT LEADER - COMMUNITY SERVICES' REPORT**

**Cudal & Districts Soccer Club** have written to Council requesting a donation to replace a soccer net. Whilst undertaking maintenance at Dean Park, a Cabonne Council mower ran over the net causing irreparable damage to the net. To be able to fulfill the club's commitment to Orange & District Football

Association to provide fields and goals for home games, the club has replaced the net at a cost of \$182.98 and is now requesting reimbursement.

**Cumnock & District Progress Association Inc** have written to Council requesting a donation as sponsorship for their Cumnock Markets Family Fun Day which is on October 16, 2021. The aim of the market is to bring unity to the community and districts and enjoyment back into the village. It is also an opportunity for the local and district small home-based businesses to showcase their products and to allow the committee to fundraise. Donation packages range from \$500 for Platinum to \$50 for Bronze. It is recommended that Council support the Cumnock Markets with Gold Level donation of \$200.

Should council wish to make these donations, there remains \$9,101 in the s.356 budget for donations this financial year.

Donations this year include:

\$500      Eugowra NAIDOC Week Event

## **ITEM 12 - EVENTS ASSISTANCE PROGRAM**

### **REPORT IN BRIEF**

<b>Reason For Report</b>	For council to consider applications for funding under the 2021/2022 Events Assistance Program.
<b>Policy Implications</b>	Nil
<b>Budget Implications</b>	\$500 to be funded from the 2021/2022 Events Assistance Program
<b>IPR Linkage</b>	4.4.1.c - Provide assistance to community groups
<b>Annexures</b>	1. Eugowra Masters of the Mangadery-EAP <a href="#">↓</a>
<b>File Number</b>	\\OFFICIAL RECORDS LIBRARY\GRANTS AND SUBSIDIES\PROGRAMS\EVENTS ASSISTANCE PROGRAM 2021 - 2022 - 1291942

### **RECOMMENDATION**

THAT council approves \$500 for the Eugowra Masters of the Mandagery. event under its 2021/22 Event Assistance Program.

## **LEADER - COMMUNITY AND ECONOMY REPORT**

Council has received one application under the 2021/2022 Events Assistance Program (EAP).

Council's Tourism, Culture & Events Coordinator has provided the following assessment.



## **1. Applications under the Event Assistance Program**

### **1.1 Eugowra Masters of the Mandagery *Eugowra Golden Eagles***

The Eugowra Masters of the Mandagery is an over 35s Rugby League tournament due to be held in October (subject to COVID-19 restrictions).

The event will bring over 10 teams together to compete in the tournament, whilst also increasing visitors to Eugowra to support local vendors and promoting the Chad Robinson Foundation for Mental Health.

This is the only master's rugby league event in the Western Zone, and one of only two across Country NSW.

- This event is currently in its developing stage within Cabonne.
- It is a community minded event which will attract spectators and participants from surrounding areas.
- The grant money will be used for television advertising through Prime TV.

Based on the guidelines this does meet the criteria for a Developing Event, thus the recommendation of \$500.

### **Current Event Assistance Program Expenditure**

The allocated budget for the Event Assistance Program for 2021-2022 is **\$40,000**. To date \$3,000 has been approved from the budget.

## **ITEM 13 - ARTS OUTWEST MEMBERSHIP**

### **REPORT IN BRIEF**

<b>Reason For Report</b>	To inform council of the Memorandum of Understanding and annual fee due for membership to Arts OutWest
<b>Policy Implications</b>	Nil
<b>Budget Implications</b>	\$10,230.40
<b>IPR Linkage</b>	4.2.1.a Maintain current level of support to museums in Cabonne
<b>Annexures</b>	1. Arts Out West MOU 2021-24 <a href="#">↓</a> 2. Arts Out West Annual Report Summary 2020 <a href="#">↓</a>
<b>File Number</b>	\\OFFICIAL RECORDS LIBRARY\ECONOMIC DEVELOPMENT\REPORTING\COUNCIL REPORTS - 1293920

## **RECOMMENDATION**

THAT Council:

- 1) maintains its membership and authorises the signing of the Memorandum of Understanding from 1 July 2021 – 31 December 2024.
- 2) authorises payment of the annual membership fee of \$10,230.40.

## **LEADER - COMMUNITY AND ECONOMY REPORT**

Council's Tourism, Culture & Events Coordinator has provided the following assessment.

Cabonne Council's membership of the regional arts organisation Arts OutWest is due for renewal. Council has received the Memorandum of Understanding from 1 July 2021 to 31 December 2024 and an invoice for \$10,230.40 for its 2021-2022 membership. The fee is determined on a per capita basis at 68 cents per head of population.

In its 2020 annual report, Arts OutWest estimated it provided Cabonne \$21,581 worth of value for its membership. This was based on:

1. Arts media program - *30 events promoted at a cost of \$75 per event*)
2. CASP Project
3. Special projects - *Micro grants, Cultural Map, Virtual Art Snacks MPS Program, AOW Media Associates and training, Online Networks and Canowindra Arts Strategic Planning.*
4. Workshops - *Grant writing workshop, Videography workshop and Aboriginal Online Workshops.*
5. Core Services - *Advice and Advocacy.*

Cabonne is one of 11 Central West councils who are members of Arts OutWest, the others being Bathurst, Blayney, Cowra, Forbes, Lachlan, Lithgow, Oberon, Orange, Parkes and Weddin.

The Memorandum of Understanding outlines.

### **What Arts OutWest will agree to do:**

1. Arts OutWest Inc. will deliver core services to the region as defined by the Arts OutWest Strategic Plan and any reviews thereof in consultation with all its stakeholders.
2. Arts OutWest will work in active partnership with the local Councils of the region to deliver regional cultural development outcomes.

3. Arts OutWest Inc. will provide all member Councils with an Annual Report showing expenditure of all consolidated revenue and providing details on services rendered to each Council area.
4. Arts OutWest will acknowledge the partnership arrangement with the Councils on all public material in an appropriate manner

**What The Council will agree to do:**

5. The Council will acknowledge Arts OutWest in programs involving Arts OutWest
6. The Council will appoint a person to the Arts OutWest Advisory Council. This person will attend two meetings a year and will provide a conduit for Arts OutWest to the LGA and its issues. The Advisory Council member will represent the interests of the LGA and will contribute to ensuring that the Arts OutWest Strategic Plan and the Annual Activity Plan for Arts OutWest meet the needs of the LGA.
7. The Council and their communities will provide Arts OutWest with relevant information on cultural issues, activities and events for information and promotion by Arts OutWest Media and Promotion services.
8. The Council and Arts OutWest will share information on cultural matters including the linking of community directories, databases and websites.
9. Arts OutWest will work with individual Councils and their communities to develop specific projects and programs and assist with funding and delivery of projects so far as additional project funding allows with equity across the region.
10. Arts OutWest will provide formal presentations to Councils within the region as required.
11. The Council may make representations to the Board and Executive Officer of Arts OutWest Inc. in respect of any proposed programs and projects arising in the community which need the support of Arts OutWest Inc.

The Council will encourage individuals, groups and organizations in their local areas to actively access the services of Arts OutWest for their development.

Cabonne Shire Council will pay a fee for service to Arts OutWest in each of the financial years of the Memorandum of Understanding. This will be at the starting rate of 68 cents per head of population. CPI will be added each year period. Each year the population will be calculated using ABS figures for the previous year.

**ITEM 14 - SECTION 355 COMMITTEES**

**REPORT IN BRIEF**

<b>Reason For Report</b>	To recommend that Council dissolve a number of s355 Committees following an internal review
<b>Policy Implications</b>	Nil

<b>Budget Implications</b>	Nil
<b>IPR Linkage</b>	4.5.5.c - Comply with internal audit requirements
<b>Annexures</b>	Nil
<b>File Number</b>	\OFFICIAL RECORDS LIBRARY\COUNCIL PROPERTIES\USAGE\2021 - SECTION 355 COMMITTEES - 1289953

### **RECOMMENDATION**

THAT Council agrees to dissolve the following s355 committees:

- i) Cargo Community Centre Committee; and
- ii) Manildra Sports Council.

### **DEPUTY GENERAL MANAGER - CABONNE INFRASTRUCTURE'S REPORT**

Further to a report presented to the June Ordinary Council meeting, it is recommended that the Cargo Community Centre Committee and the Manildra Sports Council section 355 committees be dissolved.

#### **Cargo Community Centre**

The Cargo Community Centre Committee has requested management of the hall be transferred to council due to a lack of community volunteers which has resulted in difficulties in maintaining the committee.

Council staff have met with the committee and determined the future management of the hall will be undertaken by the Cudal office of Cabonne Infrastructure in a similar fashion to the current operating model for the Cudal Hall with regards to bookings, payments and cleaning.

#### **Manildra Sports Ground**

The Manildra Sports Council are no longer active and have formally disband their committee.

The management of the Manildra Sports Ground will continue in its current form, which is Cabonne Infrastructure will be responsible for the maintenance and operation of the sportsground in consultation with the relevant sporting groups.

### **ITEM 15 - SWIMMING POOL PRESEASON WORKS**

#### **REPORT IN BRIEF**

<b>Reason For Report</b>	To fund works through Infrastructure reserves.
<b>Policy Implications</b>	Procurement Policy

<b>Budget Implications</b>	Works to be funded through Infrastructure Replacement Reserves.
<b>IPR Linkage</b>	3.3.3.a - Maintain pools to safe operational standards
<b>Annexures</b>	Nil
<b>File Number</b>	\\OFFICIAL RECORDS LIBRARY\COUNCIL PROPERTIES\USAGE\COUNCIL POOLS - 1294585

### **RECOMMENDATION**

THAT Council approve funding preseason works at the Manildra and Eugowra Pools from the Infrastructure Replacement Reserves.

### **DEPARTMENT LEADER - URBAN INFRASTRUCTURE'S REPORT**

Council staff have inspected and reviewed the existing installation of the above ground pipework at the Manildra swimming pool and inspected the Eugowra swimming pool where major leaks have been identified.

The above ground pipe work at the Manildra swimming pool has been determined to present an unacceptable high risk to Council, employees, and patrons based on Councils Enterprise Risk Management Framework.

After assessing the site as presenting a high risk and discussing the options Council staff have concluded to remove the above ground pipework and reinstate it below ground. This work is extensive and requires skilled contractors to complete these works.

The Eugowra swimming pool pipework has been examined and the cause of the leaks identified. The pipework beneath the concrete concourse of the pool has failed and is leaking beneath the concrete. If left in its current state this will cause failure of the concrete pathway and potentially impact on the integrity of the pool shell. The water loss due to the leaks has been estimated at approximately 7-8kL per day, at a cost to Council in the order of \$25 per day in water charges from Central Tablelands Water.

Council staff have been in discussion with suppliers and contractors to determine if the remediation and repair works can be undertaken in time for commencement of the 2021 pool season in November. It has been determined that the works can be completed, however action needs to be taken shortly to secure materials and contractors.

Council has sort quotations for these works and current estimates put the costs at approx. \$90,000 to complete. Council also requires additional funding to procure these activities and is the purpose of this report in recommending funding these works through the infrastructure replacement reserves.

**ITEM 16 - CABONNE SWIMMING POOLS MASTERPLAN FEEDBACK**

**REPORT IN BRIEF**

<b>Reason For Report</b>	To advise Council of the public comment regarding the Draft Cabonne Swimming Pools Masterplan
<b>Policy Implications</b>	Nil
<b>Budget Implications</b>	Capital Works Programme
<b>IPR Linkage</b>	3.3.3.e - Maintain the council's properties to safe operational standards
<b>Annexures</b>	Nil
<b>File Number</b>	\\OFFICIAL RECORDS LIBRARY\COUNCIL PROPERTIES\USAGE\COUNCIL POOLS - 1280194

**RECOMMENDATION**

THAT Council approves the Cabonne Swimming Pool Masterplan and include following amendments:

1. Consideration of surveillance at the Molong Pool Amenities; and
2. Consideration of replacement of pool perimeter fencing at all pools.

**DEPARTMENT LEADER - URBAN INFRASTRUCTURE'S REPORT**

The final draft of the Cabonne Swimming Pools Masterplan has been on public display for a period of 28 days for community comment concluding 21 July 2021.

The seven aquatic facilities service a population of 13,364 residents which gives Cabonne a very high aquatic facility provision rate. Council advised Otium in the project brief that there is no consideration of rationalisation of the aquatic facilities due to the strong value placed on these assets by the Cabonne communities.

The Otium report provides council with a future strategy for the aquatic facilities. The report is based on research, community and stakeholder engagement, asset condition assessments, inspections, high level risk assessment, review of trends and industry best practice.

Otium has provided specific analysis of each Cabonne swimming pool facility recommending targeted strategic directions to future proof the network of community facilities ensuring they continue to be safe and well utilised.

The feedback on the Cabonne Pools Masterplan draft has been focussed around two (2) facilities Molong and Cudal. The number of respondents has been limited with a total of five (5) public comments received. Of the five (5)

respondents one was from a current pool contractor - Molong, one from a regular Molong pool user and the two others were from swim club members in Cudal. The single facebook respondent was from Cargo.

A summary of the five (5) public comments received on the Cabonne Swimming Pools Masterplan draft is as follows after the consultation period.

<b>Comment</b>	<b>Pool</b>	<b>Who</b>	<b>Response</b>
<b>Request for report data sources</b>	Molong Pool	Molong Pool Contractor	Provided response to data source
<b>Request for continued early morning swimming</b>	Molong Pool	Molong Pool Regular User	Currently three days a week, review prior to new season
<b>Clear signage on costs &amp; opening times</b>			Will arrange for signage installation at each pool for the new season
<b>More localised management of pool</b>			Management of pools is subject to contract which is still in place for the coming season.
<b>Pool blanket utilisation</b>			Place suggestion into plan for consideration in future
<b>Hiring of pool for user groups encouraged</b>			The pool is available for hiring in accordance with fees and charges and availability.
<b>BBQ operational for 21/22 season</b>			Was not available past season due to COVID. Should situation improve, will be available.
<b>Visibility in Pool</b>			Agreed, include issue within Master Plan
<b>Suggestion for Pool perimeter fencing &amp; offer contribution from former 355 funds</b>	Cudal Pool	Cudal Swim Club Member	Suggested inclusion to upgrade fencing for all pools, include in plan.
<b>Suggestion for pool perimeter fencing.</b>	Cudal Pool	Cudal Swim Club Member	Suggested inclusion to upgrade fencing for all pools, include in master plan.
<b>Siting of plant room</b>			Noted. The plant room location will be reviewed and located in appropriate location. Note in the plan
<b>Request for pool facility in Cargo</b>	-	Cargo Resident	No other support provided. Not suggested for inclusion

Comments and suggestions will be noted for pool infrastructure project work.



**ITEM 17 - MODIFICATION OF DEVELOPMENT APPLICATION 2007/0138/2 FOR A SEVEN LOT SUBDIVISION OF LOT 245 DP 756890 AND LOT 1 DP 591097**

**REPORT IN BRIEF**

<b>Reason For Report</b>	For determination by council, as the initial application and subsequent modification were determined by council.
<b>Policy Implications</b>	Nil
<b>Budget Implications</b>	Nil
<b>IPR Linkage</b>	4.5.3.a - Assess and determine planning and development applications to foster community growth within the shire
<b>Annexures</b>	1. DRAFT CONDITIONS OF CONSENT DA2007 0138 2↓
<b>File Number</b>	\\Development Applications\\DEVELOPMENT APPLICATION\\2007\\03-2007-0138 - 1292308

**RECOMMENDATION**

THAT Modification of Condition 29 of the consent for Development Application 2007/138/2, being a seven (7) lot subdivision of Lot 245 DP 756890 and Lot 1 DP 591097, be approved subject to the attached conditions.

**DEPARTMENT LEADER - DEVELOPMENT SERVICES' REPORT**

**ADVISORY NOTES**

**Record of voting**

In accordance with s375A of the Local Government Act 1993, a division is required to be called when a motion for a planning decision is put at a meeting of Council or a Council Committee. A division under s375A of the Act is required when determining this planning application.

**Political Disclosures**

In accordance with s10.4 of the Environmental Planning and Assessment Act 1979, a person making a planning application to Council is required to disclose political donations and gifts made within 2 years prior to the submission of the application and concluding when the application is determined.

In accordance with s10.4 of the Environmental Planning and Assessment Act 1979, a person making a public submission to Council in relation to a planning application made to Council is required to disclose political donations and gifts made within 2 years prior to the submission being made and concluding when the application is determined.

Political donations and gifts (if any) to be disclosed include:

- All reportable political donations made to any local councillor or Council,
- All gifts made to any local councillor or employee of the Council.

Nil planning application disclosures have been received.

Nil public submission disclosures have been received.

The following report provides an assessment of the modification of development application 2007/0138/1 for a submitted for seven (7) lot rural subdivision of Lot 245 DP 756890 and Lot 1 DP 591097 (now known as Lot 5 and 6 DP1247991), Kangarooie Road, March.

It is recommended that the application be approved subject to the attached conditions of consent.

Applicant: Peter Jackson C/- Peter Basha Planning and Development

Owner: PW Jackson

Proposal: Seven (7) Lot Rural Subdivision

Location: Lot 245 DP 756890 and Lot 1 DP 591097 (now known as Lot 5 and 6 DP1247991), Kangarooie Road, March

Zone: RU1 Primary Production

### **APPROVED DEVELOPMENT**

Approval was given for a seven (7) lot rural subdivision (DA 2007/138) on 19 April 2010 which consisted of three concessional lots with dwelling entitlement (Lot 1-3), and four agricultural lots with dwelling entitlement (Lots 4-7). Access to Lot 5 was approved via a previously unformed Crown Road. This Crown Road has subsequently been transferred to Council, been constructed and is now known as Wedgetail Road.

### **FIRST MODIFICATION**

The applicant subsequently submitted an application for a proposed modification that seeks the: -

- Deletion of Condition 7 (Staged Development) so the development can be released in any sequence subject to completion of the conditions relevant to the particular lot(s).
- Modification of Condition 28 (Road Design and Construction) so that the applicant is not responsible for the full cost of the road (Smith Road) upgrade.

No other aspects of the approved seven (7) lot rural subdivision were altered by the modification. Consent was issued on 22 November 2016.

## **PROPOSED MODIFICATION**

The applicant is seeking consent to amend Condition 29 to remove the requirement of fencing and provision of accesses to the newly constructed road as follows:

### **29. ROAD DESIGN AND CONSTRUCTION**

#### **Objective**

To ensure that safe, all-weather public access is provided to the newly created lot in accordance with Council's requirements.

#### **Performance**

The applicant is required to bear the full cost of design and construction of the road that traverses the northern boundary of Lot 220 DP 756890. The road is to be built to Councils' Rural Class 3 Level 1 Standard and strictly in accordance with the "CABONNE COUNCIL ENGINEERING SPECIFICATIONS FOR SUBDIVISION AND DEVELOPMENT (EDITION 1).

A typical cross section together with detail of any proposed drainage structures is to be provided to Council for approval before a CONSTRUCTION CERTIFICATE for the works is issued. ~~The newly created Council road is to be suitably fenced to a stockproof standard and provide access to adjoining allotments at the applicants full cost.~~

A COMPLIANCE CERTIFICATE FOR ALL ROAD WORKS IS TO BE ISSUED.

All relevant work to be completed BEFORE THE ISSUE OF THE SUBDIVISION CERTIFICATE.

The applicant has contended that the condition (or more specifically the requirement to fence the neighbouring lot and construct accesses) does not satisfy the established test of a condition of consent being the Newbury Test. The Newbury Test was established during *Newbury District Council v Secretary of State for the Environment [1981] AC 578* in the United Kingdom and concluded that a condition of consent:

- *must be imposed for a planning purpose;*
- *must fairly and reasonably relate to the development proposed in the application; and,*
- *must be reasonable.*

The applicant has set out that the requirement to fence the road and construct accesses does not satisfy the tests as summarised below:

- *The First Principle: must be imposed for a planning purpose;*

- The condition, as worded, has not been imposed for a planning purpose. There is no identifiable foundation in any Local or State planning instruments or policies that enable an imposition of such a condition. As such, there is no nexus between the condition and the approved development.
- Wedgetail Road is a public road and former Crown Road which formed part of the 19th Century subdivision pattern laid out by the Crown. It is as original as the adjoining allotments. This road has long been in existence and was not created as a result of the development. Therefore, it should not be the responsibility of the developer to fence these boundaries as they have long been in existence and were not affected by the approved development.
- There is no public benefit by requiring the applicant to fence Lot 219 DP 756890. This condition benefits the private interests of the landowner of Lot 219 DP 756890 as opposed to being in the public interest
- *The Second Principle: must fairly and reasonably relate to the development proposed in the application:*
  - The condition does not relate to the land on which development is to be carried out (Lot 219 DP 756890 was not included in the original application, nor on the development consent).
  - The landowner's consent of the land to be fenced has not been obtained as required by Section 49(1) of the Environmental Planning and Assessment Regulation 2000 with no consent provided by the owner of Lot 219 DP 756890.
- *The Third Principle: must be reasonable*
  - There is no legal requirement requiring the boundary of Lot 219 to be fenced and as such, is unreasonable
  - There is no nexus between the development occurring and as such cannot be imposed.
  - It cannot be reasonably imposed given there was no landowners consent provided by the owner of Lot 219

Further to the Newbury Test, the applicant has proposed that the condition is invalid as the Council was not empowered to impose the condition as it did not satisfy the requirements of section 80A(1)(a) or (f) of the Environmental Planning and Assessment Act 1979 as does not relate to any matter referred to under Section 79C(1) of the Act.

## **SITE**



The subject site comprises former Lot 245 DP 756890 and Lot 1 DP 591097 (now known as Lot 5 and 6 DP1247991). The site has a combined area of approx. 438Ha. The only direct road frontage for the subject site is to Wedgetail Road in the north-eastern corner of the lot that was a former unformed crown road constructed as part of this development.

The site comprises undulated land with scattered vegetation utilized for extensive agriculture, being grazing.

The surrounding area comprises a mix of small, medium and large rural allotments with a small number of dwellings.

## **MATTERS FOR CONSIDERATION**

### **Section 1.7 - Application of Part 7 of the *Biodiversity Conservation Act 2016* and Part 7A of the *Fisheries Management Act 1994***

Section 1.7 of the EP&A Act identifies that Part 7 of the Biodiversity Conservation Act 2016 (BC Act) and Part 7A of the Fisheries Management Act 1994 have effect in connection with terrestrial and aquatic environments.

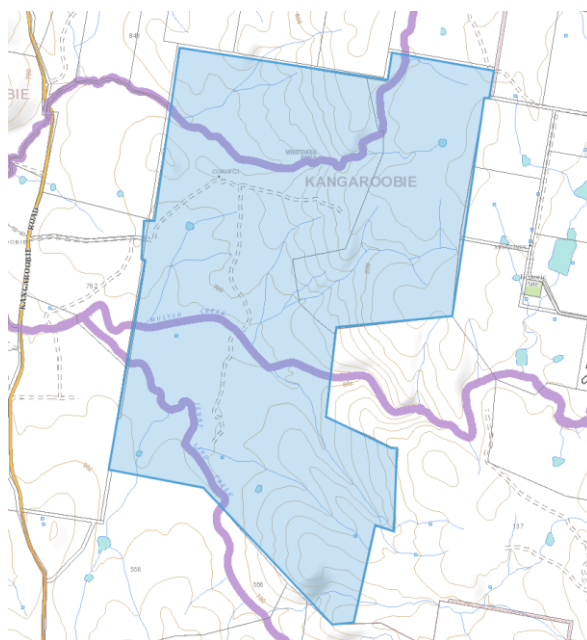
There are four triggers known to insert a development into the Biodiversity Offset Scheme (ie the need for a BDAR to be submitted with a DA):

- Trigger 1: development occurs in land mapped on the Biodiversity Values Map (OEH) (clause 7.1 of BC Regulation 2017);
- Trigger 2: development involves clearing/disturbance of native vegetation above a certain area threshold (clauses 7.1 and 7.2 of BC Regulation 2017); or

- Trigger 3: development is otherwise likely to significantly affect threatened species (clauses 7.2 and 7.3 of BC Act 2016).

The fourth trigger (development proposed to occur in an Area of Outstanding Biodiversity Value (clause 7.2 of BC Act 2016) is generally not applicable to the Cabonne LGA; as no such areas are known to occur in the LGA. No further comments will be made against the fourth trigger.

### **Trigger 1**



Part of the subject site is identified on the Biodiversity Values Map. The proposed modification does not involve the subject site, but relates to an adjacent road reserve, being Wedgetail Road. This area is not identified on the Biodiversity Values Map. No BDAR is required or requested by Council.

### **Trigger 2**

Pursuant to clause 7.2 of the *Biodiversity Conservation Regulation 2017* clearing of area of land that exceeds threshold of the minimum lot size of the lot requires a BDAR to be lodged with the development application:

<b>Minimum lot size of land</b>	<b>Area of clearing</b>
Less than 1 hectare	0.25 hectare or more
Less than 40 hectares but not less than 1 hectare	0.5 hectare or more
Less than 1,000 hectares but not less than 40 hectares	1 hectare or more
1,000 hectares or more	2 hectares or more

The development reduces the amount of clearing required to establish the subdivision. The clearing will be minor to establish the accesses to the lots and not in excess of the clearing already approved as part of the original development.

### **Trigger 3**

With regard to the third trigger, the test for determining whether proposed development is otherwise likely to significantly affect threatened species is listed in the BC Act 2016, under s7.3:

- (a) *in the case of a threatened species, whether the proposed development or activity is likely to have an adverse effect on the life cycle of the species such that a viable local population of the species is likely to be placed at risk of extinction,*
- (b) *in the case of an endangered ecological community or critically endangered ecological community, whether the proposed development or activity:*
  - (i) *is likely to have an adverse effect on the extent of the ecological community such that its local occurrence is likely to be placed at risk of extinction, or*
  - (ii) *is likely to substantially and adversely modify the composition of the ecological community such that its local occurrence is likely to be placed at risk of extinction,*
- (c) *in relation to the habitat of a threatened species or ecological community:*
  - (i) *the extent to which habitat is likely to be removed or modified as a result of the proposed development or activity, and*
  - (ii) *whether an area of habitat is likely to become fragmented or isolated from other areas of habitat as a result of the proposed development or activity, and*
  - (iii) *the importance of the habitat to be removed, modified, fragmented or isolated to the long-term survival of the species or ecological community in the locality,*
- (d) *whether the proposed development or activity is likely to have an adverse effect on any declared area of outstanding biodiversity value (either directly or indirectly),*
- (e) *whether the proposed development or activity is or is part of a key threatening process or is likely to increase the impact of a key threatening process.*

Having regard to the above provisions, the development is unlikely to significantly affect threatened species or their habitats, nor is it likely to adversely impact upon any endangered or ecological communities. The land is not identified, nor declared as an area of outstanding biodiversity value. There are no observable habitat links/vegetation corridors to or from the land. The land is more or less surrounded by highly disturbed rural environments with



limited habitat potential. Given the characteristics of the site and the minimal level of habitat provided on the land, the proposed development does not involve key threatening processes that could threaten the survival or evolutionary development of a species.

In this regard, the development is considered to be satisfactory with respect to Section 7.3 of the Biodiversity Conservation Act 2016.

#### **Section 4.14 Consultation and development consent – certain bushfire prone land**

The subject land has been identified as Bushfire Prone Land. The original development was considered integrated development with General Terms of Approval issued by Rural Fire Service. This modification was not referred to RFS given the modification has no impact on the General Terms of Approval or the compliance of the development with the Planning For Bushfire Protection 2006 (under which the development was originally assessed) or Planning for Bushfire Protection 2019.

#### **Section 4.55 Modification of consents—generally**

**(1A) Modifications involving minimal environmental impact** A consent authority may, on application being made by the applicant or any other person entitled to act on a consent granted by the consent authority and subject to and in accordance with the regulations, modify the consent if—

- a) it is satisfied that the proposed modification is of minimal environmental impact, and
- b) it is satisfied that the development to which the consent as modified relates is substantially the same development as the development for which the consent was originally granted and before that consent as originally granted was modified (if at all), and
- c) it has notified the application in accordance with—
  - i. the regulations, if the regulations so require, or
  - ii. a development control plan, if the consent authority is a council that has made a development control plan that requires the notification or advertising of applications for modification of a development consent, and
- d) it has considered any submissions made concerning the proposed modification within any period prescribed by the regulations or provided by the development control plan, as the case may be.

Subsections (1), (2) and (5) do not apply to such a modification.

**Comment:** Council is satisfied that the proposed development can be assessed under clause 4.55(1A) of the Act as follows:

- the removal of the requirements to fence Lot 219 DP 756890 and construct accesses to the adjoining lots will have negligible environmental impact,

- The development remains substantially the same development, with no change to the size, form or use of the lots resulting from the subdivision,
- The application did not warrant notification in accordance with the regulations or with Council's Community Participation Plan, notwithstanding, an adjoining landowner was made aware of the modification application. A single submission was received.
- The submission has been addressed under clause 4.15(1)(d) of this report.

## **Section 4.15**

Section 4.15 of the *Environmental Planning and Assessment Act 1979* requires Council to consider various matters, of which those pertaining to the application are listed below.

### **PROVISIONS OF ANY ENVIRONMENTAL PLANNING INSTRUMENT s4.15(1)(a)(i)**

The original development application was determined under the applicable Environmental Planning Instrument (EPI) at the time being Cabonne Local Environmental Plan 1991, therefore an assessment against the relevant clauses of that EPI will be undertaken below:

#### **Cabonne Local Environmental Plan 1991**

##### **Clause 2: Aims, Objectives etc.**

##### **2 Aims, objectives etc**

*The general aims of this plan are:*

- (a) *to encourage the proper management, development and conservation of natural and man-made resources within the Shire of Cabonne by protecting, enhancing or conserving:*
  - (i) *prime crop and pasture land,*
  - (ii) *timber, mineral, soil, water and other natural resources,*
  - (iii) *areas of significance for nature conservation,*
  - (iv) *areas of high scenic or recreational value, and*
  - (v) *places and buildings of archaeological or heritage significance, including aboriginal relics and places,*
- (b) *to replace the existing planning controls with a single local environmental plan to help facilitate growth and development of the Shire of Cabonne in a manner which is consistent with the objectives specified in paragraph (a) and which:*
  - (i) *minimises the cost to the community of fragmented and isolated development of rural land,*
  - (ii) *facilitates the efficient and effective delivery of amenities and services,*
  - (iii) *facilitates a range of residential and employment opportunities in accordance with demand,*
  - (iv) *facilitates farm adjustments, and*
  - (v) *ensures the efficiency of arterial roads is not adversely affected by development on adjacent lands,*

- (c) *to give the Council greater responsibility for environmental planning by creating a broad framework of controls and to create opportunity for the more detailed provisions relating to matters of significance only for local environmental planning to be contained in development control plans made by the Council,*
- (d) *to speed up the planning process,*
- (e) *to maintain the opportunity for public involvement and participation in the environmental planning and assessment process, and*
- (f) *to reduce the incidence of damage to areas subject to flooding by restricting development in the flood plain and in the floodways.*

**Comment:** Council considers that the development is still in accordance with the above aims and objectives of the former EPI. The development does not

## **9 Zone objectives and development control table**

### **1 Objectives of the 1A zone**

The objective of this zone is to promote the proper management and utilisation of resources by:

- (a) *protecting, enhancing and conserving:*
  - (i) *agricultural land in a manner which sustains its efficient and effective agricultural production potential,*
  - (ii) *soil stability by controlling and locating development in accordance with soil capability,*
  - (iii) *forests of existing and potential commercial value for timber production,*
  - (iv) *valuable deposits of minerals, coal, petroleum and extractive materials by controlling the location of development for other purposes in order to ensure the efficient extraction of those deposits,*
  - (v) *trees and other vegetation in environmentally sensitive areas where the conservation of the vegetation is significant to scenic amenity or natural wildlife habitat or is likely to control land degradation,*
  - (vi) *water resources for use in the public interest,*
  - (vii) *areas of significance for nature conservation, including areas with rare plants, wetlands and significant habitat, and*
  - (viii) *places and buildings of archaeological or heritage significance, including the protection of Aboriginal relics and places,*
- (b) *preventing the unjustified development of prime crop and pasture land for purposes other than agriculture,*
- (c) *ensuring that any allotment created for intensive agricultural purposes is potentially and physically capable, on its own, of sustaining a range of such purposes or other agricultural purposes as a commercial agricultural operation suitable to the locality,*
- (d) *facilitating farm adjustments,*
- (e) *minimising the cost to the community of:*
  - (i) *fragmented and isolated development of rural land, and*
  - (ii) *providing, extending and maintaining public amenities and services,*

- (f) providing land for future urban development, for rural residential development and for development for other non-agricultural purposes, in accordance with the need for that development,*
- (g) providing for a range of rural living styles in appropriate locations within the area to which this plan applies, and*
- (h) encouraging the establishment of rural and related industries within the area to which this plan applies.*

**Comment:** The proposed modification is not contrary to the objectives of the 1A Zone. Whilst the application is for a concessional allotment, the modification does not result in additional fragmentation as to what was originally approved.

## **10 General considerations for development within rural zones**

1. The Council shall not consent to an application to carry out development on land within Zone No 1 (a), 1 (c) or 7 (c) unless it has made an assessment, where relevant, of the effect of the carrying out of that development on:
  - (a) the present and potential use of the land for the purposes of agriculture,
  - (b) vegetation, timber production, land capability (including soil resources and soil stability), water resources (including the quality and stability of water courses and ground water storage and riparian rights),
  - (c) the future recovery of known or prospective areas of valuable deposits of minerals, coal, petroleum, sand gravel or other extractive materials,
  - (d) the protection of areas of significance for nature conservation or of high scenic or recreational value, and places and buildings of archaeological or heritage significance, including aboriginal relics and places,
  - (e) the cost of providing, extending and maintaining public amenities and services to the development, and
  - (f) future expansion of settlements in the vicinity,and the Council is satisfied that the development will not have an adverse effect on the long term use, for sustained agricultural production, of any prime crop and pasture land.
2. In assessing the effect referred to in subclause (1), the Council shall have regard not only to the land the subject of the application but also to land in the vicinity.
3. Subclause (1) does not apply to:
  - (a) an addition to a building or work,
  - (b) development ancillary to a purpose for which land may be used with the consent of the Council under this plan, and

- (c) the erection of a dwelling-house on an allotment of land created in accordance with this plan for the purpose of a dwelling-house.

**Comment:** The modification is not contrary to the considerations for development in rural areas. Whilst the removal of the requirement to fence Lot 219 DP 756890 may have an impact on the present and ongoing agricultural use of that allotment (as outlined under point 1), the development does not preclude a fence being erected by the landowners that would enable the lot to be useable. Evidence suggests that the boundary of the road was not fenced when road construction works took place (nor prior), with the area of the road reserve being incorporated into the Lot 219 DP 756890.

**12 Subdivision for the purposes of agriculture in Zones Nos 1 (a) and 7 (c)**

1. This clause applies to land within zone No 1 (a) or 7 (c).
2. Subject to subclause (3), the Council may consent to the creation of an allotment of any area if the Council is satisfied that the allotment will be used for the purposes of agriculture.
3. The Council shall not grant consent to the creation of an allotment referred to in subclause (2) if the allotment has an area of less than 100 hectares and there is already a dwelling-house on that allotment.
4. Notwithstanding subclause (3), the Council may consent to the creation of one but not more than one allotment referred to in subclause (2) for the purposes of agriculture from an existing holding on which a dwelling-house stands if that dwelling-house was lawfully erected on that land on or before the appointed day.

**Comment:** The modified development does not impact the developments compliance with clause 12 of CLEP1991.

**14 Subdivision for the purposes of dwellings in Zones Nos 1 (a) and 7 (c)**

- 1A. This clause applies to land within Zone No 1 (a) or 7 (c).
1. The Council may consent to the creation of:
    - a. 1 allotment which the Council is satisfied will be used for the purposes of a dwelling-house from the whole of an existing holding of not less than 80 hectares and up to 120 hectares,
    - b. 2 allotments which the Council is satisfied will be used for the purposes of a dwelling-house from the whole of an existing holding of not less than 120 hectares and up to 160 hectares, or
    - c. 3 allotments which the Council is satisfied will be used for the purposes of a dwelling-house from the whole of an existing holding of area greater than 160 hectares,

but only if:

- d. each such allotment has an area of not less than 0.4 hectares and generally not more than 5 hectares (unless justified on the grounds of water supply or agricultural buffer, or both),
  - e. each such allotment does not compromise prime crop and pasture land,
  - f. the creation of each such allotment is unlikely to adversely affect the existing and potential capability of the land and adjacent land to produce food or fibre, and
  - g. the creation of each such allotment is unlikely to generate additional servicing costs beyond those that can be met by the developer.
2. In addition to the requirements of subclause (1), the Council may only consent to the subdivision of land within Zone No 7 (c) for the purpose of a dwelling-house if a dwelling envelope can be demonstrated (being the minimum separation of 400 metres between the dwelling-house and any water way, subject to the suitability of the development so that the impact on ground and surface water is minimal).
3. For the purposes of this clause, land is taken to be the whole of an existing holding even if it has been reduced in area by acquisition for public purposes not relating to residential development.

**Comment:** The modified development does not impact the developments compliance with clause 14 of CLEP1991.

### **23 - Bushfire Hazard**

The proposed modification does not alter compliance with this clause.

### **24 – Access**

The proposed modification does not alter compliance with this clause.

## **STATE ENVIRONMENTAL PLANNING POLICIES**

### **State Environmental Planning Policy 55 Remediation of Land**

*State Environmental Planning Policy 55 - Remediation of Land (SEPP 55) is applicable. Pursuant to Clause 7 Contamination and remediation to be considered in determining development application:*

- (1) *A consent authority must not consent to the carrying out of any development on land unless:*
- (a) *it has considered whether the land is contaminated, and*
  - (b) *if the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out, and*

- (c) *if the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, it is satisfied that the land will be remediated before the land is used for that purpose.*

The current and previous land use history of the site is not known to have been used for any purpose listed in Table 1 of the Contaminated Land Planning Guidelines. The site is therefore unlikely to be contaminated. In this regard, the subject land is considered to be acceptable in its current form and further investigations regarding contamination/SEPP 55 are not necessary.

### **State Environmental Planning Policy (Koala Habitat Protection) 2020**

In November 2020, the NSW Government announced plans to revert to operations under the former State Environmental Planning Policy No. 44 - Koala Habitat protection (SEPP 44) while a new policy is developed in 2021 that would protect koalas and the interests of farmers.

The *State Environmental Planning Policy (Koala Habitat Protection) 2020* commenced on 30 November 2020 to replace and repeal the State Environmental Planning Policy (Koala Habitat protection) 2019 (2019 Koala SEPP).

The Koala SEPP 2020 replicates the objectives and provisions of SEPP 44, which was in force from 1995 through to 2019.

Cabonne Council is identified within the SEPP Koala Habitat Protection schedule as having koala habitat. A BioNet search did not reveal any sighting of Koalas in the locality.

It is considered that the proposed modification has low or no direct impact arising as a result of the development. The proposal is considered to have low or no direct impact for the following reasons:

- The subject land does not comprise core Koala habitat.
- The subject land is generally cleared, and the proposed development will not result in the clearing of native vegetation.
- The development does not trigger the Biodiversity Offsets Scheme threshold under the Biodiversity Conservation Act 2016.
- No native vegetation will be removed.
- The footprint of the development will not compromise the movements of Koalas.

In this regard, the proposal is considered to satisfy the requirements of the SEPP and a Koala Plan of Management is not required in this instance. Accordingly, the development is considered to have low or no direct impact upon Koalas and their habitats.

**PROVISIONS OF ANY DRAFT ENVIRONMENTAL PLANNING  
INSTRUMENT THAT HAS BEEN PLACED ON EXHIBITION 4.15(1)(a)(ii)**

From 31 January to 13 April 2018 the Department of Planning and Environment publically exhibited an Explanation of Intended Effect (EIE) and Draft Planning Guidelines for the proposed Remediation of Land SEPP, which will repeal and replace State Environmental Planning Policy 55 – Remediation of Land (SEPP 55). Of particular note, the Draft Planning Guidelines state:

*“In undertaking an initial evaluation, a planning authority should consider whether there is any known or potential contamination on nearby or neighbouring properties, or in nearby groundwater, and whether that contamination needs to be considered in the assessment and decision making process.”*

*“If the planning authority knows that contamination of nearby land is present but has not yet been investigated, it may require further information from the applicant to demonstrate that the contamination on nearby land will not adversely affect the subject land having regard to the proposed use.”* (Proposed Remediation of Lands SEPP - Draft Planning Guidelines, Page 10).

The Draft SEPP requires in part that consideration be given to potential contamination on nearby or neighbouring properties and groundwater. Land adjoining the site is not identified or considered to be contaminated. The contamination status of neighbouring business lands will not impact on the modified development.

**DESIGNATED DEVELOPMENT**

The proposed development is not designated development.

**INTEGRATED DEVELOPMENT**

Whilst the original development application was considered integrated development, given the proposed modification did not alter any aspect of the General Terms of Approval issued by RFS nor the developments compliance with Planning for Bushfire Protection 2006, the application was not referred to RFS.

**PROVISIONS OF ANY DEVELOPMENT CONTROL PLAN s4.15(1)(a)(iii)**

**Development Control Plan**

Development Control Plan No. 5: General Rural Zones (“the DCP”) applies to the subject land. The proposed modification does not alter the compliance of the development with the DCP.

**PROVISIONS PRESCRIBED BY THE REGULATIONS s4.15(1)(a)(iv)**

**Demolition of a Building (clause 92)**

The proposal does not involve the demolition of a building.

**Fire Safety Considerations (clause 93)**



The proposal does not involve a change of building use for an existing building.

**Buildings to be Upgraded (clause 94)**

The proposal does not involve the rebuilding, alteration, enlargement or extension of an existing building.

**BASIX Commitments (clause 97A)**

BASIX is not applicable to the proposed development.

**THE LIKELY IMPACTS OF THE DEVELOPMENT s4.15(1)(b)**

**Traffic and Access**

The proposed modification, and the removal of the requirement to fence and provide accesses to the adjoining lots will have negligible impacts on traffic and/or access resulting from this development. It is noted that access to lots 219 and 220 DP 756890 would not be provided from Wedgetail Road as initially required by the condition. However, the requirement to provide these lots with an access to Wedgetail Road was not as a result of this development, Lot 219 achieved access to the road reserve that was constructed to form Wedgetail Road and that access has been maintained. Lot 220 did not have access, nor was it required as a result of the development (i.e. there was no nexus between the subdivision being undertaken and Lot 220 requiring access to the newly constructed road).

Based on the above, Council staff concurs that the requirement to provide accesses to Lot 219 and 220 DP 756890 as required by Condition 29 was unreasonable given there is no nexus between the development taking place and the requirement for access to these lots nor is there an identifiable planning purpose for the accesses to be provided, and as such, does not satisfy the adopted tests set out in *Newbury District Council v Secretary of State for the Environment [1981] AC*. Council staff recommend that the requirement for access to be provided to Lots 219 and 220 DP 756890 be removed.

**Fencing of Lot 219 DP 756890**

The proposed modification, and the removal of the requirement to fence and provide accesses to the adjoining lots will have some degree of impact on the agricultural use of Lot 219 DP756890. It is noted that the boundaries of Lot 219 DP 756890 (particularly the southern boundary) was not fully fenced, with the road reserve that now forms Wedgetail Road being included in the fenced lot.

As the applicant has outlined, there is no nexus of the development taking place (being the subdivision of Lot 245 DP 756890 and Lot 1 DP 591097 and the subsequent construction of Wedgetail Road), and the requirement for this boundary to be fenced. Whilst the construction of the road removed a small portion of fence that previously rendered Lot 219 enclosed (being a portion of fence on the boundary of Smith Road and the Crown Road), this was not a boundary fence of Lot 219 DP 756890, but rather a fence across the Crown Road. It was the fact that the southern boundary (fronting the road reserve) was

not initially fenced that has left Lot 219 DP 756890 unfenced as a result of the construction of Wedgetail Road.

It should be noted that when a lot does obtain an enclosure permit for a Crown Road, the landowner bears the responsibility of fencing the lot boundary (to exclude the Crown Road) at the conclusion of the enclosure permit.

Therefore, council staff concur with the applicant that the requirement to fence the southern boundary of Lot 219 as required Condition 29 as it has not been imposed for a planning purpose. The assessment report at the time made no reference to the requirement (or justification for the need of) fencing of the road reserve, nor is there a legal requirement for a road boundary to be fenced (unless required to at the request of the Road Authority under the Roads Act 1993). Whilst the construction of Wedgetail Road has resulted in Lot 219 not being enclosed, this is as a result of the lot boundaries not being fenced prior to the works commencing. As such, the imposition of the fencing requirement has not satisfied tests set out under *Newbury District Council v Secretary of State for the Environment [1981] AC* given the fencing has not been imposed for a planning purpose.

#### **THE SUITABILITY OF THE SITE s4.15(1)(c)**

The proposed modification is located in the RU1 zone and is permissible with the consent of council. The suitability of the site has been addressed in the above sections of the report. The development of the site will not create significant adverse impacts on the context and setting of the area. Additionally, the development of the site will not detrimentally affect the adjoining land and is unlikely to lead to land use conflict.

#### **ANY SUBMISSIONS MADE IN ACCORDANCE WITH THE ACT s4.15(1)(d)**

The proposed development is not defined as advertised development under the provisions of the LEP, and as such no formal exhibition of the application was required. One (1) submission was received by Council. The submission objected to the proposed modification for the reasons outlined below:

- *The construction of Wedgetail Road (that traversed a rural holding) rendered Lot 219 DP 756890 and Lot 6 DP 1186873 unable to be stocked.*

**Council Response:** Council acknowledges that the construction of Wedgetail Road rendered Lot 219 DP 756890 unenclosed (it is noted that Lot 6 DP 1186873 is not part of the condition given it was a crown road at the time of determination of DA2007/0138).

- *There has been no attempt from the applicant to seek owner's consent*

**Council Response:** The applicant was not obliged to seek owners' consent from an adjoining landowner given no works were proposed on an adjoining lot. It was the Council imposed condition that required the works take place.

- *Condition 29 is valid as there has been and continues to be financial loss due to this development (and the unfenced road reserve).*

**Council Response:** Financial loss is not a matter for assessment under the Environmental Planning and Assessment Act 1979.

- *Condition 29 is reasonable as a neighbouring landowner to this development should not have to bear the cost of constructing a fence that was not necessary until this development commenced.*

**Council Response:** The construction of the fence was required by the fact that the boundary was not initially fenced prior to the development occurring. The condition is unreasonable as there is no nexus between the development occurring and the requirement to fence the boundary of Lot 219 DP758690 or construct accesses to Lot 219 or 220 DP 758690.

### **PUBLIC INTEREST s4.15(1)(e)**

The proposed development is considered to be of minor interest to the wider public due to the relatively localised nature of potential impacts. The proposal is not inconsistent with any relevant policy statements, planning studies, guidelines etc that have not been considered in this assessment.

### **SUMMARY**

The proposed modification is permissible with the consent of Council. The proposed modified development complies with the relevant aims, objectives and provisions of Cabonne Local Environmental Plan 1991 (The EPI in force at the time of determination) and the relevant Development Control Plan. A section 4.55(1A) assessment of the development indicates that the modification is acceptable in this instance. Attached is a draft modified Notice of Approval outlining a range of conditions considered appropriate to ensure that the development proceeds in an acceptable manner.

## **ITEM 18 - QUESTIONS FOR NEXT MEETING**

### **REPORT IN BRIEF**

<b>Reason For Report</b>	To provide Councillors with an opportunity to ask questions/raise matters which can be provided/addressed at the next Council meeting.
<b>Policy Implications</b>	Nil
<b>Budget Implications</b>	Nil
<b>IPR Linkage</b>	4.5.1.g. Code of Meeting Practice adhered to
<b>Annexures</b>	Nil
<b>File Number</b>	\\OFFICIAL RECORDS LIBRARY\\GOVERNANCE\\COUNCIL MEETINGS\\NOTICES - MEETINGS - 1284951

### **RECOMMENDATION**

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

**GENERAL MANAGER REPORT**

A call for questions for which an answer is to be provided if possible or a report submitted to the next Council meeting.

**ITEM 19 - BUSINESS PAPER ITEMS FOR NOTING**

**REPORT IN BRIEF**

<b>Reason For Report</b>	Provides an opportunity for Councillors to call items for noting for discussion and recommends remainder to be noted.
<b>Policy Implications</b>	Nil
<b>Budget Implications</b>	Nil
<b>IPR Linkage</b>	4.5.1.g - Code of Meeting Practice adopted and implemented.
<b>Annexures</b>	Nil
<b>File Number</b>	\\OFFICIAL RECORDS LIBRARY\\GOVERNANCE\\COUNCIL MEETINGS\\PROCEDURES - 1284952

**RECOMMENDATION**

THAT:

1. Councillors call any items they wish to further consider.
2. The balance of the items be noted.

**GENERAL MANAGER REPORT**

In the second part of Council's Business Paper are items included for Council's information.

In accordance with Council's format for its Business Paper, Councillors wishing to discuss any item are requested to call that item.

**ITEM 20 - MATTERS OF URGENCY**

**REPORT IN BRIEF**

<b>Reason For Report</b>	Enabling matters of urgency to be called.
<b>Policy Implications</b>	Nil
<b>Budget Implications</b>	Nil
<b>IPR Linkage</b>	4.5.1.a. Provide quality administrative support and governance to councillors and residents
<b>Annexures</b>	Nil

<b>File Number</b>	\\OFFICIAL RECORDS LIBRARY\GOVERNANCE\COUNCIL MEETINGS\NOTICES - MEETINGS - 1284953
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**RECOMMENDATION**

THAT Councillors call any matters of urgency.

**GENERAL MANAGER REPORT**

Council's Code of Meeting Practice allows for the Council to consider matters of urgency which are defined as *"any matter which requires a decision prior to the next meeting or a matter which has arisen which needs to be brought to Council's attention without delay such as natural disasters, states of emergency, or urgent deadlines that must be met"*.

This item enables councillors to raise any item that meets this definition.

**ITEM 21 - COMMITTEE OF THE WHOLE SECTION OF THE MEETING**

**REPORT IN BRIEF**

<b>Reason For Report</b>	Enabling reports to be considered in Committee of the Whole.
<b>Policy Implications</b>	Nil
<b>Budget Implications</b>	Nil
<b>IPR Linkage</b>	4.5.1.g. Code of Meeting Practice adhered to
<b>Annexures</b>	Nil
<b>File Number</b>	\\OFFICIAL RECORDS LIBRARY\GOVERNANCE\COUNCIL MEETINGS\PROCEDURES - 1284955

**RECOMMENDATION**

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

**GENERAL MANAGER REPORT**

Council's Code of Meeting Practice allows for the Council to resolve itself into "committee of the whole" to avoid the necessity of limiting the number and duration of speeches as required by Clause 250 of the Local Government (General) Regulation 2005.

This item enables councillors to go into "committee of the whole" to discuss items called earlier in the meeting.

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

All councillors 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 Governance Officer.

### **ITEMS FOR DETERMINATION**

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

##### **MOTION** (Weaver/Nash)

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

21/07/01 Carried

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

##### **Proceedings in Brief**

Cllr Batten declared an interest (identified as a perceived conflict of interest, significant, non-pecuniary) in item 8 as he is the Chair of the Molong Advancement Group who have been named in the policy as a recipient of funding.

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

THAT the declaration of interest be noted.

21/07/02 Carried

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

##### **MOTION** (Weaver/Oldham)

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

21/07/03 Carried

### **MAYORAL MINUTE - APPOINTMENTS**



Proceedings in Brief

It was noted that the Mayor advised that the Mayoral Minute – Appointments report was missed from the business paper.

The Mayor wished to note how proud he is of the communities reaction to the news of the lockdown. He further noted the number of people being tested was fantastic, and then commended local businesses for the way in which they handled being shut down. He also wished to thank all of the essential services that continued to deliver, supply and support the community.

Clr Treavors wished to congratulate the Mayor and the General Manager for their efforts in responding to the media.

Clr Beatty

22/06/21 – Attended the ALGA conference with the General Manager at Canberra.

23/06/21 – Attended the ALGA conference with the General Manager at Canberra. Interview with Neil Gill radio program.

28/07/21 – Attended the office for a meeting with the General Manager.

05/07/21 – Interview with Neil Gill radio program.

09/07/21 – Attended the office for a meeting with the General Manager.

13/07/21 – Attended the office for the councillor workshop. Attended to correspondence.

14/07/21 – Attended the office for a meeting with the General Manager. Attended Grow Molong at the Molong RSL.

15/07/21 – Attended the office for a meeting with the General Manager. Meeting with Wendy Pankhurst regarding Molong banking issues. Attended Brabham oval for the launch of Newcrest sponsored sanitisation bollards. Attended Molong Rotary Dinner.

17/07/21 – Attended briefing from the General Manager regarding Covid-19 in Molong.

20/07/21 – Attended the office for a meeting with the General Manager regarding Covid-19 case in Molong. Briefing with Scott McLaughlin Western NSW Local Health District regarding Covid-19. Contacted by various media in Sydney regarding the lockdown. Contacted by Deputy Premier and informed that Cabonne is going into lockdown.

21/07/21 – Attended the office for a meeting with the General Manager. Media interview with Sunrise 7 Sydney, ABC Central West, Prime 7, Triple M, ABC Sydney, Financial Review, 2GB Sydney, ABC 24 News, Central Western Daily, Wikinews and Canberra Times. Meeting with Scott McLaughlin Western NSW Local Health District regarding Covid-19.

22/07/21 – Attended an interview with ABC Breakfast National. Interview with B Rock FM.

23/07/21 – Attended the office for a meeting with the General Manager. Briefing with Scott McLaughlin Western NSW Local Health District regarding Covid-19.

**MOTION** (Beatty/-)

THAT the information contained in the Mayoral Minute be noted.

21/07/04 Carried

**PROCEDURAL MOTION - ITEMS OUT OF ORDER AND ITEM FROM CONFIDENTIAL**

**MOTION** (Oldham/Durkin)

THAT Council:

1. Consider Item 20 next;
2. Consider Item 4 following Item 19, and;
3. Consider Item 5 from the Confidential business paper be in the Ordinary meeting.

21/07/05 Carried

**ITEM - 20 COMMITTEE OF THE WHOLE**

Proceedings in Brief

It was noted Cllr Batten called item 13 and Cllr Nash called item 14 to be debated in Committee of the Whole.

**MOTION** (Oldham/Durkin)

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

21/07/06 Carried

It was noted Item 5 from the Confidential business paper was previously resolved to be considered in the Ordinary meeting.

**ITEM - 5 MORRIS PARK TOILET REFURBISHMENT GRANT**

Proceedings in Brief

Item 5 – Morris Park Toilet Refurbishment Grant has been listed within the confidential items of the business paper in error, as it does not disclose any content that would be considered confidential in accordance with the Local Government Regulation (2005). As such the Item needs to be forwarded to the open forum of Council for consideration and the full report made available on Council's website.

**MOTION** (Jones/Durkin)

THAT Council:

1. Accepts the funding offer of \$108,950 under the Driver Reviver Site Upgrade Program for refurbishment of the Morris Park Toilets, Canowindra,
2. Allocates \$83,550 from the Infrastructure Replacement Reserve to fund the balance of the council contribution towards the project; and
3. Makes the full report public on council's website.

21/07/07 Carried

**ITEM - 5 GROUPING OF REPORT ADOPTION**

Proceedings in Brief

The Mayor advised there were no reports for grouping and all items will be considered.

**MOTION** (Treavors/Weaver)

THAT:

1. No reports be grouped
2. All items be considered.

21/07/08 Carried

**ITEM - 6 CONFIRMATION OF THE MINUTES**

**MOTION** (Newsom/Durkin)

THAT the minutes of the Ordinary meeting held 22 June 2021 be adopted.

21/07/09 Carried

**ITEM - 7 RESCISSION MOTION - ITEM 12 OF MAY COUNCIL BUSINESS PAPER - 2021 LOCAL GOVERNMENT ELECTIONS - CONDUCT OF A POLL**

Proceedings in Brief

The Mayor advised that the rescission motion is for item 12 from the May meeting not the June meeting and requested that it be amended in the minutes.

**MOTION** (Oldham/Jones)

THAT item 12 from the Ordinary Council meeting held on 25 May 2021 be rescinded.

21/07/10 Carried

**MOTION** (Oldham/Jones)

THAT Council notify the NSW Electoral Commission that it does not intend to conduct a poll in conjunction with the September 2021 Local Government elections.

21/07/11 Carried

It was noted the time being 2.14pm Cllr Batten declared an interest and left meeting.

**ITEM - 8 DRAFT VILLAGE ENHANCEMENT FUND POLICY**

**MOTION** (Newsom/Weaver)

THAT Council endorse the draft Village Enhancement Fund Policy and place the draft policy on public exhibition.

21/07/12 Carried

It was noted the time being 2.15pm Cllr Batten re-joined the meeting.

**ITEM - 9 NSW RURAL DOCTORS NETWORK BUSH BURSARY & CWA SCHOLARSHIP PROGRAM**

**MOTION** (Davison/Nash)

THAT Council support the funding of the Bush Bursary and CWA Scholarship Scheme through the Community Facilitation Fund.

21/07/13 Carried

**ITEM - 10 ACTIVATING THE LOW CARBON ECONOMY IN REGIONAL AUSTRALIA**

**MOTION** (Durkin/Nash)

THAT Cllrs Batten, Weaver & Treavors attend the Activating the Low Carbon Economy in Regional Australia forum in Parkes on 19 August 2021.

21/07/14 Carried

**ITEM - 11 INTEGRATED PLANNING & REPORTING - OPERATIONAL PLAN FINAL HALF YEARLY REPORT**

**MOTION** (Davison/Nash)

THAT the update of the Operational Plan to 30 June 2021, as presented, be adopted.

21/07/15 Carried

**ITEM - 12 EUGOWRA MASTERPLAN**

**MOTION** (Newsom/Weaver)

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

21/07/16 Carried

**ITEM - 15 REQUEST FOR DONATION**

**MOTION** (Durkin/Jones)

THAT Council donates \$600 to Casey Jones for Eugowra NAIDOC event.

21/07/17 Carried

**ITEM - 16 EVENTS ASSISTANCE PROGRAM**

**MOTION** (Newsom/Davison)

THAT Council approve under its 2021/22 Event Assistance Program:

1. \$3,000 for Baroquefest, Canowindra; and
2. The carryover of funding of \$1,500 for the 12-hour Dance Event and Downton Abbey Ball.

21/07/18 Carried

**ITEM - 17 QUESTIONS FOR NEXT MEETING**

**Proceedings in Brief**

Clr Batten requested a report on the estimated cost to develop a carbon neutral action plan for Cabonne Council to be carbon neutral by 2030.

**MOTION** (Davison/Durkin)

THAT Council receive a report in relation to the estimated cost to develop a carbon neutral action plan for Cabonne Council to be carbon neutral by 2030.

21/07/19 Carried

**ITEM - 18 BUSINESS PAPER ITEMS FOR NOTING**

**MOTION** (Jones/Nash)

THAT the notation items be noted.

21/07/20 Carried

**ITEM - 19 MATTERS OF URGENCY**

**MOTION** (Oldham/Jones)

THAT it be noted there were nil matters of urgency.

21/07/21 Carried

It was noted Item 4 was previously resolved to be considered following Item 19.

**ITEM - 4 COMMITTEE OF THE WHOLE SECTION OF THE MEETING**

**MOTION** (Oldham/Durkin)

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

21/07/22 Carried

**ITEM - 13 LONG TERM FINANCIAL PLAN 2021-2031 AND STRATEGIC ASSET MANAGEMENT PLAN 2021-2031**

Proceedings in Brief

Clr Batten noted that it is very pleasing to see that the General Manager and staff put both of these documents in front of council. These documents explain to the community, and future councillors, the complexity of the business that is being operated. He then complemented the staff for producing the documents.

The General Manager noted that it is important that the document is well informed and updated regularly. These documents will feature as part of the councillor induction program.

Clr Davison would like to see copies of the documents given to all aspiring candidates.

**RECOMMENDATION** (Batten/Jones)

THAT Council:

1. Adopt the Long Term Financial Plan 2021-2031; and
2. Adopt the Strategic Asset Management Plan 2021-2031.

1. Carried

**ITEM - 14 UNSPENT EXPENDITURE REVOTED TO 2021/2022 BUDGET**

Proceedings in Brief

Clr Nash queried how the Manildra Library fit out is progressing and what the investigation has revealed and when staff and councillors will visit both sites.



The Deputy General Manager Services advised that a report will be presented at the August Council Meeting.

Clr Davison queried if Cabonne have the staffing levels to achieve the works scheduled. The Deputy General Manager Infrastructure noted there are a number of positions that have been advertised in the roads crews. He also noted that following the Infrastructure division restructure, the new department leaders have commenced a review of vacancies in their areas and are filling those in a systematic way.

**RECOMMENDATION** (Nash/Jones)

That the works listed in the report be included in the 2021/2022 budget.

2. Carried

It was noted the time being 2.44pm 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.

3. Carried

It was noted the time being 2.45pm the General Manager, Deputy General Manager Infrastructure and Deputy General Manager Services declared an interest and left the meeting.

\*

**ITEM - 2 MAYORAL MINUTE - 2020/2021 FULL YEAR PERFORMANCE REVIEW OF THE GENERAL MANAGER**

**MOTION** (Weaver/Durkin)

THAT Council:

1. Adopt the final report on the outcome of the General Manager's Performance Review.
2. Adopt the recommendations of the Review Panel as outlined in the report.
3. Adopt the attached Performance Agreement for the 2021/2022 review year.

4. Carried

It was noted the time being 2.48pm the General Manager, Deputy General Manager Infrastructure and Deputy General Manager Services re-joined the meeting.

\*

**ITEM - 3 POSSIBLE SALE OF LOT 4 DP 1113621, 1 BLUEBELL STREET, LONGS CORNER ESTATE, CANOWINDRA**

**RECOMMENDATION** (Davison/Weaver)

THAT Council authorises affixing of Council's Common Seal to the land sale contract and transfer documents of Lot 4, Lot 13 and Lot 14 DP1113621, Longs Corner Estate, Canowindra.

5. Carried

**ITEM - 4 CONTRACT NO 1258053 - REPAIRS AND REPLACEMENT OF CULVERTS AND BRIDGES ON LOCAL AND REGIONAL ROADS**

**RECOMMENDATION** (Jones/Nash)

That Council:

1. Resolve to accept the tender of PA & CL McKenzie Builders for Separable Portion 1 (SP1) and Separable Portion 2 (SP2) for \$861,320.00 (exl GST) for the repairs and replacement of culverts and bridges on local and regional roads.
2. Authorise the General Manager to enter into a contract with PA & CL McKenzie Builders for Separable Portion 1 (SP1) and Separable Portion 2 (SP2) for \$861,320.00 (exl GST) for the repairs and replacement of culverts and bridges on local and regional roads.
3. Resolve to accept the tender of MCS Civil NSW Pty Ltd for Separable Portion 3 (SP3) for \$833,182.65 (exl GST) for the repairs and replacement of culverts and bridges on local and regional roads.
4. Authorise the General Manager to enter into a contract with MCS Civil NSW Pty Ltd for Separable Portion 3 (SP3) for \$833,182.65 (exl GST) for the repairs and replacement of culverts and bridges on local and regional roads.
5. Authorise any variation to the contract for the project provided the variations are contained within the overall approved budget.
6. Authorise the General Manager to notify unsuccessful tenderers in writing.



6. Carried

It was noted Item 5 from the Confidential business paper was previously resolved to be considered in the Ordinary meeting.

**ITEM - 6 TENDER RECOMMENDATION RFT 10039031-MOLONG SHOWGROUND AMENITIES BUILDING**

**RECOMMENDATION** (Durkin/Jones)

THAT Council:

1. Note the tender assessment RFT10039031 for Molong Showgrounds Amenities Building, prepared by NSW Public Works Authority.
2. Resolve to accept the tender of Adaptive Interiors for \$301,818.00 (excl GST) for the construction of the Molong Showgrounds Amenities Building.
3. Authorise the General Manager to enter into a contract with Adaptive Interiors for \$301,818.00 (excl GST) for the construction of the Molong Showgrounds Amenities Building.
4. Authorise any variation to the contract for the project provided the variations are contained within the overall approved budget.
5. Authorise the General Manager to notify unsuccessful tenderers in writing.

7. Carried

**ITEM - 7 TENDER RECOMMENDATION RFT 10039041 -MOLONG & CANOWINDRA LIGHTING UPGRADE**

**RECOMMENDATION** (Newsom/Durkin)

THAT Council:

1. Note the tender assessment RFT10039041 for Molong and Canowindra Sports Lighting Upgrade.
2. Resolve to accept the tender of Central West Electrical Contractors P/L for \$788,529.10 (exl GST) for the Molong and Canowindra Sports Lighting Upgrade.
3. Authorise the General Manager to enter into a contract with Central West Electrical Contractors P/L for \$788,529.10 (exl GST) for the Molong and Canowindra Sports Lighting Upgrade.
4. Authorise any variation to the contract for the project provided the variations are contained within the overall approved budget.
5. Authorise the General Manager to notify unsuccessful tenderers in writing.

8. Carried

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

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

**MOTION** (Oldham/Newsom)

THAT the Report and Recommendations of the Committee of the Whole Meeting held on Tuesday 27 July, 2021 be adopted.

21/07/23 Carried

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

CHAIRMAN.

Chairman of the Ordinary Meeting of Cabonne Council held on the 24 August, 2021 at which meeting the listed minutes were confirmed and the signature hereon was subscribed.



**Cudal and Districts Soccer Clubs**

C/O Cudal Post Office

Cudal NSW 2864

President I Penny Challinor

Treasurer I Susie Terry

Secretary I Emma Thomas

Brad Byrnes  
General Manager  
Cabonne Council  
Bank St Molong NSW 2866

Wednesday 28<sup>th</sup> July 2021

Dear Brad,

As you will know, Cudal & Districts Soccer Club is a not for profit sporting club providing the opportunity for in excess of 80 children from Cudal, Manildra, Toogong, Cargo and Bowen Park to be involved in a team sport in their local community. Additionally, Cudal fields an All Age team in the Orange competition.

Earlier this year when the mowing of Dean park was taking place the mower ran over the net attached to one of the soccer goals causing irreparable damage to the net. To fulfill the clubs commitment to Orange & District Football Association to provide fields and goals for home games at Dean Park we have replaced the net on the goal at a cost of \$182.98 to the club.

As council provide the service of maintaining Dean Park, I write to ask that council consider reimbursing the club for the cost of the net. Invoice attached.

Please do not hesitate to contact me on 0407267568 or [emmajthomas@bigpond.com](mailto:emmajthomas@bigpond.com) to discuss further.

Many thanks for consideration

Emma Thomas

SECRETARY

Thank you for shopping with us!

## **NET WORLD SPORTS**»

[SOCCER](#)[CRICKET](#)[TENNIS](#)[GOLF](#)

# ORDER CONFIRMED

**ORDER NUMBER:** **400048360**

Thanks for your order Penny, we hope you enjoyed shopping with Net World Sports. We'll email your tracking information to you when your order has left us.

### WHAT YOU ORDERED

ITEM(S)	QTY	PRICE
 <u>Heavy Duty - Straight Back Soccer Net [All Sizes]</u> Size: 7.3m x 2.4m Set: Pair	1	AU\$149.99

SUBTOTAL	AU\$149.99
SHIPPING	AU\$32.99
<b>TOTAL</b>	<b>AU\$182.98</b>



# CUMNOCK & DISTRICT PROGRESS ASSOCIATION INC

PO Box 22  
Cumnock NSW 2867

***Regional Achievement and Community Awards Winner  
Community of the Year under 15,000 population for "2010"***



President: Don Bruce  
Secretary: Rhonda Watt  
Treasurer: Barbara O'Brien

Email: [cumnockfunday@gmail.com](mailto:cumnockfunday@gmail.com)

24.6.21

The Cumnock Progress Association is pleased to announce that the Cumnock Markets Family Fun Day is scheduled **for October 16, 2021 from 9am-3pm.**

The aim of this event is to reunite our community and districts to bring unity, enjoyment and life back to our village- which has been missing over the past tough 5 years due to severe drought, Covid-19, floods and the recent mouse plague.

We would love to open up the community of Cumnock to show off our improvements and upgrades over the past few years. It is an opportunity to invite many local and district small home-based businesses to showcase their products and for all local committee groups to fundraise and participate.

As part of Cabonne Country it is important to work together and unite and focus on attracting tourism from around our great Country and bring them to our area for this major event. The Market/ Fun day will be the injection we truly need.

We have much to offer and our plans are wide and varied. We are proud of where we live and it is important to bring some focus on revitalizing our community.

We write to you today in the hope that you may be able to help us. We are seeking kind donations and/or sponsorships, as well as your help in advertising the event.

Sponsorship opportunities are: Platinum: \$500+ Gold Level: \$200 Silver Level: \$100 and Bronze \$50.

All sponsorships and donations will be acknowledged and advertised on our FB event page called "Cumnock Markets Family Fun Day" - We will mention you at every opportunity and will promote your kindness through our Local Cumnock Progress Review and other avenues open to us.

You may also consider booking a stall on the day for \$25, whether it's for selling your product or as an information stall. Please do not hesitate to contact us with any further questions or queries.

Thank you for your time and we look forward to hearing from you soon.

Carly - 0400 558 837  
Cassandra - 0481 140 458

# Event Assistance Program Application Form

Submission date: **3 August 2021, 10:08AM**

Receipt number: **47**

Related form version: **3**

## Details of the Organisation

Name of Organisation	<b>Eugowra Olden Eagles</b>
Organisation House Number/Name/PO Box Number	<b>7</b>
Street/Road	<b>Noble St</b>
City	<b>Eugowra</b>
State/Territory	<b>NSW</b>
Postcode	<b>2806</b>
Phone Number	<b>0407227637</b>
Fax Number	
Email Address	<b>andrew@geagleproductions.com.au</b>
Contact Person	<b>Andrew Barnes</b>
Contact Person's Position in Organisation	<b>Secretary</b>
Is the organisation	<b>not registered for GST</b>
Does the organisation have insurance, including public liability cover?	<b>Yes</b>
Does the organisation have an ABN?	<b>No</b>
If yes, please provide ABN	

What is the aim of your organisation?

Our organisation puts on an event each year - The Masters of the Mandagery. An over 35's Rugby League tournament. We aim to bring visitors to the town, support local vendors and musicians and in general bring entertainment to the towns people. All revenue will be funded back into making the event bigger in 2022.

Does your organisation have a plan/strategy?

Yes

If yes, please upload your plan/strategy here

[EUGOWRAMASTERSEVENTSTRATEGY.pdf](#)

## Event Title

Name of the event

Eugowra Masters of the Mandagery

Funding category applying for

Developing Event

## Details of the Proposal

Please provide a general description of the event

An over 35s non competitive Rugby League tournament. 10 teams confirmed so far Eugowra, Cargo, Canowindra, Manildra, Narromine, Condobolin, Trundle, Lyndhurst, ACT Valley, Tuggeranong,

Where and when is the event to take place?

Ian Walsh Field

October 23

11am to 7pm

How will the event raise the profile of the Cabonne Council?

This is the only Masters event in the Western Zone and only one of 2 in Country NSW. Extensive media coverage will be sought with secretary Andrew Barnes links to metro and regional media promoting Eugowra and therefore Cabonne.

What local business opportunities will be created?

The Fat Parcel - Eugowra will be providing American BBQ, Food truck and coffee for the event. The Central Hotel and Eugowra Bowling Club are venues for post day celebrations.

How many people are expected to attend the event from within and outside the Shire?	<b>Approx 400-500</b>
What benefits will be returned to the Cabonne community?	<b>Entertainment for the local community. An event for former Cabonne teams and players to re-connect. Awareness in the form of media. New visitors to the region.</b>
Please list any other community groups involved with this event	<b>Eugowra Golden Eagles will be helping throughout the day. The Eugowra mens shed are creating tables for the event. The day promotes the Chad Robinson foundation for Mental Health.</b>

## Assistance Requested

Type of Assistance (1)	<b>Advertising</b>
Details (1)	<b>Television advertising through Prime TV</b>
Value of Assistance, exclusive of GST (Council to provide estimate for in kind items) (1)	<b>500</b>
Type of Assistance (2)	
Details (2)	
Value of Assistance, exclusive of GST (Council to provide estimate for in kind items) (2)	
Type of Assistance (3)	
Details (3)	
Value of Assistance, exclusive of GST (Council to provide estimate for in kind items) (3)	
Type of Assistance (4)	
Details (4)	
Value of Assistance, exclusive of GST (Council to provide estimate for in kind items) (4)	
Type of Assistance (5)	



## Details (5)

Value of Assistance, exclusive of GST (Council to provide estimate for in kind items) (5)

Total assistance requested **500**

Will you require payment of EAP grant prior to lodging the Acquittal Form? **No**

## Supporting Information

Please upload a quote outlining project costs (if applicable)

Please upload your letter of support (1)

Please upload your letter of support (2)

The following supporting information is attached with this application

## Applicant's Signature



[Link to signature](#)

Name **Andrew Barnes**

Position in Organisation **Secretary**

Date **03/08/2021**



## **Memorandum of Understanding**

**between**

**Arts OutWest**

**and**

**Cabonne Shire Council**

**1 July 2021 – 31 December 2024**

This Memorandum of Understanding (MOU) includes the following:

1. Key understandings for member Councils
2. Undertakings
3. Financial contribution
4. Review process

### **1. Key understandings for member Councils**

- a) All member Councils understand effective arts and cultural development to be the strategic planning and management of cultural services, facilities and programs that contribute to local identity, sense of place and quality of life and empower local groups to contribute socially and economically through the arts.
- b) The Councils jointly agree to support Arts OutWest Inc. as key stakeholders in the Regional Arts Development Organisation (RADO) for the region.
- c) The Councils understand that funding by each member Council, matched by State funding is essential for the core operations of Arts OutWest Inc. and its sustainability in the future.
- d) The Councils understand and fully support the core business of Arts OutWest as outlined in its Strategic Plan 2021-24 plan.
- e) Arts OutWest inc. is a not-for-profit incorporated association managed by a Committee of Management (Board) appointed through a transparent application process.



## **2. Undertakings**

### **What Arts OutWest will agree to do:**

1. Arts OutWest Inc. will deliver core services to the region as defined by the Arts OutWest Strategic Plan and any reviews thereof in consultation with all its stakeholders.
2. Arts OutWest will work in active partnership with the local Councils of the region to deliver regional cultural development outcomes.
3. Arts OutWest Inc. will provide all member Councils with an Annual Report showing expenditure of all consolidated revenue and providing details on services rendered to each Council area.
4. Arts OutWest will acknowledge the partnership arrangement with the Councils on all public material in an appropriate manner

### **What The Council will agree to do:**

5. The Council will acknowledge Arts OutWest in programs involving Arts OutWest
6. The Council will appoint a person to the Arts OutWest Advisory Council. This person will attend two meetings a year and will provide a conduit for Arts OutWest to the LGA and its issues. The Advisory Council member will represent the interests of the LGA and will contribute to ensuring that the Arts OutWest Strategic Plan and the Annual Activity Plan for Arts OutWest meet the needs of the LGA.
7. The Council and their communities will provide Arts OutWest with relevant information on cultural issues, activities and events for information and promotion by Arts OutWest Media and Promotion services.
8. The Council and Arts OutWest will share information on cultural matters including the linking of community directories, databases and websites.
9. Arts OutWest will work with individual Councils and their communities to develop specific projects and programs and assist with funding and delivery of projects so far as additional project funding allows with equity across the region.
10. Arts OutWest will provide formal presentations to Councils within the region as required.
11. The Council may make representations to the Board and Executive Officer of Arts OutWest Inc. in respect of any proposed programs and projects arising in the community which need the support of Arts OutWest Inc.
12. The Council will encourage individuals, groups and organizations in their local areas to actively access the services of Arts OutWest for their development.

### **3. Financial contribution**

Cabonne Shire Council will pay a fee for service to Arts OutWest in each of the financial years of the Memorandum of Understanding. This will be at the starting rate of 68 cents per head of population. CPI will be added each year period. Each year the population will be calculated using ABS figures for the previous year.

The starting point for this MOU is a payment of \$9,300.36 (+GST) for the 2021-22 year, based on the ABS Estimated Regional Population (ERP) for 2020 of 13,667.

### **4. Review**

Cabonne Shire Council and the Board of Arts OutWest Inc agree to review the terms of this Memorandum of Understanding in preparation for each following financial year.

### **Signatures to this Memorandum of Understanding**

FOR COUNCIL:

.....

.....

Date

Name:

FOR ARTS OUTWEST

.....

.....

Tracey Callinan, Executive Director, Arts OutWest

Date







# CABONNE SHIRE COUNCIL

Working with communities in 2020 (calendar year)

## BOARD MEMBERS

Osla Thomason (Canowindra)  
(appointed May 2020)

## Positions on the AOW ADVISORY COUNCIL

Cr Libby Oldham  
Cabonne Shire Council representative

This council page accompanies the Arts OutWest 2020 Annual Report  
[https://artsoutwest.org.au/wp-content/uploads/2021/06/AOW-2020-annual-report\\_small.pdf](https://artsoutwest.org.au/wp-content/uploads/2021/06/AOW-2020-annual-report_small.pdf)

**LGA POPULATION: 13,364** (source: ABS 2019 ERP estimate)

Cabonne Shire Council contribution to the regional arts program:  
**On a per capita basis @ 66c per person \$8,998 + GST**

Estimated value of Arts OutWest services to communities in Cabonne Shire Council area 2020:

<b>ARTS MEDIA PROGRAM</b>	\$2,250
30 events promoted @ \$75 per event.	
<b>CASP Projects</b>	\$3,000
1 CASP project funded.	
<b>SPECIFIC PROJECTS</b>	\$6,488
Micro Grants. Culture Maps. Virtual Art Snacks MPS Program . AOW Media Associates and training. Online networks. Canowindra Arts Strategic Planning.	
<b>WORKSHOPS</b>	\$1,150
Grant writing workshop. Videography workshop. Aboriginal online workshops with Aleshia Lonsdale.	
<b>CORE SERVICES</b>	\$8,693
Includes time spent giving advice and regional advocacy support in Cabonne.	

**TOTAL ESTIMATED VALUE: \$21,581**

This conservative estimate of services represents a **240% return** on the council's contribution to Arts OutWest.

## SPECIFIC PROJECTS

### ARTS AND HEALTH

- Molong MPS and Eugowra are participating hospitals in the development of AOW's project Virtual Art Snacks. The project is a partnership with Western NSW LHD and is funded for a 3 year action research program to establish best practice in delivering both online and face-to-face arts sessions.

### ABORIGINAL ARTS

- Our Aboriginal Arts Development Officer is working with communities and artists to support local work by Aboriginal artists.

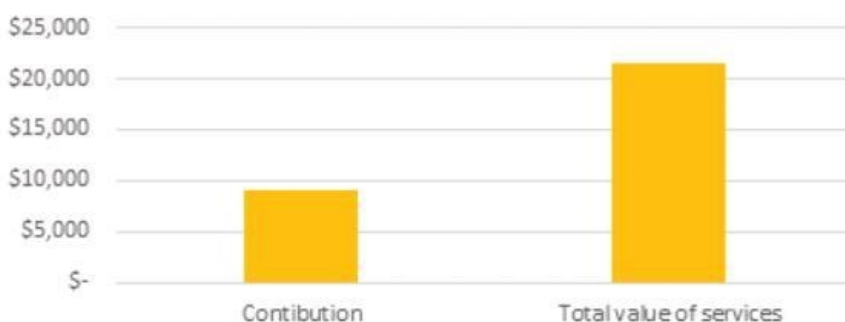
### CULTURAL TOURISM

- Culture Maps. Arts OutWest's interactive map showing all the cultural tourism assets of the region was developed and launched. [www.centralnsw.com](http://www.centralnsw.com).

### MUSIC INDUSTRY SUPPORT

- Audit of all live music venues in the region was undertaken in late 2020 in order to start developing this as a circuit.

## Return on investment for Cabonne's contribution to AOW in 2020: 240%





## SUPPORT

- Meetings and events
  - Attended events such as gallery openings, performances, consultations sessions, judged art competitions, met with individuals and organisations, provided advice by phone and email
- Provided advocacy through representing the needs of our area at meetings in Sydney and Canberra to government and other key organisations, met directly with politicians and government workers (particularly Create NSW) locally and in Sydney and Canberra, submitted to surveys and reviews, contributed to research making the case for regional arts, liaised with Regional Arts NSW and the RADO network in NSW
- Provided increased commentary in the media about the impacts of Covid
- Promoted events and assisted people to promote their events and also tracked and reported on the cancellation of events due to Covid
- Provided numerous examples of support to people in the arts who were affected by the pandemic and needed to talk to someone, find possible financial support or work out ways of doing things differently.

## GENERAL SUPPORT

- Arts OutWest Micro Grants Program was established to assist artists, organisations, businesses and other groups to adapt to the challenges of the Covid-19 restrictions. Recipients within Cabonne Shire Council LGA were:
  - Kris Lear (CUDal)
  - Blind Freddy's Bushranger Tours (Canowindra)
  - Nerida Cuddy (Canowindra)
- AOW Media Associates Program. This program has established photographers across the AOW region who are available to document the work of Arts OutWest and other arts activity in the region. Arts OutWest also provides this group with training and in 2020 we were worked with them to prepare for an exhibition of their work (presented in January 2021).

## KEY RELATIONSHIPS

### Organisations that we worked with or assisted in 2020:

- Banjo Paterson Museum (Yeoval)
  - Canowindra Arts
  - Canowindra Music and Events
- as well as numerous individuals.

## REGIONAL REPRESENTATION & ADVOCACY

### AOW worked regionally or advocated for the region in 2020 including:

- Attended Regional Arts meetings in Sydney and online with other RADOs, Regional Arts NSW and Create NSW
- Attended Artstate Wagga Wagga where AOW's Executive Director mediated one of the main stage panels
- Attended meetings with the MPS Groups set up by Western NSW Local Health District
- Member of the Arts and Health Network leadership team for NSW/ACT
- Attended meetings with the Central West JO's Tourism Managers group
- Attended consultation sessions with CSU; Executive Director a member of CSU's Macquarie Consultative Committee
- Member of the Travelling Film Festival steering committee for Sydney Film Festival
- Established a cross-region project working in aged care within the NSW Health System to investigate best practice around online and face-to-face delivery with research attached and gained three-year funding
- Supported research applications by Charles Sturt University as a partner organisation.

## CASP PROJECTS

- Funded Country Arts Support Program (CASP) project in Cabonne, with funds developed to Regional Arts by Create NSW:
- Canowindra Arts: 1st Giant Steps \$3,000.

**LETTERS OF SUPPORT:** Arts OutWest wrote 2 letters of support for people resident in Cabonne Shire Council area.

## ARTS MEDIA PROGRAM STATS

- AOW social media followers: 11,263 (increase of 11%)
- Subscribers to AOW newsletter/website: 1,350
- 30 Cabonne events promoted by Arts OutWest on radio, social media, AOW e-news and website
- Cabonne stories told on Facebook, Instagram website and e-news: 9
- Cabonne opportunities in the arts presented on Facebook, Instagram website and e-news: 1



IMAGES: Front page - Virtual Art Snacks MPS program workshop; AOW Culture Maps website launch. This page - AOW Micro Grant recipient Nerida Cuddy (new CD).

More information and links about our projects, people and organisation are available on our website:  
[www.artsoutwest.org.au](http://www.artsoutwest.org.au) | [artsoutwest@csu.edu.au](mailto:artsoutwest@csu.edu.au) | 02 6338 4657 | @artsoutwest on Facebook, Instagram and Twitter  
PO Box 8272 CSU LPO BATHURST NSW 2795

Arts OutWest acknowledges the Wiradjuri people, whose land we work on, and pays respect to the traditional owners past and present.

**bathurst • blayney • cabonne • cowra • forbes  
lachlan • lithgow • oregon • orange • parkes • weddin**

## CONDITIONS OF APPROVAL

### 1. DEVELOPMENT IN ACCORDANCE WITH PLANS

#### **Objective**

To ensure the development proceeds in the manner assessed by Council.

#### **Performance**

Development is to take place in accordance with the attached stamped plans (Ref No DA 2007/138, 4 sheets numbered 06024DA) and documentation submitted with the application and subject to the conditions below, to ensure the development is consistent with Council's consent. NOTE: Any alterations to the approved development application plans must be clearly identified **WITH THE APPLICATION FOR A CONSTRUCTION CERTIFICATE**.

The Principal Certifying Authority for the project may request an application for modification of this consent or a new application in the event that changes to the approved plans are subsequently made. An application to modify the development consent under s96 of the Environmental Planning and Assessment Act, 1979, as amended and subject to a separate fee.

### 2. APPOINTMENT OF PRINCIPAL CERTIFYING AUTHORITY

#### **Objective**

To ensure compliance with s81A of the Environmental Planning and Assessment Act 1979, as amended.

#### **Performance**

The person having the benefit of this consent must appoint a Principal Certifying Authority for the development, pursuant to Section 81A of the *Environmental Planning and Assessment Act 1979*, as amended and advise Council in writing of that appointment BEFORE WORKS COMMENCE.

That Certifying Authority may be the Council, or an Accredited Certifier appointed under the Act. The required written notice to Council may be satisfied by supplying a copy of the Application for a Construction Certificate (Form 11) under the *Environmental Planning and Assessment Regulation 1994*, as amended and must include the name, contact address, telephone and accreditation numbers of the selected Certifying Authority.

The Principal Certifying Authority and any other Certifiers appointed by that Authority will be responsible for the post-consent certification of the development. Copies of all certification are to be submitted to Cabonne Council referenced by the Development Application Number.

### 3. APPLICATION FOR CERTIFICATION

#### **Objective**

To satisfy the post-consent requirements of this Development Consent and to comply with s109 of the Environmental Planning and Assessment Act 1979, as amended.

### **Performance**

The person having the benefit of this consent is required to apply for a:  
CONSTRUCTION CERTIFICATE to satisfy the requirements of engineering conditions.  
COMPLIANCE CERTIFICATE to satisfy the requirements of engineering conditions.  
SUBDIVISION CERTIFICATE to satisfy the requirements of all conditions.

## **4. LOT DESIGN AND PURPOSE**

### **Objective**

To ensure the subdivision proceeds in accordance with Council's consent and that the purpose of the newly created lots are clarified in the context of Cabonne Local Environmental Plan, 1991.

### **Performance**

- (a) Surveying of the subject land will be generally in accordance with the attached draft plan of survey.
- (b) Lots 1, 2 and 3 have been approved as Dwelling Entitlement Lots under Clause 14 of Cabonne Local Environmental Plan, 1991.
- (c) Lots 5, 6 and 7 have been approved as Agricultural Lots under Clause 12(2) of Cabonne Local Environmental Plan, 1991.
- (d) Lot 4 has been approved as an Agricultural lot with an existing dwelling under Clause 12(2) of Cabonne Local Environmental Plan, 1991.

## **5. LANDSCAPING PLANS/SITE TREATMENT**

### **Objective**

To reduce landuse conflict and to lessen the visual impact or the development.



## **Performance**

Separate detailed landscaping plans are to be submitted to and approved by Council or an Accredited Private Certifier prior to release of any Subdivision Certificate. Landscaping is to be undertaken in a manner designed to reduce landuse conflict and lessen the visual impact of the development of the concessional lots. Landscaped areas in the building setbacks shall be heavily landscaped with native trees and shrubs in accordance with the Gatton Guidelines report by the Queensland Department of Natural Resources (copy available from Council's Molong office).

## **6. FENCING**

### **Objective**

To ensure that all animals are retained within each of Lots 1, 2 and 3.

### **Performance**

Prior to issue of the **SUBDIVISION CERTIFICATE** the applicant is required to fence all boundaries of Lots 1, 2 and 3 to a "dog-proof" standard. This requires the fence to have netting (rather than ringlock or hingejoint) that goes below ground level, top, middle and bottom wires, as well as two (2) barbed wires above the netting.

## **7. STAGED DEVELOPMENT – (THIS CONDITION WAS DELETED BY COUNCIL'S RESOLUTION NUMBER 16/1/27 OF 22 NOVEMBER 2016)**

### **Objective**

To ensure that the development complies with Section Division 2A of the Environmental Planning and Assessment Act 1979.

### **Performance**

Development Application 2007/138 has been approved as a staged development under Section 80(4) of the Environmental Planning and Assessment Act 1979.

The development/subdivision may be carried out in the following stages:

#### **Stage 1**

Lots 1, 2, 3 subject to completion of relevant conditions.

#### **Stage 2**

Lot 5 subject to completion of relevant conditions.

#### **Stage 3**

Lots 4, 6 and 7 subject to completion of relevant conditions

## **8. NSW RURAL FIRE SERVICE REQUIREMENTS**

## **(1) ASSET PROTECTION ZONE**

### **Objective**

The intent of asset protection measures is to provide sufficient space, and maintain reduced fuel loads, so as to ensure radiant heat levels of buildings are below critical limits, and to prevent direct flame contact with a building.

### **Performance**

At the commencement of subdivision works and in perpetuity, the land surrounding the existing dwelling on proposed Lot 4, to a distance of 20 metres, shall be maintained as an inner protection area (IPA) as outlined within Planning for Bush Fire protection 2006 and the Service's document 'Standards for asset protection zones'.

## **(2) ACCESS**

### **Objective**

The intent of fire/access measures for public roads is to provide safe operational access to structures and water supply for emergency services, while residents are seeking to evacuate from an area.

### **Performance**

Property Access roads shall comply with section 4.1.3(2) of Planning for Bush Fire Protection, 2006.

### **Note - General Advice**

Any further development application for class 1, 2 & 3 buildings as identified by the Building Code of Australia must be subject to separate applications under section 79BA of the Environmental Planning & Assessment Act 1979, as amended, and address the requirements of Planning for Bush Fire Protection, 2006

### **(LOTS 1, 2 AND 3)**

## **9. SITE WORKS**

### **Objective**

To prevent storm water ponding.

### **Performance**

Trimming, filling or reshaping of the site so that no ponding or other stormwater nuisance occurs, or concentration of flow is produced onto other property. Work to be completed **BEFORE THE ISSUE OF A SUBDIVISION CERTIFICATE.**

## **10. EROSION AND SEDIMENTATION CONTROL PLANS**

### **Objective**

To prevent soil erosion and watercourse contamination during and subsequent to the course of the development.

### **Performance**

An overall erosion and sedimentation control plan is to be prepared to a standard acceptable to the Principal Certifying Authority and the Department of Infrastructure, Planning and Natural Resources.

The plan is to note any proposed vegetation retention and planting and is to be submitted and approved prior to the issue of a subdivision certificate for Stage 1 or any works.

Specific construction zone erosion and sedimentation control plans are to be prepared to a standard acceptable to the Principal Certifying Authority and are required to be approved prior to the issue of Construction Certificates for each and any stage of the development.

## **11. BUSH FIRE CONTRIBUTIONS**

### **Objective**

To make an equitable contribution towards improvement of Bush Fire Services and Amenities for the specified Brigade. The contribution has been levied in accordance with Council's Bushfire Services Contributions Plan, February, 1993.

A copy of the Plan is available for inspection at Council's Department of Environmental Services, Bank Street, Molong during business hours.

### **Performance**

Prior to release of the Linen Plan the applicant is required to make a contribution of \$2,310 towards the improvement of bushfire services and amenities for the March Bushfire Brigade (Income No: 15080 035).

## **12. ROAD IMPROVEMENT CONTRIBUTION (SUBDIVISION)**

### **Objective**

To make equitable contribution to address the impacts of development on Council roads. The contribution has been levied to make improvements to the stated road in accordance with Council's Road Contributions Plan dated January 1993, (General Rural Zone).

## **Performance**

The applicant is required to make a road improvement contribution of \$19,140.90 towards the improvement to Kangaroo Road (Income Number 15085300).

### **13. PROVISION OF RURAL ADDRESS NUMBERS**

#### **Objective**

To provide each eligible rural property with a rural address number in accordance with Standard AS/NZS 4819:2003:Geographic Information – Rural and Urban addressing.

#### **Performance**

The location of each eligible access will be established and a number allocated based upon measurements taken by the Principal Certifying Authority which will be in accordance with Standard AS/NZS 4819:2003.

The applicant is to contact Council's GIS Officer on 63923248 to obtain an application form and instructions.

### **14. ERECTION OF RURAL ADDRESS NUMBERS**

#### **Objective**

To ensure each eligible rural property has a suitably erected and clearly visible rural address number in accordance with Standard AS/NZS 4819:2003: Geographic Information – Rural and Urban Addressing.

#### **Performance**

The designated number plates shall be obtained and erected in accordance with the Specifications for Erection of Rural Address Numbers as supplied by Council. (Note: These plates are available from Council at the fee specified in Council's Fees and Charges)

Written notification is to be provided to Council indicating rural addressing numbers have been erected. This letter is to be supplied to Council or Principal Certifying Authority PRIOR to the issue of a Subdivision Certificate.

### **15. ON SITE WASTE WATER MANAGEMENT**

#### **Objective**

To ensure that an accredited sewage management facility is designed, constructed and installed.

#### **Performance**

The Onsite Wastewater Management System is to be designed following a site specific examination of the site by a suitably qualified person, details of the proposed system along with an application to install an onsite wastewater management system are to be provided to Council prior to the issue of a Subdivision Certificate.

## **16. PROVISION OF POWER FOR SUBDIVISION**

### **Objective**

To ensure financial equity in providing adequate power supply for newly created lots 1, 2 & 3.

### **Performance**

Prior to the issuing of a Subdivision Certificate, the applicant will submit a Compliance Certificate from the Electricity Authority indicating that arrangements have been made for the supply of mains power to proposed lots 1, 2 & 3.

## **17. SOIL PESTICIDE SURVEY**

### **Objective**

To ensure that previous landuse activities have not resulted in soil contamination which may have an adverse impact on future residents.

### **Performance**

Prior to release of the Linen Plan a pesticide survey is to be conducted and the results submitted to Council to ensure that Lots 1, 2 & 3 are not adversely affected by soil contamination. Such survey is to be to the satisfaction of NSW Department of Industry and Investment and the Environment Protection Authority.

## **18. PROVISION OF PRIVATE ACCESS**

### **Objective**

To ensure that safe and practical access is provided to the subject land.

### **Performance**

Access must be provided to all proposed lots in accordance with Councils' Provision of Private Access Specification (attached) that is current at the time of application.

An Access Construction Certificate must be obtained prior to commencement of construction of any access or accesses to the property from the adjoining road.

A joint inspection with the Principal Certifying Authority is to be held prior to commencing construction of the accesses. Please telephone Council's Development Engineer on 6392 3271 to arrange a suitable date and time for the inspection.

A Compliance Certificate for the accesses must be submitted to Council before a Final Subdivision Certificate can be issued.

## **19. ACCESS**

### **Objective**

To provide legal access to the Allotments.

### **Performance**

Submitted Engineering plans / s.88b Instrument to make satisfactory provision for the following in respect of the proposed right of way burdening Lot 4 and benefiting Lots 1, 2 & 3.

Provision of a minimum maintenance all-weather carriageway surface

Provision for on-going management/maintenance of the carriageway including clear details of obligations/responsibilities of the affected parties.

Provision for adequate width and turning facilities for likely vehicle traffic including all likely service and emergency vehicles.

Effective (legal) provision for access by all emergency and other essential service organisations over the private carriageway.

Full details to the satisfaction of the Certifying Authority, including draft s88b instrument and plans / specifications to be provided BEFORE THE ISSUE OF A CONSTRUCTION CERTIFICATE FOR THE DEVELOPMENT.

Approved 88b instrument to be provided WITH THE APPLICATION FOR THE SUBDIVISION CERTIFICATE.

## **20. CONSTRUCTION OF RIGHT OF CARRIAGEWAY**

### **Objective**

To ensure that the proposed Right of Carriageway is constructed to provide safe and all-weather access to proposed Lot1, 2 & 3.

### **Performance**

The applicant is to construct and fence accordingly, at his/her full cost, the proposed Right of Carriageway to Rural Class 2 Level 2 standard and to fence it both sides to a suitable rural stock proof standard, all at his/her full cost.

A complete set of drawings is to be provided to Council for approval before a CONSTRUCTION CERTIFICATE for the Right of Carriageway and accesses is issued.

A COMPLIANCE CERTIFICATE is to be obtained for the Right of Carriageway and access construction BEFORE THE ISSUE OF THE SUBDIVISION CERTIFICATE.

**(LOT 5)**

**21. BUSH FIRE CONTRIBUTIONS**

**Objective**

To make an equitable contribution towards improvement of Bush Fire Services and Amenities for the specified Brigade. The contribution has been levied in accordance with Council's Bushfire Services Contributions Plan, February, 1993.

A copy of the Plan is available for inspection at Council's Department of Environmental Services, Bank Street, Molong during business hours.

**Performance**

Prior to release of the Linen Plan the applicant is required to make a contribution of \$770 towards the improvement of bushfire services and amenities for the March Bushfire Brigade (Income No: 15080 035).

**22. TRAFFIC AND PEDESTRIAN MANAGEMENT PLAN**

**Objective**

To ensure that any traffic or pedestrian movement through or past the work site is safe.

**Performance**

The applicant is to prepare and implement a Traffic Management Plan that provides necessary direction to traffic or pedestrian movement through or past the work site. The Traffic Management Plan is to be prepared by a suitably qualified person in accordance with the provisions of the relevant Australian Standards and is to be submitted to Council for approval PRIOR to its implementation.

**23. ROAD IMPROVEMENT CONTRIBUTION (SUBDIVISION)**

**Objective**

To make equitable contribution to address the impacts of development on Council roads. The contribution has been levied to make improvements to the stated road in accordance with Council's Road Contributions Plan dated January 1993, (General Rural Zone).

**Performance**



The applicant is required to make a road improvement contribution of \$1,244.88 towards the improvement to Mulyan Road (Income Number 15085304).

## **24. PROVISION OF RURAL ADDRESS NUMBERS**

### **Objective**

To provide each eligible rural property with a rural address number in accordance with Standard AS/NZS 4819:2003:Geographic Information – Rural and Urban addressing.

### **Performance**

The location of each eligible access will be established and a number allocated based upon measurements taken by the Principal Certifying Authority which will be in accordance with Standard AS/NZS 4819:2003.

The applicant is to contact Council's GIS Officer on 63923248 to obtain an application form and instructions.

## **25. ERECTION OF RURAL ADDRESS NUMBERS**

### **Objective**

To ensure each eligible rural property has a suitably erected and clearly visible rural address number in accordance with Standard AS/NZS 4819:2003: Geographic Information – Rural and Urban Addressing.

### **Performance**

The designated number plates shall be obtained and erected in accordance with the Specifications for Erection of Rural Address Numbers as supplied by Council. (Note: These plates are available from Council at the fee specified in Council's Fees and Charges).

Written notification is to be provided to Council indicating rural addressing number has been erected. This letter is to be supplied to Council or Principal Certifying Authority PRIOR to the issue of a Subdivision Certificate.

## **26. PROVISION OF PRIVATE ACCESS**

### **Objective**

To ensure that safe and practical access is provided to the subject land.

### **Performance**

Access must be provided to all proposed lots in accordance with Councils' Provision of Private Access Specification (attached) that is current at the time of application.



An Access Construction Certificate must be obtained prior to commencement of construction of any access or accesses to the property from the adjoining road.

A joint inspection with the Principal Certifying Authority is to be held prior to commencing construction of the accesses. Please telephone Council's Development Engineer on 6392 3271 to arrange a suitable date and time for the inspection.

A Compliance Certificate for the accesses must be submitted to Council before a Final Subdivision Certificate can be issued.

## **27. TRANSFER OF CROWN ROAD RESERVE TO COUNCIL**

### **Objective**

To ensure that the road reserve that provides legal access to the property is Council owned.

### **Performance**

The applicant is required to bear the full cost of transferring the Crown public road into Council ownership. This transfer must be commenced, bonded and approved before any required works are undertaken within the road reserve.

Compliance Certificate for any associated road works will not be given before documented evidence and / or completed transfer is sighted by Council.

## **28. ROAD DESIGN AND CONSTRUCTION – (AMENDED 22-11-2016)**

### **Objective**

To ensure that safe, all-weather public access is provided to the newly created lot in accordance with Council's requirements.

### **Performance**

The applicant is required to contribute 50% of the cost of upgrade of Smith Road from the south eastern corner of Lot 221 DP 756890 to the north eastern corner of Lot 220 DP 756890 to a Councils' Rural Class 3 Level 1 Standard and strictly in accordance with the "CABONNE COUNCIL ENGINEERING SPECIFICATIONS FOR SUBDIVISION AND DEVELOPMENT (EDITION 1).

A typical cross section together with detail of any proposed drainage structures is to be provided to Council for approval before a CONSTRUCTION CERTIFICATE for the works is issued.

A COMPLIANCE CERTIFICATE FOR ALL ROAD WORKS IS TO BE ISSUED.

All relevant work to be completed BEFORE THE ISSUE OF THE SUBDIVISION CERTIFICATE.

## **29. ROAD DESIGN AND CONSTRUCTION (MODIFIED AS PER DA2007/0138/2)**

### **Objective**

To ensure that safe, all-weather public access is provided to the newly created lot in accordance with Council's requirements.

### **Performance**

The applicant is required to bear the full cost of design and construction of the road that traverses the northern boundary of Lot 220 DP 756890. The road is to be built to Councils' Rural Class 3 Level 1 Standard and strictly in accordance with the "CABONNE COUNCIL ENGINEERING SPECIFICATIONS FOR SUBDIVISION AND DEVELOPMENT (EDITION 1).

A typical cross section together with detail of any proposed drainage structures is to be provided to Council for approval before a CONSTRUCTION CERTIFICATE for the works is issued.

A COMPLIANCE CERTIFICATE FOR ALL ROAD WORKS IS TO BE ISSUED.

All relevant work to be completed BEFORE THE ISSUE OF THE SUBDIVISION CERTIFICATE.

## **30. SECURITY – TYPE**

### **Objective**

To provide security to Council, to ensure works on the proposed newly constructed road that traverses the northern boundary of Lot 220 DP 756890 are completed.

### **Performance**

The security has been calculated at \$24,000. Security shall be in the form of cash or Bank Guarantee, and submitted together with the attached Agreement to Meet Costs form, completed and signed. The form is to be lodged with Council BEFORE THE ISSUE OF A CONSTRUCTION CERTIFICATE FOR THE DEVELOPMENT. Application for a 90% refund of the security may be made on the completion of the works, with full refund of the remainder on satisfactory completion of the 6 months' defects liability period.

## **31. ROAD NAMING**

### **Objective**

To name the newly created Council road.

## **Performance**

Developer suggestions for the name of new road together with the reasons for the names proposed, should be submitted BEFORE ISSUE OF THE SUBDIVISION CERTIFICATE FOR THE DEVELOPMENT, for Council's adoption. Council favours names with historical, zoological, botanical or geographic association with the locality. Council can provide advice on appropriate names on request.

**(LOTS 4, 6 AND 7)**

### **32. BUSH FIRE CONTRIBUTIONS**

#### **Objective**

To make an equitable contribution towards improvement of Bush Fire Services and Amenities for the specified Brigade. The contribution has been levied in accordance with Council's Bushfire Services Contributions Plan, February, 1993.

A copy of the Plan is available for inspection at Council's Department of Environmental Services, Bank Street, Molong during business hours.

#### **Performance**

Prior to release of the Linen Plan the applicant is required to make a contribution of \$2,310 towards the improvement of bushfire services and amenities for the March Bushfire Brigade (Income No: 15080 035).

### **33. ROAD IMPROVEMENT CONTRIBUTION (SUBDIVISION)**

#### **Objective**

To make equitable contribution to address the impacts of development on Council roads. The contribution has been levied to make improvements to the stated road in accordance with Council's Road Contributions Plan dated January 1993, (General Rural Zone).

#### **Performance**

The applicant is required to make a road improvement contribution of \$3,371.65 towards the improvement to Kangarooie Lane (Income Number 15085300).

### **34. PROVISION OF RURAL ADDRESS NUMBERS**

#### **Objective**

To provide each eligible rural property with a rural address number in accordance with Standard AS/NZS 4819:2003:Geographic Information – Rural and Urban addressing.

#### **Performance**

The location of each eligible access will be established and a number allocated based upon measurements taken by the Principal Certifying Authority which will be in accordance with Standard AS/NZS 4819:2003.

The applicant is to contact Council's GIS Officer on 63923248 to obtain an application form and instructions.

### **35. ERECTION OF RURAL ADDRESS NUMBERS**

## **Objective**

To ensure each eligible rural property has a suitably erected and clearly visible rural address number in accordance with Standard AS/NZS 4819:2003: Geographic Information – Rural and Urban Addressing.

## **Performance**

The designated number plates shall be obtained and erected in accordance with the Specifications for Erection of Rural Address Numbers as supplied by Council. (Note: These plates are available from Council at the fee specified in Council's Fees and Charges)

Written notification is to be provided to Council indicating rural addressing number has been erected. This letter is to be supplied to Council or Principal Certifying Authority PRIOR to the issue of a Subdivision Certificate.

## **36. PROVISION OF PRIVATE ACCESS**

### **Objective**

To ensure that safe and practical access is provided to the subject land.

### **Performance**

Access must be provided to all proposed lots in accordance with Councils' Provision of Private Access Specification (attached) that is current at the time of application.

An Access Construction Certificate must be obtained prior to commencement of construction of any access or accesses to the property from the adjoining road.

A joint inspection with the Principal Certifying Authority is to be held prior to commencing construction of the accesses. Please telephone Council's Development Engineer on 6392 3271 to arrange a suitable date and time for the inspection.

A Compliance Certificate for the accesses must be submitted to Council before a Final Subdivision Certificate can be issued.

***SHOULD THE APPLICANT NOT PURCHASE THE CROWN ROAD RESERVES THE FOLLOWING CONDITION NO. 37 APPLIES.***

### **37. ACCESS**

#### **Objective**

To provide legal access to Lots 6 & 7.

#### **Performance**

Submitted Engineering plans / s.88b Instrument to make satisfactory provision for the following in respect of the proposed right of way burdening Lot 4 and benefiting Lot 6 and burdening Lot 11 in DP 594860 and benefiting Lot 7.

Provision of a minimum maintenance all-weather carriageway surface

Provision for on-going management/maintenance of the carriageway including clear details of obligations/responsibilities of the affected parties.

Provision for adequate width and turning facilities for likely vehicle traffic including all likely service and emergency vehicles.

Effective (legal) provision for access by all emergency and other essential service organisations over the private carriageway.

Full details to the satisfaction of the Certifying Authority, including draft s88b instrument and plans / specifications to be provided BEFORE THE ISSUE OF A CONSTRUCTION CERTIFICATE FOR THE DEVELOPMENT.

Approved 88b instrument to be provided WITH THE APPLICATION FOR THE SUBDIVISION CERTIFICATE.

***SHOULD THE APPLICANT PURCHASE THE CROWN ROAD RESERVES THE FOLLOWING CONDITION NO. 38 APPLIES.***

### **38. ACCESS**

#### **Objective**

To provide legal access to Lot 7.

#### **Performance**

Submitted Engineering plans / s.88b Instrument to make satisfactory provision for the following in respect of the proposed right of way burdening Lot 11 in DP 594860 and benefiting Lot 7.

Provision of a minimum maintenance all-weather carriageway surface

Provision for on-going management/maintenance of the carriageway including clear details of obligations/responsibilities of the affected parties.

Provision for adequate width and turning facilities for likely vehicle traffic including all likely service and emergency vehicles.

Effective (legal) provision for access by all emergency and other essential service organisations over the private carriageway.

Full details to the satisfaction of the Certifying Authority, including draft s88b instrument and plans / specifications to be provided BEFORE THE ISSUE OF A CONSTRUCTION CERTIFICATE FOR THE DEVELOPMENT.

Approved 88b instrument to be provided WITH THE APPLICATION FOR THE SUBDIVISION CERTIFICATE.

### **39. IMPACT ON RATES**

#### **Note:**

Please note that after the subdivision has occurred, this land will not be rated the same as it has previously been rated. Each block created will attract its own general rate, water and sewerage rate (if appropriate), either connected or unconnected and waste management charge.

Under special circumstances, however, the Valuer General may amalgamate the newly created blocks for rating purposes but you must apply to that Department to do so.

The actual rate to be charged cannot be determined until the Valuer General has separately valued each new parcel of land, but an estimate of rating may be obtained by contacting Council's Rates Department on (02) 6392 3200.

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**ITEM 1 - RESOLUTIONS REGISTER - INFOCOUNCIL - ACTIONS  
REPORTING**

**REPORT IN BRIEF**

<b>Reason For Report</b>	To provide Council with a report on progress made in actioning its resolutions up to last month's Council meeting and any committee meetings held.
<b>Policy Implications</b>	Nil
<b>Budget Implications</b>	Nil
<b>IPR Linkage</b>	4.5.1.a. Provide quality administrative support and governance to councillors and residents
<b>Annexures</b>	1. Council <a href="#">↓</a> 2. Traffic Light Report Summary <a href="#">↓</a>
<b>File Number</b>	\\OFFICIAL RECORDS LIBRARY\GOVERNANCE\COUNCIL MEETINGS\RESOLUTION REGISTER - 1284958

**GENERAL MANAGER'S REPORT**

InfoCouncil generated reports are annexed including actions up to the previous month's meetings resolutions.

Progress comments are provided until the final action comment which will also show "COMPLETE": that item will then be removed from the register once resolved by the council.

Attached also is the "traffic light" indicator system that enables the council to identify potential areas of concern at a glance.

Councillors should raise any issues directly with the deputy general manager's as per the mayor's request.

**ITEM 2 - COMMUNITY FACILITATION FUND**

**REPORT IN BRIEF**

<b>Reason For Report</b>	To report on approved expenditure under the Community Facilitation Fund (CFF).
<b>Policy Implications</b>	Nil
<b>Budget Implications</b>	Nil
<b>IPR Linkage</b>	3.3.5.a. Review community need for new and upgraded facilities
<b>Annexures</b>	Nil
<b>File Number</b>	\\OFFICIAL RECORDS LIBRARY\GRANTS AND SUBSIDIES\PROGRAMS\COMMUNITY FACILITATION FUND - 1290606

## **GENERAL MANAGER'S'S REPORT**

Council adopted guidelines for the Community Facilitation Fund (CFF) in March 2015. The CFF was created for smaller community projects not originally included in the council's budget, to be allocated at the discretion of the Mayor and Deputy Mayor.

As a reminder, the guidelines for the CFF are as follows:

1. Projects where no existing vote for the works has been allocated or the vote is insufficient to complete the project.
2. Recipients must be community based not-for-profit groups.
3. Mayor and Deputy Mayor to jointly approve funds (with the General Manager as proxy if one is not available).
4. Allocation of funds to be reported to the next available Council meeting.
5. Limit of \$3,000 per allocation unless other approved by Council.

There were NIL allocation of funds in the past month.

## **ITEM 3 - 2021 LOCAL GOVERNMENT NSW ANNUAL CONFERENCE**

### **REPORT IN BRIEF**

<b>Reason For Report</b>	To advise of changes to the delivery of this year's conference.
<b>Policy Implications</b>	Nil
<b>Budget Implications</b>	Nil
<b>IPR Linkage</b>	4.5.1.d - Maintain effective membership of Central NSW Councils JO, LGNSW, Country Mayors Association and other forums
<b>Annexures</b>	Nil
<b>File Number</b>	\\OFFICIAL RECORDS LIBRARY\GOVERNMENT RELATIONS\CONFERENCES\LGNSW CONFERENCE - 1291304

## **GENERAL MANAGER'S REPORT**

Due to the postponement of the local government elections until 4 December 2021, the annual Local Government NSW Conference which was scheduled to take place in December will not be proceeding in the usual format.

LGNSW have advised the event will be split into two components:

- A one-hour Annual Conference to present their annual report and financial reports, which will be conducted online from 9.30am on Monday 29 November 2021; and
- A Special Conference – including the debate and resolution of motions setting our advocacy agenda for 2022 - to be held in-person at the Hyatt Regency Sydney from Monday 28 February to Wednesday 2 March 2022.

The 29 November Annual Conference is required to meet the Association's Rules and provides an opportunity to report back member councils on LGNSW's financial results and achievements for the 2020-21 financial year.

The Mayor and General Manager will be registered to participate in the online conference and the attendance of councillors for the face-to-face event will be determined by the incoming council.

#### **ITEM 4 - INVESTMENTS SUMMARY**

##### **REPORT IN BRIEF**

<b>Reason For Report</b>	Information provided in relation to Council's Investment Schedule.
<b>Policy Implications</b>	Nil
<b>Budget Implications</b>	Nil
<b>IPR Linkage</b>	4.5.4.b. Maximise secure income through investments
<b>Annexures</b>	1. Investments July 2021 <a href="#">↓</a>
<b>File Number</b>	\\OFFICIAL RECORDS LIBRARY\\FINANCIAL MANAGEMENT\\FINANCIAL REPORTING\\FINANCIAL REPORTS TO COUNCIL - 1291499

##### **DEPARTMENT LEADER - FINANCE'S REPORT**

Council's investments as 31 July 2021 stand at a total of \$42,840,894.

Council's average interest rate for the month of July 2021 was 0.33%. The effect of the low cash rate is having a negative impact on term deposit rates offered by financial institutions. The Reserve Bank's official cash rate remained at 0.1% during the month of July. However, Council's average rate is higher than Council's benchmark rate of the 30 Day Bank Bill Swap Rate of 0.0077%.

Council's investments are held with multiple Australian financial Institutions with varying credit ratings according to Council's Investment Policy. The annexure to this report shows a break up of each individual institution that Council invests with and its "Standard and Poor's" Credit Rating.

The Schedule of Investments for July 2021 are attached for Council's information.

## **ITEM 5 - RATES SUMMARY**

### **REPORT IN BRIEF**

<b>Reason For Report</b>	Information provided in relation to Council's Rates collections.
<b>Policy Implications</b>	Nil
<b>Budget Implications</b>	Nil
<b>IPR Linkage</b>	4.5.4.a - Level of rate of collection
<b>Annexures</b>	1. Rates graph July <a href="#">↓</a>
<b>File Number</b>	\\OFFICIAL RECORDS LIBRARY\\FINANCIAL MANAGEMENT\\FINANCIAL REPORTING\\FINANCIAL REPORTS TO COUNCIL - 1288784

## **DEPARTMENT LEADER - FINANCE'S REPORT**

The Rate Collection Summary to 31 July 2021 is attached for Council's information. The percentage collected is 11.6% which is slightly higher to previous years.

The first rate instalment will fall due 31 August 2021.

## **ITEM 6 - LOCAL GOVERNMENT ELECTIONS 2021**

### **REPORT IN BRIEF**

<b>Reason For Report</b>	For council to note the postponement of the Local Government Elections
<b>Policy Implications</b>	Nil
<b>Budget Implications</b>	Nil
<b>IPR Linkage</b>	4.5.1.a - Provide quality administrative support and governance to councillors and residents
<b>Annexures</b>	Nil
<b>File Number</b>	\\OFFICIAL RECORDS LIBRARY\\GOVERNANCE\\ELECTIONS\\LOCAL GOVERNMENT ELECTIONS 2020 - 1292633

## **DEPARTMENT LEADER - GOVERNANCE & CORPORATE PERFORMANCE'S REPORT**

The Minister for Local Government has published orders in the Gazette under section 318B of the Local Government Act 1993 (the Act) postponing council elections to 4 December 2021.

The decision to postpone the elections has been made in response to the escalating outbreak of the Delta variant of the COVID-19 virus in Greater Sydney and the potential for further outbreaks in regional areas. The decision was made in consultation with and on the advice of the NSW Electoral Commissioner and NSW Health.

**What this will mean for council**

Current councillors will continue to hold their civic offices until council elections are held.

The making of the order will not affect the requirement to hold mayoral elections. Mayoral elections must be held for mayors elected in September 2019 when their two year-terms expires in September 2021.

Council will be required to hold an election in September 2021 as Cllr Kevin Beatty was elected Mayor at Council's Ordinary meeting held 24 September 2019.

Deputy Mayors hold their office for the term specified by a council's resolution. Council passed a resolution at its Ordinary Council meeting held 26 September 2017... *"the term for the Deputy Mayor to be a one year term"*, ... Although councils are not required to have a deputy mayor, it is recommended that Council also hold a deputy mayor election in September 2021.

**ITEM 7 - CARBON NEUTRAL STRATEGY DEVELOPMENT**

**REPORT IN BRIEF**

<b>Reason For Report</b>	Respond to request for report from last meeting
<b>Policy Implications</b>	Nil
<b>Budget Implications</b>	Nil
<b>IPR Linkage</b>	5.5.1.c - Maintain knowledge and understanding or emerging environmental issues related to mining and energy industries
<b>Annexures</b>	Nil
<b>File Number</b>	\\OFFICIAL RECORDS LIBRARY\\ENVIRONMENTAL MANAGEMENT\\PLANNING\\RENEWABLE ENERGY ACTION PLAN - 1292503

**DEPARTMENT LEADER - INNOVATION & TECHNOLOGY'S REPORT**

Council has engaged Constructive Energy to develop and assist in implementing its Renewable Energy Action Plan (REAP). The REAP was developed after a detailed analysis of current electricity consumption and generation opportunities was conducted including a review of factors relating to installation and management of renewable energy infrastructure. The plan provides a knowledge base for Council to set out the options over the short to medium term for renewable energy projects.

Constructive Energy has now worked with Council and proceeded with the investigation of a Medium Scale Solar Generator identified as a proposed project in the Plan. A detailed business plan and concept design is now being developed for further consideration of Council as part of its 2022/2025 Delivery Program.

At its last meeting, council received a request from Cllr Batten for the development of a proposal for a Carbon Neutral plan for Cabonne Council. Council staff have begun consulting with Constructive Energy consultants as well as representatives from the Department of Planning, Industry and Environment (DPIE) to progress a potential Carbon Neutral Strategy for Cabonne Shire.

It is proposed that a project brief will be developed to incorporate the work already undertaken by Cabonne with regard to its Renewable Energy Action Plan to integrate into a more comprehensive strategic approach to reducing Council's carbon emissions to zero. It is anticipated the newly elected Council will consider a budgeted draft zero emissions plan as part of its Delivery Program.

## **ITEM 8 - NANGAR ROAD AND FISH FOSSIL DRIVE, CANOWINDRA**

### **REPORT IN BRIEF**

<b>Reason For Report</b>	Respond to request for report on condition of Nangar Road and Fish Fossil Drive, Canowindra
<b>Policy Implications</b>	Nil
<b>Budget Implications</b>	Nil
<b>IPR Linkage</b>	1.1.1.a - Complete the annual rural and urban roads maintenance program
<b>Annexures</b>	Nil
<b>File Number</b>	\\OFFICIAL RECORDS LIBRARY\ROADS and BRIDGES\MAINTENANCE - REGIONAL ROADS\MR 237 NANGAR ROAD - 1292995

### **DEPUTY GENERAL MANAGER - CABONNE INFRASTRUCTURE'S REPORT**

At the Ordinary Meeting dated 22 June 2021, Council requested a report in relation to the condition of Nangar Road and Fish Fossil Drive. As it is understood, the request followed a stock carrier accident that occurred in the vicinity of the intersection with Back Nyrang Road. Fish Fossil Drive was utilised as a bypass whilst crash recovery was undertaken.

A crash history was considered in the area of Nangar Road with Back Nyrang Road. Crash history at this location does not identify any further vehicle

incidents, other than the latest incident (involving the stock carrier). These records go back to 2014.

A customer service request was raised in April 2021 with regards to the intersection being the site of a school bus stop. Subsequently, school bus route signage has been installed.

Further, a complaint lodged following the stock carrier crash on 22 June 2021 raised concerns with regards to the intersection, and claiming ineffectiveness of the school bus signs to slow traffic down.

A similar matter to the school bus route signage, and vehicles not slowing down has been raised with Council for Cargo Road also. Council's Road Safety Officer is developing a campaign currently to promote awareness of school bus safety, with a report to Council to be tabled once funding is sourced.

Council Officers will seek a Road Safety Audit to be undertaken for Nangar Road in order to inform future grant funding opportunities and budget considerations.

## **ITEM 9 - CABONNE INFRASTRUCTURE REPORT**

### **REPORT IN BRIEF**

<b>Reason For Report</b>	To update council on the status of works being undertaken by the Infrastructure Department.
<b>Policy Implications</b>	Nil
<b>Budget Implications</b>	Nil
<b>IPR Linkage</b>	4.5.1.a - Provide quality administrative support and governance to councillors and residents
<b>Annexures</b>	1. Council Engineering Report August 2021 <a href="#">↓</a>
<b>File Number</b>	\\OFFICIAL RECORDS LIBRARY\\GOVERNANCE\\REPORTING\\ENGINEERING AND TECHNICAL SERVICES REPORTING - 1291402

### **DEPUTY GENERAL MANAGER - CABONNE INFRASTRUCTURE'S REPORT**

Please find annexed the updated information on the 2021/22 works in progress for the Cabonne Infrastructure Department.

Please also note that the NSW Local Drought Stimulus Program is nearing completion and an end of project report is expected to be presented to council next month.

## **ITEM 10 - DEVELOPMENT APPLICATIONS APPROVED DURING JULY 2021**

**REPORT IN BRIEF**

<b>Reason For Report</b>	Details of development applications approved during the preceding month.
<b>Policy Implications</b>	Nil
<b>Budget Implications</b>	Nil
<b>IPR Linkage</b>	4.5.3.a. Provide efficient and effective development assessment
<b>Annexures</b>	Nil
<b>File Number</b>	\\OFFICIAL RECORDS LIBRARY\\DEVELOPMENT AND BUILDING CONTROLS\\BUILDING AND DEVELOPMENT APPLICATIONS\\REPORTING - DEVELOPMENT APPLICATIONS TO COUNCIL - 1285678

**DEPARTMENT LEADER - DEVELOPMENT SERVICES' REPORT**

Development Applications have been approved during the period 1 July 2021 to 31 July 2021 as detailed below.

**SUMMARY OF DEVELOPMENT APPLICATIONS APPROVED**

<b><u>APPLICATION NUMBER</u></b>	<b><u>TYPE</u></b>	<b><u>ESTIMATED VALUE</u></b>
2021/0265	<b>Garage</b> Applicant: D Rimmer Owner: D & K Rimmer Zone: R5 Address: Lot 8 DP 1093663, Shepherd Dr, Mullion Creek	\$17,000
2021/0276	<b>Shed</b> Applicant: M Brakenridge Owner: M & L Brakenridge Zone: R5 Address: Lot 205 DP 1251265, 8 White Hill Lane, Clifton Grove	\$21,978
2021/0264	<b>Pool and Spa</b> Applicant: E Pasquali Owner: E & P Pasquali Zone: RU2 Address: Lot 101 DP 1143949, 31 Neals Lane, Orange	\$55,000
2021/0236	<b>Transportable Dwelling</b> Applicant: Bronwyn Evelyn Owner: Bronwyn Evelyn Zone: R1 Address: Lot 1 DP 758221, 33 Radnor St, Canowindra	\$95,000
2021/0217	<b>Dwelling</b> Applicant: Kensington Homes	\$455,000



	Owner: F & D Nemcek Zone: RU5 Address: Lot 158 DP 750145, 24 Loftus St, Cargo	
2021/0270	<b>Farm Building</b> Applicant: J Haycock Owner: J Haycock Zone: RU1 Address: Lot 140 DP 753223, 162 Higgins Rd, Yeoval	\$150,000
2021/0273	<b>Farm Shed</b> Applicant: K McKay Owner: M & K McKay Zone: RU1 Address: Lot 13 DP 700818, 4899 Obley Rd, Obley	\$98,000
2021/0274	<b>Addition to Dwelling</b> Applicant: G Baker Owner: G Baker Zone: RU5 Address: Lot 7 DP 3949, 79 Obley St, Cumnock	\$4,103
2021/0256	<b>Shed</b> Applicant: S Jordan Owner: S & D Jordan Zone: R1 Address: Lot 12 DP 1221772, 10 McDonald Lane, Canowindra	\$67,500
2021/0267	<b>Dwelling</b> Applicant: GJ Gardner Homes Owner: G Jones Zone: RU5 Address: Lot 100 DP 1272881, 8183 The Escort Way, Eugowra	\$356,866
2021/0266	<b>Alterations &amp; Additions to Dwelling</b> Applicant: McKinnon Design & Drafting Owner: I & M Toynton Zone: R1 Address: Lot A DP 152104, 86 Bank St, Molong	\$290,000
2021/0260	<b>Shed &amp; Carport</b> Applicant: C Hort Owner: C Hort Zone: R5 Address: Lot 506 DP 1088220, 19 Thomas Kite Lane, Windera	\$50,000
2021/0277	<b>Addition to Dwelling</b> Applicant: Addspan Owner: B Romeo	\$17,680

	Zone: R5 Address: Lot 191 DP 750147, 70 Square Rd, Moorbel	
2021/0272	<b>Rural Farm Shed</b> Applicant: O Morley Owner: P & O Morley Zone: RU1 Address: Lot 102 DP 1003912, 502 Finch Rd, Boomey	\$398,000
2015/0163/1	<b>Dwelling</b> Applicant: A Napier Owner: A & H Napier Zone: RU1 Address: Lot 44 DP 1112402, 91 Heifer Station Lane, Borenore	\$---
2021/0278	<b>Shed</b> Applicant: M Egan Owner: F & M Egan Zone: R5 Address: Lot 14 DP 1135607, 45 Rodda Dr, Cudal	\$12,654
2021/0284	<b>Double Garage</b> Applicant: H Ruys Owner: H Ruys Zone: RU5 Address: Lot 41 DP 1238101 & Lot 1 2 & 3 DP 5907, 24 McLaughlan St, Cumnock	\$23,000
2019/0151/1	<b>Demolition of Existing Dwelling &amp; Erection of Dual Occupancy</b> Applicant: Wakehurst Ashurst Developments Pty Ltd Owner: Wakehurst Ashurst Developments Pty Ltd Zone: RU1 Address: Lot 83 DP 756908, 326 Crocketts Lane, Larras Lee	\$---
2021/0279	<b>2 Lot Subdivision</b> Applicant: T Sargent Owner: T Sargent Zone: RU5 Address: Lot 331 DP 750145, 6 Fisher St, Cargo	\$---
2021/0280	<b>Dwelling &amp; Pool</b> Applicant: M Ward Owner: M & J Ward Zone: RU1 Address: Lot 57 DP 750418, 915 Lower Lewis Ponds Rd, Lower Lewis Ponds	\$1,050,000
2021/0283	<b>Additions to Dwelling</b>	\$165,990

	Applicant: Picton Bros Owner: K Farlow Zone: R1 Address: Lot 10 DP 758693, 85 Watson St, Molong	
2021/0288	<b>Transportable Cabins</b> Applicant: Cabonne Council Owner: Crown Lands Zone: R1 Address: Lot 64 DP 750147, Gaskill St, Canowindra	\$250,000
2021/0282	<b>Dwelling</b> Applicant: S Daly Owner: S Daly Zone: R1 Address: Lot 101 DP 1225660, 8D McDonald Lane, Canowindra	\$332,860
2022/0004	<b>Alterations &amp; Additions to Dwelling</b> Applicant: Source Architects Owner: P & J Dodds Zone: RU1 Address: Lot 4 DP 1160338, 1186 Banjo Paterson Way, Molong	\$242,000
2021/0290	<b>Dwelling</b> Applicant: Patterson Pastoral Holdings P/L Owner: Patterson Pastoral Holdings P/L Zone: RU1 Address: Lot 11 DP 1184908, 1249 Davys Plains Rd, Cudal	\$400,000
2021/0281	<b>Swimming Pool</b> Applicant: D Todman Owner: D Todman Zone: RU1 Address: Lot 2 DP 1039259, 333 Bowan Park Rd, Lidster	\$60,000
2022/0002	<b>Farm Stay Accommodation</b> Applicant: Kagbeni Pty Ltd Owner: Kagbeni Pty Ltd Zone: RU1 Address: Lot 2 DP 867014, 103 Convent Lane, Borenore	\$155,000
2022/0006	<b>Installation of ATM Machine &amp; Signage</b> Applicant: Commonwealth Bank Australia, c/- SRL Consulting Owner: S Bone Zone: B2 Address: Lot 1 DP 319104, Bank St Molong	\$9,000

2021/0275	<b>Shed</b> Applicant: J & L Cobb Owner: J & L Cobb Zone: R5 Address: Lot 1 DP 1236903, 37 Speedy St, Molong	\$45,000
2022/0003	<b>Dwelling</b> Applicant: D Nash Owner: D Nash Zone: RU1 Address: Lot 12 DP 1239653, 1427 Nanami Lane, Canowindra	\$681,986
2021/0206	<b>Manufactured Dwelling</b> Applicant: Taylor Made Buildings Pty Ltd Owner: B & G Wenban Zone: RU5 Address: Lot 2 DP 758643, George St, Manildra	\$185,550
2022/0001	<b>Dwelling</b> Applicant: I Wright Owner: I Wright Zone: RU2 Address: Lot 12 DP 224397, 62 Underwood Rd, Borenore	\$298,672
<b>TOTAL: 32</b>		<b>\$5,987,839</b>

**SUMMARY OF COMPLYING DEVELOPMENT APPLICATIONS  
APPROVED**

<b><u>APPLICATION NUMBER</u></b>	<b><u>TYPE</u></b>	<b><u>ESTIMATED VALUE</u></b>
2022/1002	<b>Swimming Pool</b> Applicant: Central West Certifiers Owner: Zone: RU5 Address: Lot 4 DP 758311, 1 Wall St, Cudal	\$57,480
2022/1003	<b>Swimming Pool</b> Applicant: Central West Certifiers Owner: R & J Laffin Zone: R5 Address: Lot 105 DP 750170, 161 King St, Molong	\$53,545
<b>TOTAL: 2</b>		<b>\$111,025</b>

<b>GRAND TOTAL: 34</b>	<b>\$6,098,864</b>
<b>Previous Month: 33</b>	<b>\$3,446,497</b>

**ITEM 11 - DEVELOPMENT APPLICATIONS RECEIVED DURING JULY 2021**

**REPORT IN BRIEF**

<b>Reason For Report</b>	Details of development applications received during the preceding month.
<b>Policy Implications</b>	Nil
<b>Budget Implications</b>	Nil
<b>IPR Linkage</b>	4.5.3.a. Provide efficient and effective development assessment
<b>Annexures</b>	Nil
<b>File Number</b>	\\OFFICIAL RECORDS LIBRARY\\DEVELOPMENT AND BUILDING CONTROLS\\BUILDING AND DEVELOPMENT APPLICATIONS\\REPORTING - DEVELOPMENT APPLICATIONS TO COUNCIL - 1285990

**DEPARTMENT LEADER - DEVELOPMENT SERVICES' REPORT**

Development Applications have been received during the period 1 July 2021 to 31 July 2021, as detailed below.

**SUMMARY OF DEVELOPMENT APPLICATIONS RECEIVED**

<b><u>APPLICATION NUMBER</u></b>	<b><u>DETAILS</u></b>	<b><u>ESTIMATED VALUE</u></b>
2022/0002	<b>Farm Stay Accommodation</b> Applicant: Kagbeni Pty Ltd Owner: Kagbeni Pty Ltd Zone: RU2 Address: Lot 2 DP 867014, 103 Convent Lane, Borenore	\$155,000
2022/0001	<b>Dwelling</b> Applicant: I Wright Owner: I Wright Zone: RU2 Address: Lot 12 DP 224397, 62 Underwood Rd, Borenore	\$298,672
2022/0003	<b>Dwelling</b> Applicant: D Nash Owner: D Nash Zone: RU1 Address: Lot 12 1239653, 1427 Nanami Lane, Canowindra	\$681,986
2022/0004	<b>Alterations &amp; Additions to Dwelling</b> Applicant: Source Architects Owner: P Dodds Zone: RU1	\$242,000

	Address: Lot 4 DP 1160338, 1186 Banjo Paterson Way, Molong	
2015/0163/1	<b>Dwelling</b> Applicant: A Napier Owner: A Napier Zone: RU2 Address: Lot 44 DP 1112402, 91 Heifer Station Lane, Borenore	\$---
2022/0005	<b>Dwelling &amp; Shed</b> Applicant: B Stewart Owner: W & F Towns Zone: RU5 Address: Lot 6 DP 255573, 17 Dalton St, Cargo	\$240,000
2022/0006	<b>Installation of ATM Machine &amp; Signage</b> Applicant: Commonwealth Bank Australia, C/- SLR Consulting Owner: S Bone Zone: B2 Address: Lot 1 DP 319104, Bank St, Molong	\$9,000
2019/0151/1	<b>Demolition of existing Dwelling &amp; Erection of Dual Occupancy</b> Applicant: Wakehurst Ashurst Developments Pty Ltd Owner: Wakehurst Ashurst Developments Pty Ltd Zone: RU1 Address: Lot 83 DP 756908, 326 Crocketts Lane, Larras Lee	\$---
2022/0007	<b>Dwelling</b> Applicant: GJ Gardner Homes Owner: T & K Squires Zone: R5 Address: Lot 5 DP 1273335, 199 Shreeves Rd, Molong	\$458,261
2018/0090/1	<b>Extension to existing Dwelling</b> Applicant: I Hayward Owner: I Hayward Zone: RU1 Address: Lot 1 DP 1115415 & Lot 8 DP 259166, 597 Bocobra Rd, Bocobra	\$---
2022/0008	<b>Dual Occupancy</b> Applicant: T Bassmann Owner: A & H Napier Zone: RU2 Address: Lot 44 DP 1112402, 91 Heifer Station Lane, Borenore	\$748,170
2022/0010	<b>Dwelling, Shed &amp; Water Tank</b>	\$650,000

	Applicant: T Patteson Owner: T & D Patteson Zone: R5 Address: Lot 203 DP 1251265, 29 White Hill Lane, Clifton Grove	
2022/0009	<b>Farm Building</b> Applicant: Peter Basha Planning & Development Owner: T West Zone: RU2 Address: Lot 33 & 34 DP 883177 and Lot 30 DP 883649, 592 Canobolas Rd, Canobolas	\$25,000
2022/0011	<b>Swimming Pool</b> Applicant: P & N Townsend Owner: P & N Townsend Zone: R1 Address: Lot 2 DP 758693, 30 Smith St, Molong	\$30,000
<b>TOTAL: 14</b>		<b>\$3,538,089</b>

**SUMMARY OF COMPLYING DEVELOPMENT APPLICATIONS RECEIVED**

<b><u>APPLICATION NUMBER</u></b>	<b><u>DETAILS</u></b>	<b><u>ESTIMATED VALUE</u></b>
2022/1001	<b>Addition to Dwelling</b> Applicant: C Gill Owner: C Gill Zone: R5 Address: Lot 305 DP 1068911, 30 James Dalton Lane, Windera	\$25,620
2022/1002	<b>Swimming Pool</b> Applicant: Central West Certifiers Owner: S & S Garside Zone: RU5 Address: Lot 4 DP 758311, 1 Wall St, Cudal	\$57,480
2022/1003	<b>Swimming Pool</b> Applicant: Central West Certifiers Owner: R & J Laffin Zone: R5 Address: Lot 105 DP 750170, 161 King St, Molong	\$53,545
2022/1004	<b>Dwelling</b> Applicant: GJ Gardner Homes Owner: B Evans-Turner Zone: R1	\$324,930

	Address: Lot 3 DP 1113621, 57 Longs Corner Rd, Canowindra	
2002/1005	<b>Dwelling</b> Applicant: GJ Gardner Homes Owner: S Woods & M Andersen Zone: R1 Address: Lot 3 DP 1214785, 7 Longs Corner Rd, Canowindra	\$308,114
<b>TOTAL: 5</b>		<b>\$769,689</b>

<b>GRAND TOTAL: 19</b>	<b>\$4,307,778</b>
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## **ITEM 12 - MEDIAN PROCESSING TIMES 2020**

### **REPORT IN BRIEF**

<b>Reason For Report</b>	To provide information on median processing times.
<b>Policy Implications</b>	Nil
<b>Budget Implications</b>	Nil
<b>IPR Linkage</b>	4.5.3.a. Assess and determine development applications, construction certificate applications and Onsite Sewerage Management Systems (OSMS) to meet agreed service levels
<b>Annexures</b>	Nil
<b>File Number</b>	\\OFFICIAL RECORDS LIBRARY\\DEVELOPMENT AND BUILDING CONTROLS\\BUILDING AND DEVELOPMENT APPLICATIONS\\REPORTING - DEVELOPMENT APPLICATIONS TO COUNCIL - 1287142

### **DEPARTMENT LEADER - DEVELOPMENT SERVICES' REPORT**

**Summary of median Application Processing Times over the last five years for the month of July:**

<b><u>YEAR</u></b>	<b><u>MEDIAN ACTUAL DAYS</u></b>
2016	47
2017	35.5
2018	14.5
2019	25
2020	23

**Summary of median Application Processing Times for 2021:**

<b><u>MONTH</u></b>	<b><u>MEDIAN ACTUAL DAYS</u></b>
January	35
February	21



March	28
April	21
May	21
June	23
July	25
August	
September	
October	
November	
December	

Meeting	Officer/Director	Section	Subject
Ordinary Meeting 30 October 2018	Matthew Christensen Matthew Christensen	For Determination	COUNCIL TO ACQUIRE EASEMENTS OVER LAND IN EUGOWRA FOR THE PUZZLE FLAT CREEK FLOOD LEVEE
<p><b><u>MOTION</u></b> (Durkin/Newsom)</p> <p>THAT:</p> <ol style="list-style-type: none"> <li>Pursuant to Sections 186 and 187 of the <i>Local Government Act 1993 (NSW)</i> Council compulsorily acquire easements over the land described as: <ol style="list-style-type: none"> <li>Lot 1 in DP 432838 Eugowra;</li> <li>Lot 3943 in DP 1200868 Eugowra;</li> <li>Lot 148 in DP 750182 Eugowra;</li> <li>Lot 7001 in DP 1125814 Eugowra;</li> <li>Lot 88 in DP 750159 Eugowra; and</li> <li>Lot 71 in DP 750182 Eugowra</li> </ol> <p>as shown in the plans attached to the report for the purpose of flood levee infrastructure in accordance with the requirements of the <i>Land Acquisition (Just Terms Compensation) Act 1991</i>.</p> </li> <li>Council make an application to the Minister for Local Government and the Governor for the compulsory acquisition of the Land.</li> <li>Authority be granted to affix the Common Seal of Council to any acquisition documentation associated with the Land.</li> <li>The land to be acquired is to be classified as Community Land.</li> <li>Should council be able to reach agreement for purchase by private treaty that the purchase proceed by that method.</li> <li>Should Council not be granted permission to acquire the following: <ol style="list-style-type: none"> <li>Lot 1 in DP 432838 Eugowra;</li> <li>Lot 3943 in DP 1200868 Eugowra;</li> </ol> </li> </ol>			

- c) Lot 7001 in DP 1125814 Eugowra; and
- d) Lot 71 in DP 750182 Eugowra.

under the Land Acquisition (Just Terms Compensation) Act 1991 that a licence agreement be entered into for the area covered by the proposed easement.

12 Aug 2021 - 9:07 AM - Matthew Christensen

Crown Reserve Registration has been completed, awaiting finalisation of final portion to close action.

03 Dec 2018 - 4:21 PM - Emma Tadros

Action completed by: Emma Tadros

27/11/2018

16 Nov 2018 - 3:40 PM - Kate Blackwood

Copy of resolutions provided to Tom Messenger re. reporting to OLG

COMPLETE

Meeting	Officer/Director	Section	Subject
Ordinary Meeting 30 October 2018	Heidi Thornberry Heather Nicholls	For Determination	PURCHASE OF LAND FROM TRANSPORT NSW IN WATSON STREET, MOLONG

### **MOTION** (Oldham/Batten)

THAT:

1. Pursuant to Sections 186 and 187 of the *Local Government Act 1993 (NSW)* Council compulsorily acquire the land forming part of the Great Western Railway proclaimed in Government Gazette No. 289 of 17.7.1885 Folio 4562 and Government Gazette No. 232 of 9.6.1885 Folio 3629, being the area marked as "Lot 1" on the plan attached to the report (the Land) for the purpose of flood infrastructure in accordance with the requirements of the *Land Acquisition (Just Terms Compensation) Act 1991*.
2. Council make an application to the Minister for Local Government and the Governor for the compulsory acquisition of the Land.
3. Authority be granted to affix the Common Seal of Council to any acquisition documentation associated with the Land.
4. The land to be acquired is to be classified as Community Land.

05 Aug 2021 - 3:20 PM - Heidi Thornberry

Awaiting document to affix seal

13 Jul 2021 - 2:28 PM - Heidi Thornberry

Awaiting document to affix seal

08 Jun 2021 - 9:40 AM - Heidi Thornberry

Awaiting document to affix seal

17 May 2021 - 8:44 AM - Heidi Thornberry

Awaiting document to affix seal

15 Apr 2021 - 10:58 AM - Heidi Thornberry

Awaiting document to affix seal

15 Mar 2021 - 1:46 PM - Heidi Thornberry

Awaiting document to affix seal

12 Feb 2021 - 8:53 AM - Heidi Thornberry

Awaiting document to affix seal

02 Dec 2020 - 11:41 AM - Heidi Thornberry

Awaiting document to affix seal

02 Nov 2020 - 12:14 PM - Heidi Thornberry

As per Surendra's comment - Council has been advised that Governor has approved to declare the lot in question for the compulsory acquisition.

Council submitted notice of compulsory acquisition via Gazzetal portal - therefore still awaiting to affix the seal

14 Oct 2020 - 8:44 AM - Heidi Thornberry

Awaiting a response or a copy of the gazette notice

09 Sep 2020 - 8:55 AM - Heidi Thornberry

Awaiting a response or a copy of the gazette notice

30 Jul 2020 - 3:34 PM - Heidi Thornberry

Awaiting a response or a copy of the gazette notice

13 Jul 2020 - 2:30 PM - Heidi Thornberry

Council's solicitor forwarded a draft compulsory acquisition notice to the OLG. Awaiting a response or a copy of the gazette notice

09 Jun 2020 - 1:39 PM - Heidi Thornberry

Awaiting document to affix seal

13 May 2020 - 11:12 AM - Heidi Thornberry

Awaiting document to affix seal

09 Apr 2020 - 10:02 AM - Heidi Thornberry

Awaiting document to affix seal

16 Mar 2020 - 10:12 AM - Heidi Thornberry

Awaiting document to affix seal

22 Jan 2020 - 9:44 AM - Heidi Thornberry

Awaiting document to affix seal

22 Jan 2020 - 9:28 AM - Heidi Thornberry

Awaiting document to affix seal

05 Dec 2019 - 4:08 PM - Heidi Thornberry

Awaiting document to affix seal

11 Nov 2019 - 3:44 PM - Heidi Thornberry

Awaiting document to affix seal



09 Oct 2019 - 4:45 PM - Heidi Thornberry

Awaiting document to affix seal

09 Sep 2019 - 11:32 AM - Heidi Thornberry

Awaiting document to affix seal

14 Aug 2019 - 3:07 PM - Heidi Thornberry

Awaiting document to affix seal

09 Jul 2019 - 9:31 AM - Heidi Thornberry

Awaiting document to affix seal

13 Jun 2019 - 3:51 PM - Heidi Thornberry

Awaiting document to affix seal

14 May 2019 - 12:12 PM - Heidi Thornberry

Awaiting document to affix seal

16 Apr 2019 - 12:04 PM - Heidi Thornberry

Awaiting document to affix seal

12 Mar 2019 - 10:02 AM - Heidi Thornberry

Awaiting document to affix seal

13 Feb 2019 - 12:54 PM - Heidi Thornberry

Awaiting document to affix seal

06 Dec 2018 - 3:46 PM - Heidi Thornberry

Awaiting document to affix seal

15 Nov 2018 - 10:35 AM - Heidi Thornberry

Awaiting document to affix seal

Meeting	Officer/Director	Section	Subject
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Ordinary Meeting 30 October 2018	Heidi Thornberry Heather Nicholls	For Determination	COUNCIL TO ACQUIRE EASEMENTS OVER LAND IN EUGOWRA FOR THE PUZZLE FLAT CREEK FLOOD LEVEE
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## **MOTION** (Durkin/Newsom)

THAT:

1. Pursuant to Sections 186 and 187 of the *Local Government Act 1993 (NSW)* Council compulsorily acquire easements over the land described as:

- a) Lot 1 in DP 432838 Eugowra;
- b) Lot 3943 in DP 1200868 Eugowra;
- c) Lot 148 in DP 750182 Eugowra;
- d) Lot 7001 in DP 1125814 Eugowra;
- e) Lot 88 in DP 750159 Eugowra; and

## f) Lot 71 in DP 750182 Eugowra

as shown in the plans attached to the report for the purpose of flood levee infrastructure in accordance with the requirements of the *Land Acquisition (Just Terms Compensation) Act 1991*.

2. Council make an application to the Minister for Local Government and the Governor for the compulsory acquisition of the Land.
3. Authority be granted to affix the Common Seal of Council to any acquisition documentation associated with the Land.
4. The land to be acquired is to be classified as Community Land.
5. Should council be able to reach agreement for purchase by private treaty that the purchase proceed by that method.
6. Should Council not be granted permission to acquire the following:
  - a) Lot 1 in DP 432838 Eugowra;
  - b) Lot 3943 in DP 1200868 Eugowra;
  - c) Lot 7001 in DP 1125814 Eugowra; and
  - d) Lot 71 in DP 750182 Eugowra.

under the Land Acquisition (Just Terms Compensation) Act 1991 that a licence agreement be entered into for the area covered by the proposed easement.

05 Aug 2021 - 3:20 PM - Heidi Thornberry

Awaiting document to affix seal

13 Jul 2021 - 2:30 PM - Heidi Thornberry

Awaiting document

08 Jun 2021 - 9:40 AM - Heidi Thornberry

Awaiting document

29 Apr 2021 - 4:00 PM - Heidi Thornberry

Gazetted preliminary valuation reports received in respect of compensation payable for acquisition of the easements.

15 Apr 2021 - 12:30 PM - Heidi Thornberry

Awaiting documents to affix seal

15 Mar 2021 - 1:46 PM - Heidi Thornberry

Awaiting documents to affix seal

12 Feb 2021 - 9:03 AM - Heidi Thornberry

Awaiting documents to affix seal

04 Dec 2020 - 11:54 AM - Heidi Thornberry

Awaiting documents to affix seal

02 Nov 2020 - 12:29 PM - Heidi Thornberry

Waiting on final approvals to come through to affix seal

14 Oct 2020 - 8:45 AM - Heidi Thornberry

advice from OLG, we cannot issue the Proposed Acquisition Notices until after 14 October 2020 (to avoid procedural complications with the Christmas shutdown). Once they are issued, there will be a 90 day notice period before we can obtain Governor's approval.

22 Sep 2020 - 11:56 AM - Heidi Thornberry

Comment from Surendra - As regards to the Crown Land, OLG authorised on 4 August 2020 to issue Proposed Acquisition Notice. The issuance of the notice is in progress with the Council's Solicitor.

09 Sep 2020 - 8:55 AM - Heidi Thornberry

Waiting on final approvals to come through to affix seal

30 Jul 2020 - 3:34 PM - Heidi Thornberry

Waiting on final approvals to come through to affix seal

16 Jul 2020 - 4:15 PM - Heidi Thornberry

Doc 1141164 - Waiting on final approvals to come through to affix seal

09 Jun 2020 - 1:40 PM - Heidi Thornberry

Awaiting documents to affix seal

13 May 2020 - 11:12 AM - Heidi Thornberry

Awaiting documents to affix seal

09 Apr 2020 - 10:14 AM - Heidi Thornberry

Awaiting documents to affix seal

10 Mar 2020 - 12:17 PM - Heidi Thornberry

Awaiting documents to affix seal

10 Mar 2020 - 11:48 AM - Heidi Thornberry

Awaiting documents to affix seal

22 Jan 2020 - 9:44 AM - Heidi Thornberry

Awaiting documents to affix seal

05 Dec 2019 - 4:08 PM - Heidi Thornberry

Awaiting documents to affix seal

11 Nov 2019 - 4:34 PM - Heidi Thornberry

Awaiting documents to affix seal

09 Oct 2019 - 4:45 PM - Heidi Thornberry

Awaiting document to affix seal

09 Sep 2019 - 11:32 AM - Heidi Thornberry

Awaiting documents to affix seal

14 Aug 2019 - 3:07 PM - Heidi Thornberry



Awaiting document to affix seal

09 Jul 2019 - 9:31 AM - Heidi Thornberry

Awaiting document to affix seal

13 Jun 2019 - 3:51 PM - Heidi Thornberry

Awaiting documents to affix seal

14 May 2019 - 12:12 PM - Heidi Thornberry

Awaiting documents to affix seal

02 Apr 2019 - 10:08 AM - Heidi Thornberry

Awaiting documents to affix seal

12 Mar 2019 - 10:02 AM - Heidi Thornberry

Awaiting documents to affix seal

13 Feb 2019 - 12:54 PM - Heidi Thornberry

Awaiting document to affix seal

06 Dec 2018 - 3:46 PM - Heidi Thornberry

Awaiting documents to affix seal

15 Nov 2018 - 10:35 AM - Heidi Thornberry

Awaiting documents to affix seal - Advised by Engineering Dept that document hasnt been sent to council yet

Meeting	Officer/Director	Section	Subject
Ordinary Meeting 28 July 2020	Heidi Thornberry Heather Nicholls	For Determination	COMPULSORY ACQUISITION OF EASEMENTS OVER CROWN LAND FOR PIPELINE AT ORANGE

### **MOTION** (Durkin/Nash)

THAT Council:

1. Pursuant to Sections 186 and 187 of the *Local Government Act 1993 (NSW)* compulsorily acquire easements over the land ("Land") described as:
  - a) Crown land/Crown waterway located within/adjacent to the area of Lot 7001 DP 1000813;
  - b) Crown land/Crown waterway located within/adjacent to the area of Lot 12 DP 718922

for the purpose of an Easement for Water Supply as defined in Schedule 4A of the *Conveyancing Act 1919* in accordance with the requirements of the *Land Acquisition (Just Terms Compensation) Act 1991*.
2. Gives authority to the General Manager to negotiate the terms of the acquisition on behalf of Council.
3. Make an application to the Minister for Local Government and the Governor for the compulsory acquisition of the Land.



#### 4. Grant authority to affix the Common Seal of Council to any acquisition documentation associated with the land.

05 Aug 2021 - 3:25 PM - Heidi Thornberry

Awating document

13 Jul 2021 - 2:33 PM - Heidi Thornberry

Awating document

08 Jun 2021 - 9:40 AM - Heidi Thornberry

Awating document

17 May 2021 - 8:51 AM - Heidi Thornberry

Awating document

15 Apr 2021 - 12:30 PM - Heidi Thornberry

Awating document

15 Mar 2021 - 1:54 PM - Heidi Thornberry

Awating document

12 Feb 2021 - 8:55 AM - Heidi Thornberry

Comment by Surendra : Solicitor Messenger & Messenger is dealing with the Aboriginal Land Council and Office of Local Government for the issuance of PAN - in progress

03 Dec 2020 - 11:00 AM - Heidi Thornberry

Awating to affix seal

02 Nov 2020 - 12:25 PM - Heidi Thornberry

As per Surendra's comment - Council via Solicitor has lodged an application to OLG for approval to go for the compulsory acquisition. Awaiting the response from OLG. -  
 Awating to affix seal

14 Oct 2020 - 8:45 AM - Heidi Thornberry

Awating document to affix seal

08 Sep 2020 - 4:31 PM - Heidi Thornberry

Awating document to affix seal

30 Jul 2020 - 3:35 PM - Heidi Thornberry

Awating document to affix seal

Meeting	Officer/Director	Section	Subject
Ordinary Meeting 22 September 2020	Vikram Pathak Matthew Christensen	For Determination	PROPOSED ROAD NAMING - "UNNAMED NEW ROAD", SUMMER HILL CREEK

#### **MOTION** (Weaver/Davison)

THAT Council:

1. Proceed with public consultation proposing to name the road identified in the report as "River Oak Drive"; and

2. Assuming no objections are received, Council proceeds with the naming of the road as "River Oak Drive" in accordance with Section 162 of the Roads Act, 1993.

*15 Jul 2021 - 12:58 PM - Heidi Thornberry*

Action reassigned to Vikram Pathak by: Heidi Thornberry

*09 Jun 2021 - 10:38 AM - Roy Ansted*

A notice of intent to name the unnamed road as 'Wongaburra Lane' has been sent to OLALC, with a 14 day response period which expired on 4th June. As no reply was received from OLALC, Council will now proceed with the proposed naming of 'Wongaburra Lane'.

*13 May 2021 - 11:48 AM - Roy Ansted*

Awaiting further advice from the GNB regarding approval to use "Wongaburra".

*01 Apr 2021 - 1:53 PM - Roy Ansted*

"Wongaburra Lane" given conditional approval by the GNB, subject to approval being received from the OLALC.

*10 Mar 2021 - 9:01 AM - Roy Ansted*

"Wongaburra Lane" has been submitted to the GNB for pre-approval. Awaiting response from LALC regarding name approval.

*11 Feb 2021 - 8:28 AM - Roy Ansted*

Four objections were received regarding the name "River Oak View", with the name "Wongaburra Lane" being the most popular alternative name. This alternative name is also supported by the developer. As advised by the GNB as part of the pre-approval process, approval is now to be sought from the Local Aboriginal Land Council for the use of the word "Wongaburra", which means "Our home",

*03 Dec 2020 - 1:27 PM - Roy Ansted*

Proposed road name approved on 3rd December by GNB with road type changed from "Drive" to "View". Proposed road name "River Oak View" to be advertised on 5th December, and if no objections are received within 21 days then the name can be gazetted.

*02 Dec 2020 - 11:08 AM - Roy Ansted*

Proposed road name awaiting approval from the Geographical Names Board. Once approved, the road name can then be advertised for public comment.

*09 Nov 2020 - 10:48 AM - Roy Ansted*

Proposed road name submitted to the Geographical Names Board for approval. Once approved, the name will then be advertised.

*13 Oct 2020 - 3:58 PM - Roy Ansted*

Proposed road name to be submitted to the Geographical Names Board for formal approval. Once approved, the road naming will be advertised and then gazetted if no objections.

Meeting	Officer/Director	Section	Subject
Ordinary Meeting 28 July 2020	Matthew Christensen Matthew Christensen	For Determination	COMPULSORY ACQUISITION OF EASEMENTS OVER CROWN LAND FOR PIPELINE AT ORANGE

### **MOTION** (Durkin/Nash)

THAT Council:

1. Pursuant to Sections 186 and 187 of the *Local Government Act 1993 (NSW)* compulsorily acquire easements over the land ("Land") described as:
  - a) Crown land/Crown waterway located within/adjacent to the area of Lot 7001 DP 1000813;
  - b) Crown land/Crown waterway located within/adjacent to the area of Lot 12 DP 718922

for the purpose of an Easement for Water Supply as defined in Schedule 4A of the *Conveyancing Act 1919* in accordance with the requirements of the *Land Acquisition (Just Terms Compensation) Act 1991*.
2. Gives authority to the General Manager to negotiate the terms of the acquisition on behalf of Council.
3. Make an application to the Minister for Local Government and the Governor for the compulsory acquisition of the Land.
4. Grant authority to affix the Common Seal of Council to any acquisition documentation associated with the land.

12 Aug 2021 - 9:18 AM - Matthew Christensen

No new information. Council's Solicitor working through acquisition.

19 Jul 2021 - 1:50 PM - Matthew Christensen

No new information received from Council's solicitor on this matter - in progress.

09 Jun 2021 - 11:46 AM - Robyn Little

No new information received from Council's solicitor on this matter - in progress.

13 May 2021 - 9:14 AM - Matthew Christensen

In progress. Council's Solicitor working with government agencies to progress.

15 Apr 2021 - 10:42 AM - Matthew Christensen

In progress. Council's Solicitor working with government agencies to progress.

11 Mar 2021 - 2:27 PM - Matthew Christensen

Corresponding with Department Crown Lands to progress.

03 Mar 2021 - 9:44 AM - Heidi Thornberry

Action reassigned to Matthew Christensen by: Heidi Thornberry

09 Feb 2021 - 9:28 AM - Surendra Sapkota

Solicitor Messenger & Messenger is dealing with the Aboriginal Land Council and Office of Local Government for the issuance of PAN - in progress

08 Feb 2021 - 10:59 AM - Surendra Sapkota

Solicitor- Messenger & Messenger is dealing with Office of Local Government and Aboriginal Land Council for the issuance of the PAN - in progress.

03 Dec 2020 - 2:48 PM - Surendra Sapkota

Council Solicitor is dealing with Office of Local Government re issuance of PAN and the matter is in progress.

13 Nov 2020 - 12:19 PM - Surendra Sapkota

Awaiting response from OLG in this regard.



15 Oct 2020 - 3:51 PM - Surendra Sapkota

Council via Solicitor has lodged an application to OLG for approval to go for the compulsory acquisition. Awaiting the response from OLG.

15 Oct 2020 - 2:43 PM - Surendra Sapkota

Under progress. Councillor Solicitor is coordinating with the relevant government agencies.

Meeting	Officer/Director	Section	Subject
Ordinary Meeting 30 October 2018	Matthew Christensen Matthew Christensen	For Determination	PURCHASE OF LAND FROM TRANSPORT NSW IN WATSON STREET, MOLONG

### **MOTION** (Oldham/Batten)

THAT:

1. Pursuant to Sections 186 and 187 of the *Local Government Act 1993 (NSW)* Council compulsorily acquire the land forming part of the Great Western Railway proclaimed in Government Gazette No. 289 of 17.7.1885 Folio 4562 and Government Gazette No. 232 of 9.6.1885 Folio 3629, being the area marked as "Lot 1" on the plan attached to the report (the Land) for the purpose of flood infrastructure in accordance with the requirements of the *Land Acquisition (Just Terms Compensation) Act 1991*.
2. Council make an application to the Minister for Local Government and the Governor for the compulsory acquisition of the Land.
3. Authority be granted to affix the Common Seal of Council to any acquisition documentation associated with the Land.
4. The land to be acquired is to be classified as Community Land.

12 Aug 2021 - 9:18 AM - Matthew Christensen

No new information. Awaiting registration of plans.

19 Jul 2021 - 1:50 PM - Matthew Christensen

No new information. Awaiting registration of plans.

09 Jun 2021 - 11:48 AM - Robyn Little

Awaiting registration of plans.

13 May 2021 - 9:15 AM - Matthew Christensen

Awaiting registration of plans.

15 Apr 2021 - 10:43 AM - Matthew Christensen

Awaiting registration of plans.

11 Mar 2021 - 2:28 PM - Matthew Christensen

Awaiting registration of plans.

03 Mar 2021 - 9:44 AM - Heidi Thornberry

Action reassigned to Matthew Christensen by: Heidi Thornberry

08 Feb 2021 - 11:05 AM - Surendra Sapkota

Solicitor- Messenger & Messenger sent the documents for registration in Dec 2020 to Sydney - Waiting for the registration.

03 Dec 2020 - 2:51 PM - Surendra Sapkota

Governor approved the compulsory acquisition and it has been gazetted. Council Solicitor is working for the registration and the registration is in progress.

13 Nov 2020 - 12:24 PM - Surendra Sapkota

Compulsory acquisition has been Gazetted. Now it is in the process of registration.

15 Oct 2020 - 3:36 PM - Surendra Sapkota

Council has been advised that Governor has approved to declare the lot in question for the compulsory acquisition.

Council submitted notice of compulsory acquisition via Gazzetal portal.

Meeting	Officer/Director	Section	Subject
Ordinary Meeting 27 October 2020	Matthew Christensen Matthew Christensen	For Determination	PREPARATION OF DRAFT PLANS OF MANAGEMENT FOR CROWN RESERVES

### **MOTION** (Newsom/Nash)

THAT Council:

1. Assigns the initial classification of Community Land to Reserves referred to in the table found in Attachment 1 in the report.
2. Assigns the initial categorisations for Community Land to the Crown Reserves found in Attachment 1 in the report.
3. Assigns the classification of Operational Land to the Reserves referred to in the table found in Attachment 2 in the report.
4. Provides the appropriate notification to the Minister.
5. Authorises the General Manager to seek Ministerial consent to classify Crown Reserves identified in Attachment 2 in the report as Operational land.
6. In the event that Ministerial consent to classify the Reserves identified in Attachment 2 in the report as Operational is denied – that the reserves be assigned a classification of Community Land and a category of General Community Use.

12 Aug 2021 - 9:05 AM - Matthew Christensen

Still awaiting advice of agreement on categorisation of Crown Lands from Department of Primary Industries and Environment.

19 Jul 2021 - 1:51 PM - Matthew Christensen

Still awaiting advice of agreement on categorisation of Crown Lands from Department of Primary Industries and Environment.

09 Jun 2021 - 11:48 AM - Robyn Little

Still awaiting advice of agreement on categorisation of Crown Lands from Department of Primary Industries and Environment.



10 May 2021 - 12:39 PM - Matthew Christensen

Still awaiting advice of agreement on categorisation of Crown Lands from Department of Primary Industries and Environment.

15 Apr 2021 - 11:35 AM - Matthew Christensen

Advice from State Government is the categorisation review is in progress and has been delayed. Await advice.

11 Mar 2021 - 2:29 PM - Matthew Christensen

Advice from State Government is the categorisation review is in progress and has been delayed. Await advice.

03 Mar 2021 - 9:44 AM - Heidi Thornberry

Action reassigned to Matthew Christensen by: Heidi Thornberry

10 Feb 2021 - 9:30 AM - Surendra Sapkota

The list Crown lands for the classification and categorisation has been sent to State Crown Land authority for the approval in accordance with the Council resolution.  
 Awaiting for their approval/response.

Preparation of draft plan of management for crown reserves is in progress with external the consultant.

03 Dec 2020 - 2:53 PM - Surendra Sapkota

Crown Land Authority has been notified for classification and categorisation as per the Council decision.

Awaiting the approval/response from Crown Land re Classification and Categorisation of Crown Land.

13 Nov 2020 - 2:24 PM - Surendra Sapkota

Preparation of the plans is in progress.

Meeting	Officer/Director	Section	Subject
Ordinary Meeting 24 November 2020	Heather Nicholls Heather Nicholls	Confidential Items	MOLONG LIMESTONE QUARRY

### **RECOMMENDATION** (Batten/Nash)

THAT Council authorise the General Manager to:

1. Proceed with the settlement offer, as detailed in the report;
2. Commence the investigation of options for the future management of the Molong Limestone Quarry.

12 Jul 2021 - 10:27 AM - Heather Nicholls

Marsdens provided finalisation letter to EPH

08 Jun 2021 - 5:16 PM - Heather Nicholls

Independent valuation report provided. Council's legal advisor has drafted revised correspondence for ELT review and to enable lease termination matter to be progressed  
 08 Feb 2021 - 1:47 PM - Heather Nicholls  
 negotiation process continuing

08 Feb 2021 - 11:38 AM - Jolene Pearson

Action reassigned to Heather Nicholls by: Jolene Pearson

01 Dec 2020 - 9:58 AM - Robyn Little

Action reassigned to Jolene Pearson by: Robyn Little

Meeting	Officer/Director	Section	Subject
Ordinary Meeting 23 March 2021	Laura Lewis-Minogue Bradley Bymes	For Determination	SPONSORSHIP PROGRAM
<p><b><u>MOTION</u></b> (Durkin/Davison)</p> <p>THAT Council approve the Sponsorship Program funding for the applications as detailed in the report.</p> <p>12 Aug 2021 - 11:27 AM - Laura Lewis-Minogue  COMPLETED  15 Jul 2021 - 10:16 AM - Laura Lewis-Minogue  Awaiting Acquittals  08 Jun 2021 - 4:21 PM - Laura Lewis-Minogue  awaiting acquittal  17 May 2021 - 8:44 AM - Laura Lewis-Minogue  agreement and documents sent and returned. Payment processed.  15 Apr 2021 - 10:37 AM - Laura Lewis-Minogue  Agreement and documents being created to be sent by Wednesday 21/4/2021</p>			
Meeting	Officer/Director	Section	Subject
Ordinary Meeting 23 March 2021	Rachel Bailey Matthew Christensen	For Determination	ROAD RESUMPTION CHARLOTTE STREET, CANOWINDRA
<p><b><u>MOTION</u></b> (Durkin/Weaver)</p> <p>THAT Council:</p> <ol style="list-style-type: none"> <li>1. Approve the resumption of the identified land on Charlotte Street, Canowindra by the Department of Education.</li> <li>2. Authorise the General Manager to execute all associated documentation to facilitate the road closure and dedication, and</li> <li>3. Authorise the application of Council Seal to necessary documentation.</li> </ol> <p><b><u>MOTION</u></b> (Oldham/Weaver)</p> <p>THAT Council receive a report in relation to the following matters:</p> <ol style="list-style-type: none"> <li>1. Council's A+ rating investment options, and the possibility of other banks coming to Molong.</li> <li>2. Approach the Orange Mountain Bike Club to seek their views/opinions on the Mt Canobolas bike track and how they intend to use the facility.</li> </ol>			

11 Aug 2021 - 10:35 AM - Rachel Bailey

In Progress. Road gazettal information confirmed. Letter advice to utilities and newspaper notification drafted as per process.

15 Jul 2021 - 12:52 PM - Rachel Bailey

Process is ongoing. Section 138 licence for the fence erection within the road corridor, is signed and approved. Following the road closure steps as per process.

Meeting	Officer/Director	Section	Subject
Ordinary Meeting 23 March 2021	Heidi Thornberry Heather Nicholls	For Determination	ROAD RESUMPTION CHARLOTTE STREET, CANOWINDRA

### **MOTION** (Durkin/Weaver)

THAT Council:

1. Approve the resumption of the identified land on Charlotte Street, Canowindra by the Department of Education.
2. Authorise the General Manager to execute all associated documentation to facilitate the road closure and dedication, and
3. Authorise the application of Council Seal to necessary documentation.

### **MOTION** (Oldham/Weaver)

THAT Council receive a report in relation to the following matters:

1. Council's A+ rating investment options, and the possibility of other banks coming to Molong.
2. Approach the Orange Mountain Bike Club to seek their views/opinions on the Mt Canobolas bike track and how they intend to use the facility.

05 Aug 2021 - 3:20 PM - Heidi Thornberry

Awaiting document to affix seal

13 Jul 2021 - 2:33 PM - Heidi Thornberry

Awaiting document to affix seal

08 Jun 2021 - 9:39 AM - Heidi Thornberry

Awaiting document to affix seal

17 May 2021 - 9:21 AM - Heidi Thornberry

Awaiting document to affix seal

15 Apr 2021 - 12:01 PM - Heidi Thornberry

Awaiting document to affix seal

Meeting	Officer/Director	Section	Subject
Ordinary Meeting 23 March 2021	Matthew Christensen Matthew Christensen	For Determination	QUESTIONS FOR NEXT MEETING



**MOTION** (Durkin/Weaver)

THAT Council:

1. Approve the resumption of the identified land on Charlotte Street, Canowindra by the Department of Education.
2. Authorise the General Manager to execute all associated documentation to facilitate the road closure and dedication, and
3. Authorise the application of Council Seal to necessary documentation.

**MOTION** (Oldham/Weaver)

THAT Council receive a report in relation to the following matters:

1. Council's A+ rating investment options, and the possibility of other banks coming to Molong.
2. Approach the Orange Mountain Bike Club to seek their views/opinions on the Mt Canobolas bike track and how they intend to use the facility.

12 Aug 2021 - 9:09 AM - Matthew Christensen

Stakeholder engagement proceeding.

09 Jun 2021 - 11:56 AM - Robyn Little

Approval from Dpt of Education received. Community Consultation process will now commence.

13 May 2021 - 9:17 AM - Matthew Christensen

Documentation with Department of Education for signing.

15 Apr 2021 - 12:54 PM - Matthew Christensen

Progressing through paperwork. Have provided information to Department of Education.

Meeting	Officer/Director	Section	Subject
Ordinary Meeting 27 April 2021	Laura Lewis- Minogue Bradley Byrnes	For Determination	SPONSORSHIP PROGRAM

**MOTION** (Jones/Davison)

THAT Council approves the Sponsorship Program funding of \$10,000 for the 2021 Eugowra Most Wanted Mural Weekend.

12 Aug 2021 - 11:30 AM - Laura Lewis-Minogue

COMPLETED

15 Jul 2021 - 10:18 AM - Laura Lewis-Minogue

Awaiting Acquittal

08 Jun 2021 - 4:22 PM - Laura Lewis-Minogue

payment processed. Awaiting acquittal

17 May 2021 - 8:45 AM - Laura Lewis-Minogue  
 agreement and documents sent.

Meeting	Officer/Director	Section	Subject
Ordinary Meeting 27 April 2021	Laura Lewis-Minogue Bradley Bymes	For Determination	EVENTS ASSISTANCE PROGRAM

### **MOTION** (Nash/Newsom)

THAT Council approves funding under the Event Assistance Program (EAP) of:

1. \$500 for the Eugowra Community Children's Centre High Tea; and
2. \$1,500 for the Canowindra Old Time and New Vogue Dance Group      Downton Abbey Ball.

12 Aug 2021 - 11:27 AM - Laura Lewis-Minogue  
 COMPLETED

15 Jul 2021 - 10:18 AM - Laura Lewis-Minogue  
 Awaiting Acquittals

08 Jun 2021 - 4:21 PM - Laura Lewis-Minogue  
 Awaiting acquittal

17 May 2021 - 8:45 AM - Laura Lewis-Minogue  
 Documents sent and returned. payment processed

Meeting	Officer/Director	Section	Subject
Ordinary Meeting 27 April 2021	Jeeva San Matthew Christensen	For Determination	LOCAL ROADS AND COMMUNITY INFRASTRUCTURE PHASE 2 - APPROVED PROGRAM

### **MOTION** (Jones/Treavors)

THAT Council accepts the funding of \$1,220,908 under the Local Roads and Community Infrastructure Program Phase 2, and endorses the program of works for bridge and culvert maintenance and replacements.

11 Aug 2021 - 4:30 PM - Heidi Thornberry  
 Action reassigned to Jeeva San by: Heidi Thornberry  
 15 Jul 2021 - 12:24 PM - Heidi Thornberry  
 Action reassigned to Charlie Harris by: Heidi Thornberry  
 08 Jun 2021 - 10:31 AM - Anantha Maddirala  
 Informed to Vikram.  
 03 May 2021 - 11:24 AM - Anantha Maddirala  
 Noted.

Meeting	Officer/Director	Section	Subject
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Ordinary Meeting 25 May 2021

Sarah Smith

For Determination

YOUNG PEOPLE TO ADDRESS COUNCIL MEETING

Heather Nicholls

**MOTION** (Durkin/Oldham)

THAT Council consider the matters raised by young people at this meeting.

11 Aug 2021 - 1:22 PM - Sarah Smith

Department Leader to finalise letter with DGM

15 Jul 2021 - 1:00 PM - Sarah Smith

Department Leader to finalise letters with DGM

08 Jun 2021 - 4:45 PM - Sarah Smith

Letters to schools thanking students for attending and their contributions.

Meeting	Officer/Director	Section	Subject
Ordinary Meeting 25 May 2021	Rebecca Johnson Bradley Bymes	For Determination	AGE OF FISHES MUSEUM TRANSITION

**MOTION** (Weaver/Oldham)

THAT Council:

1. Agrees to dissolve the committee appointed by Council pursuant to section 355 of the *Local Government Act 1993* to exercise Council's functions by managing the Age of Fishes Museum in Canowindra,
2. Agrees to revoke any prior delegation or authorisation to the above section 355 committee such that they have no further force or effect,
3. Agrees that resolutions 1 and 2 above do not take effect until Wednesday, 30 June 2021,
4. Agrees to enter into a Deed with the Age of Fishes Museum Incorporated,
5. Authorises the General Manager to execute the Deed on Council's behalf.
6. Authorises the affixing of the Common Seal to the Deed, if required.
7. That Council approves and adopts the Age of Fishes Museum Advisory Committee Terms of Reference, and
8. Agrees that assets identified by the Age of Fishes Museum Board are to be retained by Age of Fishes Museum Incorporated.

12 Aug 2021 - 11:44 AM - Rebecca Johnson



Complete. Final AGM due to take place on 30/8/21

14 Jul 2021 - 8:50 AM - Rebecca Johnson

COVID-19 restrictions resulted in cancellation of meeting to sign documents, however documents have been signed and returned to Council for seal

10 Jun 2021 - 10:17 AM - Rebecca Johnson

To be actioned on 30 June 2021.

Meeting	Officer/Director	Section	Subject
Ordinary Meeting 25 May 2021	Rachel Bailey Matthew Christensen	For Determination	REQUEST FOR DONATION (EQUIVALENT TO RENT) OF PART OF GRASSED AREA AT REAR OF 17 MAIN STREET, CUDAL NSW 2864 (CUDAL HALL)

### **MOTION** (Jones/Treavors)

THAT Council donate from its s 356 budget the amount of \$286.08 (equivalent to market rent for a period of 12 months as per licence agreement), to Cudal Community Children's Centre Inc for the use of part of the rear of 17 Main Street, Cudal (being the Cudal Hall).

11 Aug 2021 - 10:33 AM - Rachel Bailey

Letter of Council resolution outcome posted out to Centre. COMPLETE

15 Jul 2021 - 4:15 PM - Rachel Bailey

Childcare director advised of outcome by phone. A formal letter is in process.

Meeting	Officer/Director	Section	Subject
Ordinary Meeting 25 May 2021	Heather Nicholls Heather Nicholls	For Determination	YOUNG PEOPLE TO ADDRESS COUNCIL MEETING

### **MOTION** (Durkin/Oldham)

THAT Council consider the matters raised by young people at this meeting.

03 Aug 2021 - 4:21 PM - Heather Nicholls

COMPLETE

12 Jul 2021 - 10:30 AM - Heather Nicholls

To be report to council

Meeting	Officer/Director	Section	Subject
Ordinary Meeting 25 May 2021	Heidi Thornberry Heather Nicholls	For Determination	AGE OF FISHES MUSEUM TRANSITION

### **MOTION** (Weaver/Oldham)

THAT Council:

1. Agrees to dissolve the committee appointed by Council pursuant to section 355 of the *Local Government Act 1993* to exercise Council's functions by managing the Age of Fishes Museum in Canowindra,
2. Agrees to revoke any prior delegation or authorisation to the above section 355 committee such that they have no further force or effect,
3. Agrees that resolutions 1 and 2 above do not take effect until Wednesday, 30 June 2021,
4. Agrees to enter into a Deed with the Age of Fishes Museum Incorporated,
5. Authorises the General Manager to execute the Deed on Council's behalf.
6. Authorises the affixing of the Common Seal to the Deed, if required.
7. That Council approves and adopts the Age of Fishes Museum Advisory Committee Terms of Reference, and
8. Agrees that assets identified by the Age of Fishes Museum Board are to be retained by Age of Fishes Museum Incorporated.

05 Aug 2021 - 3:21 PM - Heidi Thornberry

COMPLETE - Seal affixed by GM EA 13/07/21

13 Jul 2021 - 3:08 PM - Heidi Thornberry

Awaiting document to affix seal

08 Jun 2021 - 9:39 AM - Heidi Thornberry

Awaiting document to affix seal

Meeting	Officer/Director	Section	Subject
Extraordinary Meeting 08 June 2021	Laura Lewis-Minogue Bradley Bymes	For Determination	2021 AUSTRALIAN NATIONAL FIELD DAY EVENT SPONSORSHIP

### **MOTION** (Jones/Treavors)

THAT Council approves the Sponsorship Program funding of an additional \$5,000 for the Australian National Field Days.

12 Aug 2021 - 11:30 AM - Laura Lewis-Minogue

Waiting on decision of ANFD before payment is processed.

15 Jul 2021 - 10:18 AM - Laura Lewis-Minogue

awaiting documentation

Meeting	Officer/Director	Section	Subject
Ordinary Meeting 22 June 2021	Jolene Pearson Heather Nicholls	For Determination	SECTION 355 COMMITTEES

**MOTION** (Batten/Weaver)

THAT:

1. Council agrees to dissolve the following s355 committees:
  - i) Cudal Memorial Pool Committee;
  - ii) Cumnock Pool Committee;
  - iii) Eugowra War Memorial Pool Committee;
  - iv) Manildra Memorial Pool Committee;
  - v) Yeoval Pool Committee;
2. Dissolution of the following s355 committees be subject to a further report to Council:
  - vi) Cargo Community Centre Committee;
  - vii) Yeoval Memorial Hall Committee; and
  - viii) Manildra Sports Council.
3. Council approves and adopts the Cabonne Council Pools Advisory Committee Terms of Reference.

09 Aug 2021 - 12:51 PM - Jolene Pearson

A further report will be prepared for the August Council meeting.

15 Jul 2021 - 9:54 AM - Jolene Pearson

A further report will be prepared for the August Council meeting.

Meeting	Officer/Director	Section	Subject
Ordinary Meeting 22 June 2021	Heidi Thornberry Heather Nicholls	For Determination	LOCAL GOVERNMENT WEEK 2021

**MOTION** (Treavors/Davison)

THAT Council participate in Local Government Week 2021.

05 Aug 2021 - 3:21 PM - Heidi Thornberry

COMPLETE - Information collected and being used for social media posts

13 Jul 2021 - 3:06 PM - Heidi Thornberry

Discussions with Communication and Marketing Coordinator for the content plan for the social media platforms.

Meeting	Officer/Director	Section	Subject
Ordinary Meeting 22 June 2021	Chris Jackson	For Determination	CABONNE SWIMMING POOLS MASTERPLAN



Matthew  
Christensen

**MOTION** (Durkin/Treavors)

THAT Council:

1. Note the report and infrastructure recommendations,
2. Place the report on public exhibition for 28 days; and
3. Note that a report will be provided to council following the public exhibition phase.

12 Aug 2021 - 11:55 AM - Chris Jackson

Council note report on Cabonne Pools Masterplan Feedback

15 Jul 2021 - 1:02 PM - Chris Jackson

Report on immediate infrastructure recommendations complete

Meeting	Officer/Director	Section	Subject
Ordinary Meeting 22 June 2021	Rachel Bailey Matthew Christensen	For Determination	BORENORE DAM WATER SUPPLY FACILITY - UNAUTHORISED DWELLING

**MOTION** (Treavors/Oldham)

THAT Council take necessary actions to require the relocation of an unauthorised building from the foreshore of the Borenore Dam Water Supply Facility.

11 Aug 2021 - 10:41 AM - Rachel Bailey

In progress. Investigations will continue from the Infrastructure department.

02 Aug 2021 - 12:49 PM - Heidi Thornberry

Action reassigned to Rachel Bailey by: Heidi Thornberry

12 Jul 2021 - 10:30 AM - Heather Nicholls

noted. NFA from services on asset matter. COMPLETE

Meeting	Officer/Director	Section	Subject
Ordinary Meeting 22 June 2021	Laura Lewis- Minogue Bradley Bymes	For Determination	EVENTS ASSISTANCE PROGRAM

**MOTION** (Weaver/Newsom)

THAT Council approve under its 2020/21 Event Assistance Program:

1. \$550 for the GrowMolong event 'Save Molong- Wine Tasting';

2. \$500 for the Spring Molong Arts Festival 2021; and
3. The carryover of funding of \$500 for the Canowindra Golf Club Centenary Celebrations.

12 Aug 2021 - 11:31 AM - Laura Lewis-Minogue

Awaiting acquittal.

15 Jul 2021 - 10:18 AM - Laura Lewis-Minogue

Payments being processed

Meeting	Officer/Director	Section	Subject
Ordinary Meeting 22 June 2021	Vikram Pathak Matthew Christensen	For Determination	PROPOSED ROAD NAMING - "UNNAMED NEW ROAD", SUMMER HILL CREEK

### **MOTION** (Weaver/Oldham)

THAT Council proceed with the naming of the road detailed in the associated report as "Wongaburra Lane" in accordance with Section 162 of the Roads Act, 1993.

12 Aug 2021 - 11:41 AM - Vikram Pathak

Carried out site inspection on the work progresses of following activities

1. Earthworks for road pavement
2. Revised road geometric alignment.

Shared detail specification for excavation in rock area for pipe culverts base slab.

15 Jul 2021 - 12:58 PM - Heidi Thornberry

Action reassigned to Vikram Pathak by: Heidi Thornberry

Meeting	Officer/Director	Section	Subject
Ordinary Meeting 22 June 2021	Matthew Christensen Matthew Christensen	For Determination	QUESTIONS FOR NEXT MEETING

### **MOTION** (Treavors/Nash)

THAT Council receive a report in relation to the condition of Nangar Road and Fish Fossil Drive Canowindra.

12 Aug 2021 - 9:10 AM - Matthew Christensen

Report presented to August 2021 Ordinary Meeting.

Meeting	Officer/Director	Section	Subject
Ordinary Meeting 22 June 2021	Jolene Pearson Heather Nicholls	Confidential Items	MO LONG HEALTH ONE GENERAL PRACTICE - EXTENSION OF LEASE AGREEMENT

### **RECOMMENDATION** (Nash/Durkin)



THAT Council:

1. Enter a varied lease with Dr Robin Huw Lloyd Williams and Mrs Nicola Jane Williams, for part of the building known as Molong Health One General Practice, at the address known as part 103 Bank Street, Molong and Lot 11 DP 1127953; and
2. Authorise the General Manager to execute any document necessary for the purposes of entering the varied lease, including the affixing of Council's Seal to any such document.

04 Aug 2021 - 12:41 PM - Jolene Pearson

Documents signed and executed - COMPLETE

29 Jun 2021 - 10:35 AM - Jolene Pearson

Awaiting documentation for signing.

Meeting	Officer/Director	Section	Subject
Ordinary Meeting 22 June 2021	Rebecca Johnson Bradley Bymes	Confidential Items	POSSIBLE SALE OF LOT 6 DP1113621 BLUEBELL STREET, LONGS CORNER ESTATE, CANOWINDRA

### **RECOMMENDATION** (Weaver/Walker)

THAT Council authorises affixing of Council's Common Seal to the land sale contract and transfer documents of Lot 6, DP1113621 Longs Corner Estate, Canowindra.

12 Aug 2021 - 11:44 AM - Rebecca Johnson

complete

15 Jul 2021 - 1:35 PM - Rebecca Johnson

Council seal to be affixed to contract

Meeting	Officer/Director	Section	Subject
Ordinary Meeting 22 June 2021	Matthew Christensen Matthew Christensen	Confidential Items	CONTRACT FOR THE SUPPLY AND DELIVERY OF BITUMEN EMULSION

### **RECOMMENDATION** (Nash/Newsom)

THAT Council:

1. Resolve to accept the tender of Bitupave Pty Ltd for the supply and deliver of bitumen emulsion;

2. Authorise the General Manager to enter into a contract with Bitupave Pty Ltd for the supply and deliver of bitumen emulsion; and
3. Advise the Central NSW Joint Organisation of its decision.

12 Aug 2021 - 9:12 AM - Matthew Christensen

Contracts have been signed and sent to supplier. Awaiting return.

19 Jul 2021 - 2:00 PM - Matthew Christensen

Advice has been forwarded to the CNSWJO with Council Resolution.

Meeting	Officer/Director	Section	Subject
Ordinary Meeting 22 June 2021	Heidi Thornberry Heather Nicholls	Confidential Items	CONTRACT FOR THE SUPPLY AND DELIVERY OF BITUMEN EMULSION

### **RECOMMENDATION** (Nash/Newsom)

THAT Council:

1. Resolve to accept the tender of Bitupave Pty Ltd for the supply and deliver of bitumen emulsion;
2. Authorise the General Manager to enter into a contract with Bitupave Pty Ltd for the supply and deliver of bitumen emulsion; and
3. Advise the Central NSW Joint Organisation of its decision.

05 Aug 2021 - 3:22 PM - Heidi Thornberry

Sent contract register template to Dept Leader Plant & Depots

13 Jul 2021 - 2:41 PM - Heidi Thornberry

Awaiting Document

Meeting	Officer/Director	Section	Subject
Ordinary Meeting 22 June 2021	Heather Nicholls Heather Nicholls	For Determination	MANILDRA LIBRARY LEASE

### **RECOMMENDATION** (Nash/Mullins)

THAT this matter be deferred until Council considers lease opportunities for suitable sites at Manildra.

12 Jul 2021 - 10:31 AM - Heather Nicholls

additional information being sought

Meeting	Officer/Director	Section	Subject
Ordinary Meeting 22 June 2021	Heidi Thornberry Heather Nicholls	Confidential Items	MOLONG HEALTH ONE GENERAL PRACTICE - EXTENSION OF LEASE AGREEMENT

### **RECOMMENDATION** (Nash/Durkin)

THAT Council:

1. Enter a varied lease with Dr Robin Huw Lloyd Williams and Mrs Nicola Jane Williams, for part of the building known as Molong Health One General Practice, at the address known as part 103 Bank Street, Molong and Lot 11 DP 1127953; and
2. Authorise the General Manager to execute any document necessary for the purposes of entering the varied lease, including the affixing of Council's Seal to any such document.

05 Aug 2021 - 3:22 PM - Heidi Thornberry

COMPLETE - Seal affixed 4/8/21

13 Jul 2021 - 2:39 PM - Heidi Thornberry

Awaiting Document

Meeting	Officer/Director	Section	Subject
Ordinary Meeting 27 July 2021	Chris Jackson Matthew Christensen	Confidential Items	MORRIS PARK TOILET REFURBISHMENT GRANT

### **MOTION** (Jones/Durkin)

THAT Council:

1. Accepts the funding offer of \$108,950 under the Driver Reviver Site Upgrade Program for refurbishment of the Morris Park Toilets, Canowindra,
2. Allocates \$83,550 from the Infrastructure Replacement Reserve to fund the balance of the council contribution towards the project; and
3. Makes the full report public on council's website.

12 Aug 2021 - 11:52 AM - Chris Jackson

Noted Council motion of additional funding from Infrastructure Reserve Replacement

Meeting	Officer/Director	Section	Subject
Ordinary Meeting 27 July 2021	Robyn Little Bradley Bymes	For Determination	RESCISSION MOTION - ITEM 12 OF JUNE COUNCIL BUSINESS PAPER - 2021 LOCAL GOVERNMENT ELECTIONS - CONDUCT OF A POLL

### **MOTION** (Oldham/Jones)

THAT Council notify the NSW Electoral Commission that it does not intend to conduct a poll in conjunction with the September 2021 Local Government elections.



03 Aug 2021 - 9:36 AM - Robyn Little

NSWEC advised of rescission motion. COMPLETE

Meeting	Officer/Director	Section	Subject
Ordinary Meeting 27 July 2021	Robyn Little Bradley Bymes	For Determination	DRAFT VILLAGE ENHANCEMENT FUND POLICY

**MOTION** (Newsom/Weaver)

THAT Council endorse the draft Village Enhancement Fund Policy and place the draft policy on public exhibition.

03 Aug 2021 - 10:11 AM - Robyn Little

Draft policy placed on public exhibition.

Meeting	Officer/Director	Section	Subject
Ordinary Meeting 27 July 2021	Robyn Little Bradley Bymes	For Determination	NSW RURAL DOCTORS NETWORK BUSH BURSARY & CWA SCHOLARSHIP PROGRAM

**MOTION** (Davison/Nash)

THAT Council support the funding of the Bush Bursary and CWA Scholarship Scheme through the Community Facilitation Fund.

03 Aug 2021 - 9:38 AM - Robyn Little

NSWRD Network advised on Council's sponsorship. Awaiting further information.

Meeting	Officer/Director	Section	Subject
Ordinary Meeting 27 July 2021	Robyn Little Bradley Bymes	For Determination	ACTIVATING THE LOW CARBON ECONOMY IN REGIONAL AUSTRALIA

**MOTION** (Durkin/Nash)

THAT Cllrs Batten, Weaver & Treavors attend the Activating the Low Carbon Economy in Regional Australia forum in Parkes on 19 August 2021.

03 Aug 2021 - 10:11 AM - Robyn Little

Forum changed to online delivery. Councillors & GM registered. COMPLETE

Meeting	Officer/Director	Section	Subject
Ordinary Meeting 27 July 2021	Heather Nicholls Heather Nicholls	For Determination	INTEGRATED PLANNING & REPORTING - OPERATIONAL PLAN FINAL HALF YEARLY REPORT

**MOTION** (Davison/Nash)

THAT the update of the Operational Plan to 30 June 2021, as presented, be adopted.

03 Aug 2021 - 4:23 PM - Heather Nicholls

COMPLETE

Meeting	Officer/Director	Section	Subject
Ordinary Meeting 27 July 2021	Heather Nicholls Heather Nicholls	For Determination	EUGOWRA MASTERPLAN

**MOTION** (Newsom/Weaver)

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

09 Aug 2021 - 1:44 PM - Sarah Stewart

Plan currently on exhibition till 3 September 2021.

03 Aug 2021 - 4:23 PM - Heather Nicholls

Plan to be exhibited.

Meeting	Officer/Director	Section	Subject
Ordinary Meeting 27 July 2021	Sarah Smith Heather Nicholls	For Determination	REQUEST FOR DONATION

**MOTION** (Durkin/Jones)

THAT Council donates \$600 to Casey Jones for Eugowra NAIDOC event.

11 Aug 2021 - 10:11 AM - Sarah Smith

COMPLETE

Meeting	Officer/Director	Section	Subject
Ordinary Meeting 27 July 2021	Laura Lewis-Minogue Bradley Bymes	For Determination	EVENTS ASSISTANCE PROGRAM

**MOTION** (Newsom/Davison)

THAT Council approve under its 2021/22 Event Assistance Program:

1. \$3,000 for Baroquefest, Canowindra; and
2. The carryover of funding of \$1,500 for the 12-hour Dance Event and Downton Abbey Ball.

12 Aug 2021 - 11:31 AM - Laura Lewis-Minogue

Documents being collated.

Meeting	Officer/Director	Section	Subject
Ordinary Meeting 27 July 2021	Bradley Bymes Bradley Bymes	For Determination	QUESTIONS FOR NEXT MEETING

**MOTION** (Davison/Durkin)

THAT Council receive a report in relation to the estimated cost to develop a carbon neutral action plan for Cabonne Council to be carbon neutral by 2030.

10 Aug 2021 - 11:52 AM - Robyn Little

Report being prepared by Dpt Leader Innovation & Technology.

Meeting	Officer/Director	Section	Subject
Ordinary Meeting 27 July 2021	Heather Nicholls Heather Nicholls	For Determination	LONG TERM FINANCIAL PLAN 2021-2031 AND STRATEGIC ASSET MANAGEMENT PLAN 2021-2031

### **RECOMMENDATION** (Batten/Jones)

THAT Council:

1. Adopt the Long Term Financial Plan 2021-2031; and
2. Adopt the Strategic Asset Management Plan 2021-2031.

03 Aug 2021 - 4:24 PM - Heather Nicholls

COMPLETE

Meeting	Officer/Director	Section	Subject
Ordinary Meeting 27 July 2021	Veronica Windus Heather Nicholls	For Determination	UNSPENT EXPENDITURE REVOTED TO 2021/2022 BUDGET

### **RECOMMENDATION** (Nash/Jones)

That the works listed in the report be included in the 2021/2022 budget.

10 Aug 2021 - 4:23 PM - Veronica Windus

COMPLETED

10 Aug 2021 - 4:23 PM - Veronica Windus

Revoted expenditure added to the 21/22 Budget

Meeting	Officer/Director	Section	Subject
Ordinary Meeting 27 July 2021	Robyn Little Bradley Bymes	Confidential Items	MAYORAL MINUTE - 2020/2021 FULL YEAR PERFORMANCE REVIEW OF THE GENERAL MANAGER

### **MOTION** (Weaver/Durkin)

THAT Council:

1. Adopt the final report on the outcome of the General Manager's Performance Review.



2. Adopt the recommendations of the Review Panel as outlined in the report.
3. Adopt the attached Performance Agreement for the 2021/2022 review year.

03 Aug 2021 - 10:12 AM - Robyn Little

Performance Agreement signed by Mayor and GM. Mayor has notified DGMS of resolution and recommendation of the panel and requested the increase in remuneration be enacted. COMPLETE

Meeting	Officer/Director	Section	Subject
Ordinary Meeting 27 July 2021	Rebecca Johnson Bradley Bymes	Confidential Items	POSSIBLE SALE OF LOT 4 DP1113621, 1 BLUEBELL STREET, LONGS CORNER ESTATE, CANOWINDRA

### **RECOMMENDATION** (Davison/Weaver)

THAT Council authorises affixing of Council's Common Seal to the land sale contract and transfer documents of Lot 4, Lot 13 and Lot 14 DP1113621, Longs Corner Estate, Canowindra.

12 Aug 2021 - 11:43 AM - Rebecca Johnson  
 Complete

10 Aug 2021 - 2:36 PM - Rebecca Johnson  
 Council seal to be affixed to documents

Meeting	Officer/Director	Section	Subject
Ordinary Meeting 27 July 2021	Jeeva San Matthew Christensen	Confidential Items	CONTRACT NO 1258053 - REPAIRS AND REPLACEMENT OF CULVERTS AND BRIDGES ON LOCAL AND REGIONAL ROADS

### **RECOMMENDATION** (Jones/Nash)

That Council:

1. Resolve to accept the tender of PA & CL McKenzie Builders for Separable Portion 1 (SP1) and Separable Portion 2 (SP2) for \$861,320.00 (exl GST) for the repairs and replacement of culverts and bridges on local and regional roads.
2. Authorise the General Manager to enter into a contract with PA & CL McKenzie Builders for Separable Portion 1 (SP1) and Separable Portion 2 (SP2) for \$861,320.00 (exl GST) for the repairs and replacement of culverts and bridges on local and regional roads.
3. Resolve to accept the tender of MCS Civil NSW Pty Ltd for Separable Portion 3 (SP3) for \$833,182.65 (exl GST) for the repairs and replacement of culverts and bridges on local and regional roads.
4. Authorise the General Manager to enter into a contract with MCS Civil NSW Pty Ltd for Separable Portion 3 (SP3) for \$833,182.65 (exl GST) for the repairs and replacement of culverts and bridges on local and regional roads.

5. Authorise any variation to the contract for the project provided the variations are contained within the overall approved budget.
6. Authorise the General Manager to notify unsuccessful tenderers in writing.

11 Aug 2021 - 10:31 AM - Jeeva San

Contractors have been engaged for Separable Portions 1, 2 and 3.

11 Aug 2021 - 9:35 AM - Heidi Thornberry

Action reassigned to Jeeva San by: Heidi Thornberry

Meeting	Officer/Director	Section	Subject
Ordinary Meeting 27 July 2021	Chris Jackson Matthew Christensen	Confidential Items	TENDER RECOMMENDATION RFT 10039031-MOLONG SHOWGROUND AMENITIES BUILDING

### **RECOMMENDATION** (Durkin/Jones)

THAT Council:

1. Note the tender assessment RFT10039031 for Molong Showgrounds Amenities Building, prepared by NSW Public Works Authority.
2. Resolve to accept the tender of Adaptive Interiors for \$301,818.00 (excl GST) for the construction of the Molong Showgrounds Amenities Building.
3. Authorise the General Manager to enter into a contract with Adaptive Interiors for \$301,818.00 (excl GST) for the construction of the Molong Showgrounds Amenities Building.
4. Authorise any variation to the contract for the project provided the variations are contained within the overall approved budget.
5. Authorise the General Manager to notify unsuccessful tenderers in writing.

12 Aug 2021 - 11:58 AM - Chris Jackson

Letter of Award Issued - RFT10039031 - Adaptive Interiors

Public Works contract issue in progress

Meeting	Officer/Director	Section	Subject
Ordinary Meeting 27 July 2021	Chris Jackson Matthew Christensen	Confidential Items	TENDER RECOMMENDATION RFT 10039041 -MOLONG & CANOWINDRA LIGHTING UPGRADE

### **RECOMMENDATION** (Newsom/Durkin)

THAT Council:

1. Note the tender assessment RFT10039041 for Molong and Canowindra Sports Lighting Upgrade.



2. Resolve to accept the tender of Central West Electrical Contractors P/L for \$788,529.10 (exl GST) for the Molong and Canowindra Sports Lighting Upgrade.
3. Authorise the General Manager to enter into a contract with Central West Electrical Contractors P/L for \$788,529.10 (exl GST) for the Molong and Canowindra Sports Lighting Upgrade.
4. Authorise any variation to the contract for the project provided the variations are contained within the overall approved budget.
5. Authorise the General Manager to notify unsuccessful tenderers in writing.

12 Aug 2021 - 12:20 PM - Chris Jackson

Letter of Award Issued - RFT10039041 - Central West Electrical Contractors  
 Public Works contract issue in progress

Meeting	Officer/Director	Section	Subject
Ordinary Meeting 27 July 2021	Veronica Windus Heather Nicholls	Confidential Items	MORRIS PARK TOILET REFURBISHMENT GRANT

### **MOTION** (Jones/Durkin)

THAT Council:

1. Accepts the funding offer of \$108,950 under the Driver Reviver Site Upgrade Program for refurbishment of the Morris Park Toilets, Canowindra,
2. Allocates \$83,550 from the Infrastructure Replacement Reserve to fund the balance of the council contribution towards the project; and
3. Makes the full report public on council's website.

10 Aug 2021 - 4:26 PM - Veronica Windus

COMPLETED

10 Aug 2021 - 4:26 PM - Veronica Windus

Amenities building has been added to the 21/22 Budget

Meeting	Officer/Director	Section	Subject
Ordinary Meeting 27 July 2021	Emma Tadros Bradley Byrnes	For Determination	DRAFT VILLAGE ENHANCEMENT FUND POLICY

### **MOTION** (Newsom/Weaver)

THAT Council endorse the draft Village Enhancement Fund Policy and place the draft policy on public exhibition.

10 Aug 2021 - 2:59 PM - Emma Tadros

Advertised on Council's website for 28 days - comments welcome until 31 August - COMPLETE

Meeting	Officer/Director	Section	Subject
Ordinary Meeting 27 July 2021	Veronica Windus Heather Nicholls	For Determination	NSW RURAL DOCTORS NETWORK BUSH BURSARY & CWA SCHOLARSHIP PROGRAM

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

THAT Council support the funding of the Bush Bursary and CWA Scholarship Scheme through the Community Facilitation Fund.

10 Aug 2021 - 4:32 PM - Veronica Windus

COMPLETED

10 Aug 2021 - 4:32 PM - Veronica Windus

Noted. No action required.

Meeting	Officer/Director	Section	Subject
Ordinary Meeting 27 July 2021	Jolene Pearson Heather Nicholls	For Determination	INTEGRATED PLANNING & REPORTING - OPERATIONAL PLAN FINAL HALF YEARLY REPORT

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

THAT the update of the Operational Plan to 30 June 2021, as presented, be adopted.

04 Aug 2021 - 12:41 PM - Jolene Pearson

NAR - COMPLETE

Meeting	Officer/Director	Section	Subject
Ordinary Meeting 27 July 2021	Veronica Windus Heather Nicholls	For Determination	INTEGRATED PLANNING & REPORTING - OPERATIONAL PLAN FINAL HALF YEARLY REPORT

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

THAT the update of the Operational Plan to 30 June 2021, as presented, be adopted.

10 Aug 2021 - 4:35 PM - Veronica Windus

COMPLETED

10 Aug 2021 - 4:35 PM - Veronica Windus

Noted

Meeting	Officer/Director	Section	Subject
Ordinary Meeting 27 July 2021	Veronica Windus Heather Nicholls	For Determination	REQUEST FOR DONATION

### **MOTION** (Durkin/Jones)

THAT Council donates \$600 to Casey Jones for Eugowra NAIDOC event.

10 Aug 2021 - 4:43 PM - Veronica Windus

Noted COMPLETED

Meeting	Officer/Director	Section	Subject
Ordinary Meeting 27 July 2021	Veronica Windus Heather Nicholls	For Determination	EVENTS ASSISTANCE PROGRAM

**MOTION** (Newsom/Davison)

THAT Council approve under its 2021/22 Event Assistance Program:

1. \$3,000 for Baroquefest, Canowindra; and
2. The carryover of funding of \$1,500 for the 12-hour Dance Event and Downton Abbey Ball.

10 Aug 2021 - 4:47 PM - Veronica Windus

Noted. COMPLETED

Meeting	Officer/Director	Section	Subject
Ordinary Meeting 27 July 2021	Veronica Windus Heather Nicholls	For Determination	LONG TERM FINANCIAL PLAN 2021-2031 AND STRATEGIC ASSET MANAGEMENT PLAN 2021-2031

**RECOMMENDATION** (Batten/Jones)

THAT Council:

1. Adopt the Long Term Financial Plan 2021-2031; and
2. Adopt the Strategic Asset Management Plan 2021-2031.

10 Aug 2021 - 4:47 PM - Veronica Windus

Noted. COMPLETED

Meeting	Officer/Director	Section	Subject
Ordinary Meeting 27 July 2021	Heidi Thornberry Heather Nicholls	Confidential Items	POSSIBLE SALE OF LOT 4 DP1113621, 1 BLUEBELL STREET, LONGS CORNER ESTATE, CANOWINDRA

**RECOMMENDATION** (Davison/Weaver)

THAT Council authorises affixing of Council's Common Seal to the land sale contract and transfer documents of Lot 4, Lot 13 and Lot 14 DP1113621, Longs Corner Estate, Canowindra.

05 Aug 2021 - 3:23 PM - Heidi Thornberry

COMPLETE - Seal affixed 28/07/21



Outstanding Actions	<b>Division:</b> <b>Committee:</b> <b>Officer:</b>	Ordinary Meeting	<b>Date From:</b> <b>Date To:</b>
<b>Action Sheets Report</b>			<b>Printed: Friday, 13 August 2021 10:53:30 AM</b>

Meeting	Officer/Director	Section	Subject
Ordinary Meeting 27 July 2021	Heidi Thornberry Heather Nicholls	Confidential Items	CONTRACT NO 1258053 - REPAIRS AND REPLACEMENT OF CULVERTS AND BRIDGES ON LOCAL AND REGIONAL ROADS

### **RECOMMENDATION** (Jones/Nash)

That Council:

1. Resolve to accept the tender of PA & CL McKenzie Builders for Separable Portion 1 (SP1) and Separable Portion 2 (SP2) for \$861,320.00 (exl GST) for the repairs and replacement of culverts and bridges on local and regional roads.
2. Authorise the General Manager to enter into a contract with PA & CL McKenzie Builders for Separable Portion 1 (SP1) and Separable Portion 2 (SP2) for \$861,320.00 (exl GST) for the repairs and replacement of culverts and bridges on local and regional roads.
3. Resolve to accept the tender of MCS Civil NSW Pty Ltd for Separable Portion 3 (SP3) for \$833,182.65 (exl GST) for the repairs and replacement of culverts and bridges on local and regional roads.
4. Authorise the General Manager to enter into a contract with MCS Civil NSW Pty Ltd for Separable Portion 3 (SP3) for \$833,182.65 (exl GST) for the repairs and replacement of culverts and bridges on local and regional roads.
5. Authorise any variation to the contract for the project provided the variations are contained within the overall approved budget.
6. Authorise the General Manager to notify unsuccessful tenderers in writing.

05 Aug 2021 - 3:24 PM - Heidi Thornberry

Contracts register template sent to Dept Leader of Transport Infrastructure. Awaiting information to add to contracts register

Meeting	Officer/Director	Section	Subject
Ordinary Meeting 27 July 2021	Heidi Thornberry Heather Nicholls	Confidential Items	TENDER RECOMMENDATION RFT 10039031-MOLONG SHOWGROUND AMENITIES BUILDING

### **RECOMMENDATION** (Durkin/Jones)

THAT Council:

1. Note the tender assessment RFT10039031 for Molong Showgrounds Amenities Building, prepared by NSW Public Works Authority.
2. Resolve to accept the tender of Adaptive Interiors for \$301,818.00 (excl GST) for the construction of the Molong Showgrounds Amenities Building.
3. Authorise the General Manager to enter into a contract with Adaptive Interiors for \$301,818.00 (excl GST) for the construction of the Molong Showgrounds Amenities Building.
4. Authorise any variation to the contract for the project provided the variations are contained within the overall approved budget.

### 5. Authorise the General Manager to notify unsuccessful tenderers in writing.

05 Aug 2021 - 3:24 PM - Heidi Thornberry

Contracts Register template sent to Urban Services Coordinator, awaiting information

Meeting	Officer/Director	Section	Subject
Ordinary Meeting 27 July 2021	Heidi Thornberry Heather Nicholls	Confidential Items	TENDER RECOMMENDATION RFT 10039041 -MOLONG & CANOWINDRA LIGHTING UPGRADE

### **RECOMMENDATION** (Newsom/Durkin)

THAT Council:

1. Note the tender assessment RFT10039041 for Molong and Canowindra Sports Lighting Upgrade.
2. Resolve to accept the tender of Central West Electrical Contractors P/L for \$788,529.10 (exl GST) for the Molong and Canowindra Sports Lighting Upgrade.
3. Authorise the General Manager to enter into a contract with Central West Electrical Contractors P/L for \$788,529.10 (exl GST) for the Molong and Canowindra Sports Lighting Upgrade.
4. Authorise any variation to the contract for the project provided the variations are contained within the overall approved budget.
5. Authorise the General Manager to notify unsuccessful tenderers in writing.

05 Aug 2021 - 3:25 PM - Heidi Thornberry

Contracts Register template sent to Urban Services Coordinator, awaiting information

Meeting	Officer/Director	Section	Subject
Ordinary Meeting 30 October 2018	Rachel Bailey Matthew Christensen	For Determination	COUNCIL TO ACQUIRE EASEMENTS OVER LAND IN EUGOWRA FOR THE PUZZLE FLAT CREEK FLOOD LEVEE

### **MOTION** (Durkin/Newsom)

THAT:

1. Pursuant to Sections 186 and 187 of the *Local Government Act 1993 (NSW)* Council compulsorily acquire easements over the land described as:
  - a) Lot 1 in DP 432838 Eugowra;
  - b) Lot 3943 in DP 1200868 Eugowra;

- c) Lot 148 in DP 750182 Eugowra;
- d) Lot 7001 in DP 1125814 Eugowra;
- e) Lot 88 in DP 750159 Eugowra; and
- f) Lot 71 in DP 750182 Eugowra

as shown in the plans attached to the report for the purpose of flood levee infrastructure in accordance with the requirements of the *Land Acquisition (Just Terms Compensation) Act 1991*.

2. Council make an application to the Minister for Local Government and the Governor for the compulsory acquisition of the Land.
3. Authority be granted to affix the Common Seal of Council to any acquisition documentation associated with the Land.
4. The land to be acquired is to be classified as Community Land.
5. Should council be able to reach agreement for purchase by private treaty that the purchase proceed by that method.
6. Should Council not be granted permission to acquire the following:
  - a) Lot 1 in DP 432838 Eugowra;
  - b) Lot 3943 in DP 1200868 Eugowra;
  - c) Lot 7001 in DP 1125814 Eugowra; and
  - d) Lot 71 in DP 750182 Eugowra.

under the Land Acquisition (Just Terms Compensation) Act 1991 that a licence agreement be entered into for the area covered by the proposed easement.

11 Aug 2021 - 10:37 AM - Rachel Bailey

Acquisition continuing to progress. Flood Levee documents lodged on Government Gazette portal 29/3/21. Gazette step of compulsory acquisition is COMPLETE.

Meeting	Officer/Director	Section	Subject
Ordinary Meeting 27 July 2021	Emma Tadros Bradley Byrnes	For Determination	LONG TERM FINANCIAL PLAN 2021-2031 AND STRATEGIC ASSET MANAGEMENT PLAN 2021-2031
<b><u>RECOMMENDATION</u></b> (Batten/Jones)			

THAT Council:



1. Adopt the Long Term Financial Plan 2021-2031; and
2. Adopt the Strategic Asset Management Plan 2021-2031.

*10 Aug 2021 - 3:03 PM - Emma Tadros*

Advertised on Council's website for 28 days - comments welcome until 3 September - COMPLETE

## Incomplete Resolutions - Summary

Risk	Totals	Month 1	Month 2	Month 3	Month 3+
Low	63	43	6	2	12
Medium	3		0	1	2
High	0				0

As at: 13 August 2021

Key:

Low Risk

Includes resolutions marked "Complete" pending the next Council meeting to be finalised; resolutions up to 2 months old with an initial comment; and resolutions not "Complete" (regardless of age), with initial and progress comments which are incomplete due to a legitimate reason.

Medium Risk

Includes resolutions not "Complete", up to 2 months old **without** a comment; and resolutions 3 months old with an initial comment but without a satisfactory or timely update.

High Risk

Includes resolutions not "Complete", with no initial comment 3+ months old; 3+ months old with initial comment but no update; and 3+ months old with initial comment and with updates but reason or legitimacy is "no or not known (to be shown as "No").

**Cabonne Council**  
**Schedule of Investments as at 31/07/2021**

**Annexure - Item 2**

**GENERAL FUND**

Investing Institution	Credit Rating	Amount Invested	Interest Rate	Terms (Days)	Maturity Date	
ANZ Bank	A1+	1,000,000	0.23%	274	12/07/2021	12/04/2022
ANZ Bank	A1+	5,000,000	0.10%	92	28/06/2021	28/09/2021
ANZ Bank	A1+	1,000,000	0.25%	273	9/06/2021	9/03/2022
Bank of Qld	A2	500,000	0.40%	365	14/07/2021	14/07/2022
Bank of Qld	A2	2,000,000	0.45%	365	20/07/2021	20/07/2022
Commonwealth Bank	A1+	2,000,000	0.45%	273	14/12/2020	13/09/2021
Commonwealth Bank	A1+	3,000,000	0.37%	270	17/05/2021	11/02/2022
Commonwealth Bank	A1+	2,000,000	0.42%	364	12/03/2021	11/03/2022
Commonwealth Bank	A1+	147,894	0.01%	24 Hour at call account		
Commonwealth Bank	A1+	4,535,000	0.10%	Business Online Saver		
Illawarra Mutual Build Society	A2	250,000	0.24%	273	8/07/2021	7/04/2022
Illawarra Mutual Build Society	A2	500,000	0.24%	273	8/07/2021	7/04/2022
Me Bank	A2	1,500,000	0.45%	272	9/03/2021	6/12/2021
National Australia Bank	A1+	1,000,000	0.32%	270	8/07/2021	4/04/2022
National Australia Bank	A1+	2,000,000	0.30%	122	28/05/2021	27/09/2021
National Australia Bank	A1+	3,000,000	0.34%	270	1/03/2021	26/11/2021
National Australia Bank	A1+	2,000,000	0.32%	271	10/03/2021	6/12/2021
National Australia Bank	A1+	1,000,000	0.30%	240	30/06/2021	25/02/2022
National Australia Bank	A1+	1,500,000	0.30%	240	30/06/2021	25/02/2022
Reliance Credit Union	Unrated	500,000	0.85%	365	21/09/2020	21/09/2021
Reliance Credit Union	Unrated	250,000	0.85%	365	30/10/2020	30/10/2021
Suncorp-Metway	A1	1,000,000	0.33%	301	26/07/2021	23/05/2022
Suncorp-Metway	A1	2,000,000	0.30%	240	22/03/2021	17/11/2021
Westpac Bank	A1+	1,000,000	0.24%	214	1/03/2021	1/10/2021
Westpac Bank	A1+	1,000,000	0.24%	214	7/06/2021	7/01/2022
Westpac Bank	A1+	3,000,000	0.27%	306	17/03/2021	17/01/2022

**GENERAL FUND INVESTMENTS**

**\$ 42,682,894**

**TRUST FUND**

Investing Institution	Credit Rating	Amount Invested	Interest Rate	Terms (Days)
Commonwealth Bank	A1+	158,000	0.10%	BOS 24 Hour at call account

**TRUST FUND INVESTMENTS**

**\$ 158,000**

**TOTAL INVESTMENTS**

**\$ 42,840,894**

## INVESTMENT POLICY

Council's Investment policy states the aggregate of investments should not exceed the following percentages:

### Council's Current Exposure of Total Investments

Standard & Poors Credit Term Rating	Short Term Rating	Maximum Percentage Total Investments		
A1+		100%	80%	\$ 34,340,894
A1 & A1-		50%	7%	\$ 3,000,000
A2		10%	11%	\$ 4,750,000
Unrated		2%	2%	\$ 750,000
			<b>Total Investments</b>	<b>\$ 42,840,894</b>

\*\*Excess due to large fluctuations in the cash flow reducing the balance remaining in the CBA Business Online Saver Acc

Council's Investment policy states the amount invested with any one financial institution should not exceed the following percentages:

	Standard & Poors Credit Short Term Rating	Percentage per Institution	Council's Current Exposure per Institution	
Commonwealth Bank	A1+	30%	28%	\$ 11,840,894
National Australia Bank	A1+	30%	25%	\$ 10,500,000
Westpac Bank	A1+	30%	12%	\$ 5,000,000
ANZ	A1+	30%	16%	\$ 7,000,000
Suncorp-Metway	A1	20%	7%	\$ 3,000,000
Bank of Qld	A2	10%	6%	\$ 2,500,000
Illawarra Mutual Building Society	A2	10%	2%	\$ 750,000
Me Bank	A2	10%	4%	\$ 1,500,000
Reliance Credit Union	Unrated	2%	2%	\$ 750,000
			<b>Total Investments</b>	<b>\$ 42,840,894</b>

## INVESTMENT MOVEMENTS

Council's Overall Total Investments have remained stable due to no variations in the Cashflow during the month of July.

	This Month	Last Month	July 2021
Total Investments	\$ 42,840,894	\$ 42,840,894	\$ 42,840,894
% Change	0.00%		0.00%

## INTEREST RATE PERFORMANCE

Council's Average Interest rate for the month was 0.33%. The average rate movement is dropping due to the low cash rate and the flow on effect to term deposit rates offered in the market. The Reserve Bank's official cash rate remained at 0.1% in July. However, Council's average is still higher than Council's Performance Benchmark, the 30 Day Bank Bill Swap Rate of 0.0077%.

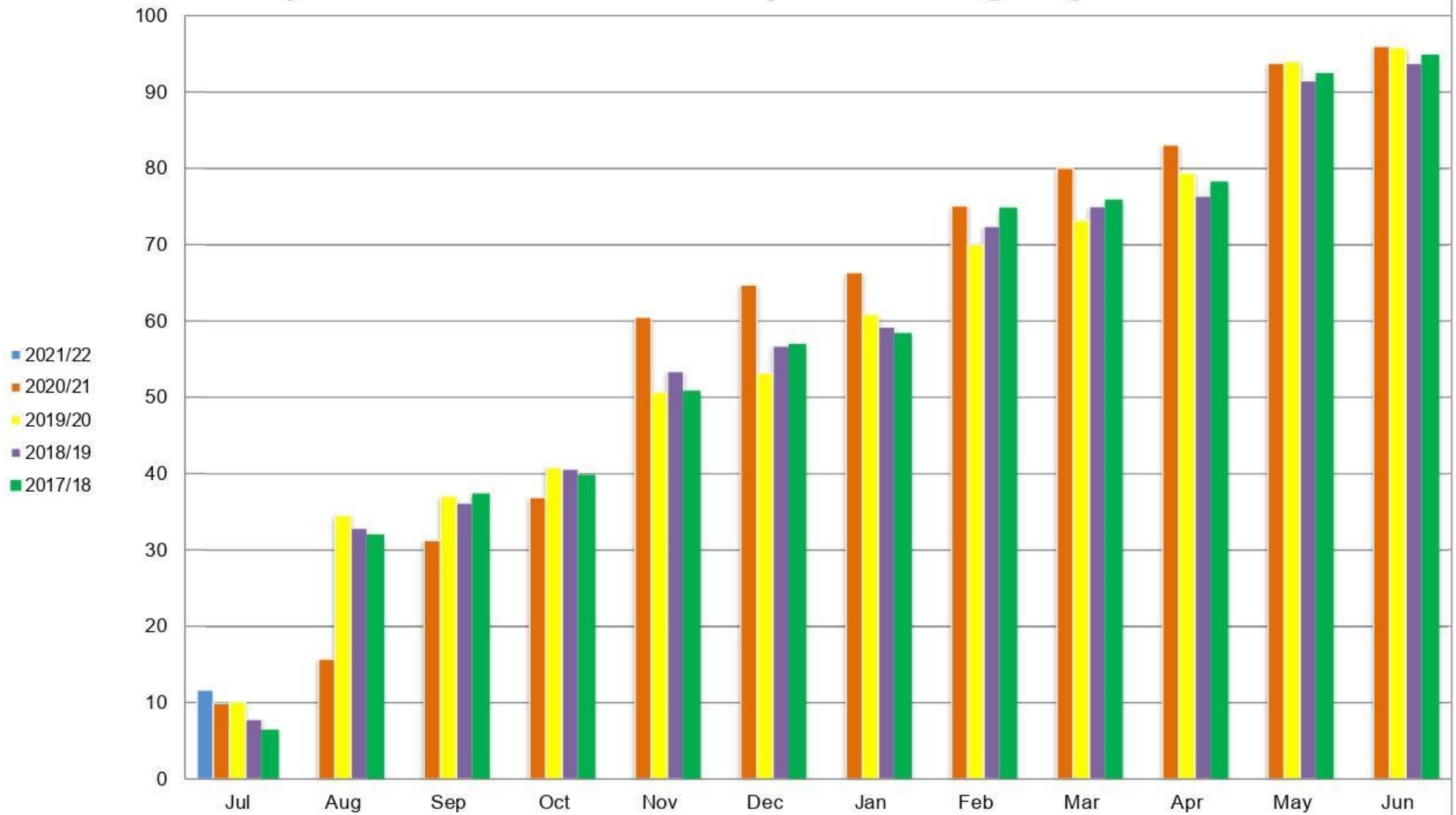
Performance Benchmark 30 Day Bank Bill Swap Rate	Av Interest Rate This Month	Av Interest Rate Last Month	Av Interest Rate July 2021
0.0077%	0.33%	0.34%	0.33%

Heather Nicholls

Responsible Accounting Officer

I hereby certify that the investments listed in this report have been made in accordance with Section 625 of the Local Government Act 1993, clause 212 of the Local Government (General) Regulation 2005 and Council's Investment policy number POL 08/52.

**Comparison of Rate Collections period ending July 2021**





## CABONNE INFRASTRUCTURE REPORT – August 2021

## TRANSPORT INFRASTRUCTURE



## REGIONAL ROADS – REPAIR PROGRAM

Project:	Objectives:	Budget:	Actual:	Start Date:	Length	Status:
Rehabilitation	MR237	\$800,000				95% Complete
Lake Canobolas/ Cargo Road Intersection	Lower crest on Cargo Road at the intersection with Lake Canobolas Road	\$755,000	\$	TBA	350 meters	Application for more funding has been approved



<b>Project:</b>	<b>Objectives:</b>	<b>Budget:</b>	<b>Actual:</b>	<b>Start Date:</b>	<b>Length</b>	<b>Status:</b>
Bitumen Patching	MR237, MR573, MR238, MR233, MR234	\$1,016,999				Complete

**TRANSPORT NSW (FORMERLY RMS)**

<b>Project:</b>	<b>Objectives:</b>	<b>Budget:</b>	<b>Actual:</b>	<b>Start Date:</b>	<b>Length</b>	<b>Status:</b>
Bitumen Patching	MR310 MR61 MR377	\$806,000				Complete
Heavy Patching	MR61, MR377	\$750,000				Complete
MR61 Henry Parkes Way Safety Upgrade	Widen sections of MR61 including tree work. Guard rail and wire rope extension	\$3,364,570		24/05/21	10.7km	Tree work completed. Guardrail install started



## CARGO ROAD





## TREES AND VEGETATION WORK

Boomey Lane  
Stapletons Rd  
Shades Creek Rd  
Strathmore Lane  
Burgoon Lane  
Euchareena Rd  
Sandy Creek Rd  
Bradleys Rd  
Convent Lane  
Avondale Rd  
Byng Rd  
Underwood Rd

## GUMBLE ROAD CULVERT



**NANGAR ROAD CULVERT**





Project:	Objectives:	Budget:	Actual	Start Date:	Length:	Status:
Grading	Witherdin's Way – extra gravel Offners Road – extra gravel Matruh Road – extra gravel Caldwell Road – extra gravel Belgravia Road Caluela Road Belmore Road Higgins Road Hazeldene Road Burgoon Lane Strathmore Lane Sandy Creek Road Old Bocoble Gap Road Pecks Road	\$1,378,500				Ongoing
Bitumen Patching	Banjo Paterson Way Packham Drive Molong (Orange Patching crew patched outside of the fog line along the edge of the Mitchell Highway from Molong Street to Riddell Street) <b>Jet Patching</b> Obley Kurrajong Road Yellowbox Road Casuarina Drive Belubula Way Cargo Road Warraderry Way Peabody Road MR61 MR359 Borenore Road Ophir Road Spring Glenn Road Cullya Road Clergate Road MR377 Nangar Road MR310 Old Canobolas Road Canobolas Road	\$888,522				Ongoing



	Akhurst Road SH7 Cadia Road Spring Terrace Road Spring Hill Road Ostini Lane Banjo Paterson Way Renshaw McGirr Way Forest Reefs Road Vittoria Road Byng Road Woods Lane Nancarrow Lane Mt Lofty Road East Guyong Road Orchard Road Burrendong Way Long Point Road Kerrs Creek Road Fannings Lane Four Mile Creek Road Kelly Lane Weemilah Place Manildra streets					
Gravel Patching	Scenic Dr, South Bowan Park Road Monaghans Road					On Going
Gravel Re sheeting	Akhurst Rd, Ryans Ln, Connollys Ln, Johnsons Rd, Herberts Ln, Rygates Ln, Finch Rd, Cobely Rd, Back Street, Rosser Rd, Jobs Rd, Mackeys Creek Rd, Ophir Reserve Rd, Stagecoach Road, Garra Cemetery Rd, Hervey Rd, Grega Rd, Boomey Ln,	\$1,319,419		December 2020		Complete

	Toogong Rd, Sharpless					
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**LOCAL ROADS – MAINTENANCE**

<b>Project:</b>	<b>Objectives:</b>	<b>Budget:</b>	<b>Actual:</b>	<b>Start Date:</b>	<b>Length:</b>	<b>Status:</b>
Paling Yards Loop Road	Widen and seal 11km of gravel road including drainage	\$1,014,076			7km	Application for change of scope denied
Tantallon Road	Widen and seal 4.83km of gravel road including drainage	\$458,800		26/02/21	1.6km seal	95% - Application for change of scope denied
Belgravia Road	Widen and seal 3.68km of gravel road including drainage	\$373,880			1km	80% - Application for change of scope denied
Ophir Road	Seal from Lookout Road to seal at Fourth Crossing/drainage and shoulder works to Eldorado	\$755,000				90%
Obley Road	Project Completed	\$1,070,000			3.5km	Complete

**FIXING LOCAL ROADS**

<b>Project:</b>	<b>Objectives:</b>	<b>Budget:</b>	<b>Actual:</b>	<b>Start Date:</b>	<b>Length:</b>	<b>Status:</b>
Obley Road	Project Completed	\$1,070,000			3.5km	Complete
Lake Canobolas/Cargo Road Intersection	Lower crest on Cargo Road at the intersection with Lake Canobolas Road	\$455,000		TBA	350m	On hold to further notice. Require funding application

**Belgravia Rd****New Volvo 22ton Excavator working**

**ASSETS AND TECHNICAL SUPPORT**

<b>Project:</b>	<b>Objectives/Scope of Works:</b>	<b>Budget:</b>	<b>Actual</b>	<b>Timeframe</b>	<b>Project Status</b>
Construction of Saint Germain's Bridge	Construction of dual lane concrete bridge	\$1,289,000.00	\$756,505.30	29 October 2021	<ul style="list-style-type: none"> <li>• Construction of bridge has been completed.</li> <li>• Approach road works in progress.</li> </ul>

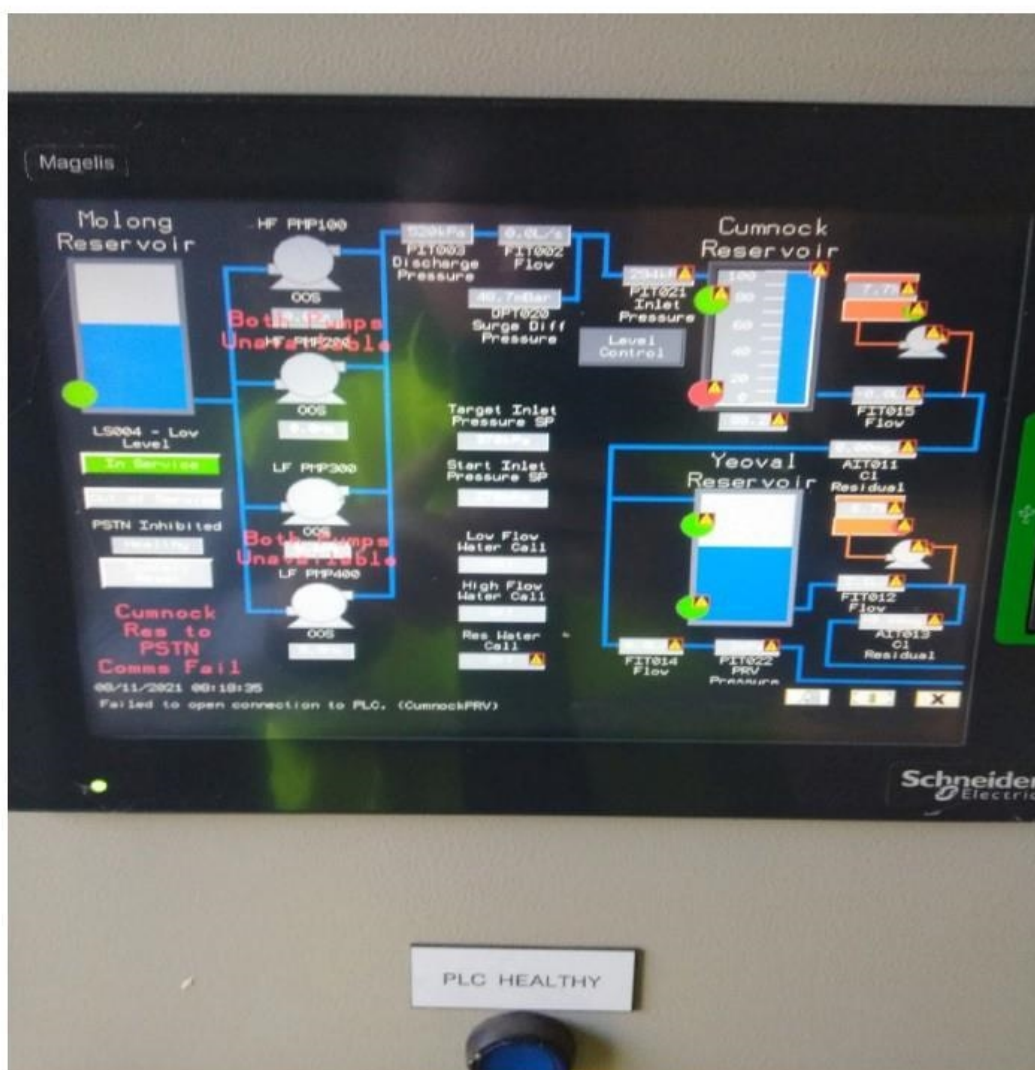
<b>Project:</b>	<b>Objectives/Scope of Works:</b>	<b>Budget:</b>	<b>Actual</b>	<b>Timeframe</b>	<b>Project Status</b>
Construction of Bangaroo Bridge	Construction of dual lane concrete bridge	\$1,511,895.00	\$893,629.44	03 December 2021	<ul style="list-style-type: none"> <li>• Construction of bridge has been completed.</li> <li>• Survey and design for the approach roads has been completed.</li> <li>• Contractor has been engaged to relocate the power pole.</li> <li>• Property boundary survey has been completed</li> </ul>



## WATER AND WASTEWATER

Project:	Objectives/Scope of Works:	Estimated	Timeframe
Molong to Yeoval – Pipeline Disinfection	To provide potable water to Cumnock and Yeoval	Ongoing	Ongoing

Cabonne Water & Sewer Teams have been working closely with Contractors from TWSE and Utilstra to disinfect the pipeline from Molong to Yeoval. This included achieving a set water target at each section and adjusting valves and scours to do this. Completion of this first stage allows us to move onto the next stages of disinfection of the reservoirs and the reticulation systems of each town.







**URBAN SERVICES**

<b>Project:</b>	<b>Objectives:</b>	<b>Project Budget</b>	<b>Actual</b>	<b>Timeframe</b>
Molong – Seasonal Tree Pruning		Operational Budget		Ongoing



<b>Project:</b>	<b>Objectives:</b>	<b>Project Budget</b>	<b>Actual</b>	<b>Timeframe</b>
Molong – replacement tree planting	Maintenance of town entrance corridors	Operational Budget		Ongoing





Project:	Objectives:	Project Budget	Actual	Timeframe
Molong – cleaning of gutters	Maintenance of town street drainage	Operational Budget		Ongoing



Project:	Objectives:	Project Budget	Actual	Timeframe
Molong – setting up of COVID Test clinic	Partnering with Western Area Health to provide mobile COVID test facilities	Health Budget (external)		Installed



Project:	Objectives:	Project Budget	Actual	Timeframe
Cabonne Pools – Winterizing	Winterizing of pools – small scale distribution pumps, residual Cl levels	Operational Budget		Ongoing



Project:	Objectives:	Project Budget	Actual	Timeframe
Graffiti Removal	Removal of graffiti in public amenities – Edward St and Bank St MOLONG	Operational Budget		Ongoing

