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

Clrs J Weaver, K O'Ryan and A Rawson attended remotely.

Also present were the Deputy General Manager - Cabonne Services, Department Leader – Utilities, Department Leader – Development Services, Department Leader – Finance, Department Leader – Community & Economy, Department Leader – Innovation & Technology and Department Leader – Governance & Corporate Performance.

The General Manager and Deputy General Manager - Cabonne Infrastructure attended remotely.

ITEMS FOR DETERMINATION

ITEM - 1 APPLICATIONS FOR LEAVE OF ABSENCE

MOTION (Oldham/Pull)

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

23/11/01 Carried

ITEM - 2 DECLARATIONS OF INTEREST

Proceedings in Brief

Clr Batten declared an interest (identified as actual conflict of interest, nonsignificant non-pecuniary) in Item 18 as he is a member of the Banjo Paterson Festival Committee.

Clr Batten declared an interest (identified as actual conflict of interest, significant non-pecuniary) in Item 19 as he is President of the Molong Advancement Group.

Clr Oldham declared an interest (identified as a potential conflict of interest, non-significant, non-pecuniary) in Item 18 as she is the President of the Arts Council Cabonne Incorporated.

Clr O'Ryan declared an interest (identified as an actual conflict of interest, significant, non-pecuniary) in Item 18 as she is the Treasurer of the Arts Council Cabonne Incorporated.

MOTION (Pull/Rawson)

THAT the declarations of interests be noted.

23/11/02 Carried

ITEM - 3 DECLARATIONS OF POLITICAL DONATION

MOTION (Oldham/Nash)

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

23/11/03 Carried

It was noted the time being 2.12pm there was a Youth of the Month award presentation to Zahli Millsteed.

ITEM - 4 MAYORAL MINUTE - APPOINTMENTS

Proceedings in Brief

Clr Beatty

24/10/2023 – Attended strategic workshop with council. Attended the ordinary council meeting.

25/10/2023 – Attended Orange360 meeting in Orange. Attended Citizenship Ceremony at Molong Office.

27/10/2023 – Attended the Central NSW Joint Organisation (CNSWJO) subcommittee meeting. Attended Molong Office for an online meeting with the office of the Hon. Rose Jackson, MLC.

31/10/2023 – Interview with Triple M Sydney. Attended Molong's Central Business District (CBD). Interview with Prime News, WIN News and Central Western Daily.

01/11/2023 – Interview ABC Radio and B Rock FM.

03/11/2023 – Attended Molong Office. Attended meeting with Windera residents. Attended Suma Park Dam Orange for a funding announcement by the Hon. Rose Jackson, MLC. Attended Orange City Council for drought forum with the Hon. Rose Jackson, MLC.

08/11/2023 – Interview Neil Gill Radio and Triple M. Interview with B Rock FM. Attended to CNSWJO matters.

09/11/2023 – Attended Canowindra with the General Manager.

12/11/2023 – Attended Eugowra with Deputy Mayor for a meeting with the Hon. Mark Speakman, MP, the Hon. Sam Farraway, MLC, Mr Dugald Sanders, MP, Mr Gurmesh Singh, MP and the Eugowra Floodplain Committee regarding Cabonne Flood Recovery.

14/11/2023 – Attended Eugowra. Interviews with ABC Central West, ABC National Radio, ABC Television. Attended the Eugowra Reflection Service. Attended the Eugowra emergency services tree planting memorial service. Attended meeting with Ms Janelle Saffin, MP. Attended Eugowra Community BBQ.

16/11/2023 – Attended the CNSWJO Chairs meeting online.

17/11/2023 – Attended the Eugowra Men's Shed meeting.

20/11/2023 – Attended Molong Office. Attended meeting with Senator Tony Sheldon and toured flood affected areas in Molong.

21/11/2023 – Attended the Cabonne Floodplain Management Advisory Committee briefing.

22/11/2023 – Attended CNSWJO Dinner at NSW Parliament House.

23/11/2023 – Attended the CNSWJO Board meeting at NSW Parliament House.

24/11/2023 – Attended Country Mayors Association meeting at NSW Parliament House. Attended meeting with the Hon. Paul Scully, MP.

27/11/2023 – Attended Central West Mayors meeting with the NSW Reconstruction Authority.

<u>Clr Jones</u>

24/10/2023 – Attended Councillor Workshop and Council meeting. Chaired the Economy, Tourism and Culture Advisory Committee meeting.

27/10/2023 – Attended the official opening of the Australian National Field Days.

9/11/2023 – Attended a meeting with Newmont Cadia Valley Operations Executive team. Attended Molong Advancement Group meeting.

11/11/2023 – Attended the Molong Remembrance Day Service.

12/11/2023 – Attended meeting regarding Cabonne Flood Recovery with the Mayor, the Hon. Mark Speakman, MP, the Hon. Sam Farraway, MLC, Mr Dugald Sanders, MP, Mr Gurmesh Singh.

14/11/2023 – Attended the Eugowra Reflection Service. Attended the Eugowra emergency services tree planting memorial service. Attended a meeting regarding Cabonne Flood Recovery with the Mayor and Ms Janelle Saffin, MP. Attended a meeting regarding Molong water and sewer with the Mayor. Attended Eugowra Community BBQ.

18/11/2023 – Attended the official opening of the Diane Smith (Townsend) Memorial Medical Centre, Eugowra.

20/11/2023 – Attended the Molong CBD activation information evening for businesses. Attended the Cudal Central meeting.

21/11/2023 – Attended the Cabonne Floodplain Management Advisory committee briefing. Attended the Eugowra Progress Association meeting.

25/11/2023 – Attended the Cudal Twilight Christmas Markets.

<u>Clr Batten</u>

27/10/2023 – Attended Councillor Workshop and Council meeting.

07/11/2023 – Attended the Yeoval and District Progress Association meeting.

09/11/2023 – Met with the Cumnock community regarding the development of the Cumnock General Store.

11/11/2023 – Attended the Molong Remembrance Day Service at the Molong Village Green.

12-13/11/2023 – Attended the LGNSW Conference at Rosehill Gardens.

16/11/2023 – Attended the Cumnock Progress Association meeting.

23/11/2023 – Attended the Red Cross Christmas Lunch at Yeoval Central School.

<u>Clr Nash</u>

Attended the MADIA meeting, the LGNSW Conference, the Rural Women's Conference, the Amusu Theatre 100 Years Celebration, the Canowindra Markets, the Local Traffic Committee meeting in Cudal. Attended the Central Tablelands Water (CTW) ARIC meeting online and CTW meeting in Blayney. Attended Council and Committee meetings in October. Attended the Cabonne Swimming Pools Advisory Committee meeting in Cudal. Attended the Cumnock Fashion Parade.

Clr Oldham

Attended Council and Committee meetings in October.

Attended the SWITCH Libraries Conference in Penrith from 14-16 November. Attended the Rural Women's Conference at Borenore Field Days site on 25-26 November and the Rural Women's Dinner at Banksia Conference Centre Orange.

<u>Clr Pull</u>

Attended the LGNSW Conference. Attended the NSW Public Libraries Conference. Attended the Canowindra Christmas Markets.

Clr O'Ryan

Attended the LGNSW Conference. Attended the Rural Women's Gathering (Saturday only). Attended the Canowindra Christmas Markets.

MOTION (Beatty/-)

THAT the information contained in the Mayoral Minute be noted.

23/11/04 Carried

ITEM - 5 COMMITTEE OF THE WHOLE

Proceedings in Brief

It was noted Clr Rawson called Item 20 and Clr Nash called Item 21 to be debated in Committee of the Whole.

MOTION (Oldham/Rawson)

THAT Items 20 and 21 be debated in Committee of the Whole.

23/11/05 Carried

ITEM - 6 CONFIRMATION OF THE MINUTES

MOTION (Batten/Nash)

THAT the minutes of the following meetings be adopted;

- 1. Ordinary Council meeting held on 24 October 2023, and
- 2. Australia Day Awards Committee meeting held on 24 October 2023

23/11/06 Carried

ITEM - 7 MAYORAL MINUTE - COUNCILLOR SERVICE AWARD

MOTION (Beatty/-)

THAT council acknowledge the Certificate of Service awarded to Clr Marlene Nash.

23/11/07 Carried

ITEM - 8 COUNCIL'S MEETING SCHEDULE FOR DECEMBER 2023 AND JANUARY 2024

MOTION (Oldham/O'Ryan)

THAT council:

- 1. Hold its ordinary meeting for December 2023 on Tuesday 12 December 2023,
- 2. Not conduct an ordinary meeting in January 2024, and
- 3. Hold an extraordinary meeting in either January, or February, 2024, if necessary.

23/11/08 Carried

ITEM - 9 2023 FINANCIAL STATEMENTS

MOTION (Jones/Rawson)

THAT:

- 1. The Mayor, Deputy Mayor, General Manager and Deputy General Manager Services sign the Statement by councillors and management pursuant to section 413(2) of the Local Government Act for both the General Purpose and Special Purpose Financial Statements, and
- 2. Council refers the General-Purpose Financial Statements and Special Purpose Financial Statements to the Audit Office NSW for audit.

23/11/09 Carried

ITEM - 10 LOCAL GOVERNMENT REMUNERATION TRIBUNAL -REVIEW FOR THE 2024 ANNUAL DETERMINATION

MOTION (Batten/Nash)

THAT council determine whether it wishes to make a submission and, if so, put forward suggestions for what the point(s) of the submission should be.

23/11/10 Carried

ITEM - 11 ANNUAL REPORT 2022/2023

MOTION (Nash/Jones)

THAT council endorse the Annual Report 2022/2023, make it available to the public on Council's website, and notify the Minister of Local Government of its availability.

23/11/11 Carried

ITEM - 12 POLICY REGISTER - COMMUNITY SERVICES VISITOR SCHEME POLICY

MOTION (Nash/Batten)

THAT the Community Services Visitor Scheme Policy be revoked and archived.

23/11/12 Carried

ITEM - 13 POLICY REGISTER - PROCUREMENT POLICY

MOTION (Pull/Nash)

THAT the annexed draft Procurement Policy (recommended changes detailed in the report) be adopted.

23/11/13 Carried

ITEM - 14 POLICY REGISTER - PUBLIC INTEREST DISCLOSURE POLICY

MOTION (Jones/O'Ryan)

THAT council:

- 1. Endorse the draft Public Interest Disclosure Policy,
- 2. Place the Draft Public Interest Disclosure Policy on public exhibition for a period of 28 days, and
- 3. Receive a further report to council upon the conclusion of the exhibition phase.
- 23/11/14 Carried

ITEM - 15 DISABILITY INCLUSION ACTION PLAN (DIAP)

MOTION (Weaver/O'Ryan)

THAT council:

- 1. Endorse the draft Disability Inclusion Action Plan,
- 2. Place the draft Disability Inclusion Action Plan on public display for a period of 28 days, and
- 3. Receive a further report upon conclusion of the exhibition phase.
- 23/11/15 Carried

ITEM - 16 ANNUAL SCHOOL PRESENTATION AWARDS EVENTS

DONATION REQUEST

MOTION (Oldham/Nash)

THAT:

- 1. Council endorse the donation of 19 x \$50 book vouchers for Cabonne schools annual presentation award events, and
- 2. Councillors be endorsed to attend the school award presentations throughout the LGA.
- 23/11/16 Carried

ITEM - 17 YEOVAL ACTIVATION (MASTER) PLAN

MOTION (Batten/Pull)

THAT the Yeoval Activation (Master) Plan be adopted.

23/11/17 Carried

It was noted the time being 2.32pm Clrs Oldham and O'Ryan declared an interest in Item 18 and left the Chamber.

It was noted the time being 2.32pm Clr Batten declared an interest in Item 18 and Item 19 and left the Chamber.

ITEM - 18 SPONSORSHIP PROGRAM

MOTION (Pull/Weaver)

THAT council provide, under its 2023/2024 Sponsorship Program, \$5,000 to Arts Council Cabonne for the Banjo Paterson Festival events across the Cabonne and Orange regions.

23/11/18 Carried

It was noted the time being 2.35pm Clrs O'Ryan and Oldham returned to the Chamber.

ITEM - 19 EVENTS ASSISTANCE PROGRAM

MOTION (Oldham/Rawson)

THAT council endorse under its 2023/24 Event Assistance Program:

- 1. \$2,000 for the Cargo to Grenfell Fundraiser Walk, and
- 2. \$1,000 for the Molong Poetry Brawl.

23/11/19 Carried

It was noted the time being 2.39pm Clr Batten returned to the Chamber.

It was noted Items 20 and 21 were moved to me debated in Committee of the Whole.

ITEM - 22 QUESTIONS FOR NEXT MEETING

Proceedings in Brief

Clr Weaver requested the Deputy General Manager – Cabonne Infrastructure follow up, on behalf Canowindra RSL Sub-branch, a request for signage to be installed on the entry to 'Anzac Avenue' Canowindra.

Clr Rawson requested a report to the Local Traffic Committee to consider reducing the speed limit on Old Canobolas Road, Nashdale (coming from Cargo Road up the hill) to at least 80km/h (currently 100km/h) as it is considered dangerous.

Clr O'Ryan requested a review of speed limits in the Canowindra town area, in particular the heavy vehicle routes.

The Deputy General Manager – Cabonne Infrastructure advised that the next Local Traffic Committee meeting will be held in March 2024.

Clr Jones requested a report to a future Council meeting detailing options for Connolly's Store – Bank Street, Molong, including a scope of works for repairs/maintenance to enable it to be utilised.

MOTION (Oldham/Nash)

THAT:

- 1. The Deputy General Manager Cabonne Infrastructure follow up, on behalf Canowindra RSL Sub-branch, a request for signage to be installed on the entry to 'Anzac Avenue' Canowindra;
- 2. A report be presented to the Local Traffic Committee to consider reducing the speed on Old Canobolas Road, Nashdale (coming from Cargo Road up the hill) to at least 80km/h;
- 3. A review of speed limits in the Canowindra town area, in particular the heavy vehicle routes be undertaken and a report be presented to the February 2024 Ordinary Council meeting; and
- 4. A report be presented to a future Council meeting detailing options for Connolly's Store Bank Street, Molong, including a scope of works for repairs/maintenance.

23/11/20 Carried

ITEM - 23 BUSINESS PAPER ITEMS FOR NOTING

MOTION (Batten/Rawson)

THAT the notation items be noted.

23/11/21 Carried

ITEM - 24 MATTERS OF URGENCY

MOTION (Pull/Weaver)

THAT it be noted there were nil matters of urgency.

23/11/22 Carried

ITEM - 25 COMMITTEE OF THE WHOLE SECTION OF THE MEETING

MOTION (Batten/Pull)

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

23/11/23 Carried

ITEM - 20 PLANNING PROPOSAL - 172 SPRING HILL ROAD, SPRING HILL - POST EXHIBITION

Proceedings in Brief

Clr Rawson expressed his concerns with the Planning Proposal in its current form and requested an amendment to alter the exhibited Planning Proposal and its amendment to the Cabonne Local Environmental Plan 2012 (PP-2022-2358) applying to Lot 4 DP 243203, known as 172 Spring Hill Road, Spring Hill, to show the land identified within the Spring Hill Settlement Strategy SH2 Growth Area (northern part of Lot 4) to be rezoned R5 with a minimum lot size of 2ha and the remaining southern part of Lot 4 to retain the existing RU1 zone and 100ha minimum lot size.

It was noted Clr Rawson requested his vote against the motion be recorded.

RECOMMENDATION (Nash/Jones)

THAT council:

- 1. Note the public submissions to the Planning Proposal.
- 2. Endorse, as exhibited, the Planning Proposal and its amendment to the Cabonne Local Environmental Plan 2012 (PP-2022-2358) applying to Lot 4 DP 243203, known as 172 Spring Hill Road, Spring Hill, as outlined in this report.
- 3. In exercising its delegation under Section 3.36 of the *NSW Environmental Planning and Assessment Act 1979,* as endorsed by NSW Department of Planning and Environment, forward the required documentation to Parliamentary Counsel for an Opinion to amend the Cabonne Local Environmental Plan 2012.
- 4. Delegate authority to the General Manager to finalise the amendments to Cabonne Local Environmental Plan 2012 with advice from Parliamentary Counsel and the NSW Government on terms that are broadly consistent with the Planning Proposal and this report.

AMENDMENT (Rawson/O'Ryan)

THAT council:

- 1. Note the public submissions to the Planning Proposal.
- 2. Alter the exhibited Planning Proposal and its amendment to the Cabonne Local Environmental Plan 2012 (PP-2022-2358) applying to

Lot 4 DP 243203, known as 172 Spring Hill Road, Spring Hill, to show the land identified within the Spring Hill Settlement Strategy SH2 Growth Area (northern part of Lot 4) to be rezoned R5 with a minimum lot size of 2ha and the remaining southern part of Lot 4 to retain the existing RU1 zone and 100ha minimum lot size.

- 3. Endorse the Planning Proposal revised in accordance with point 2 above.
- 4. In exercising its delegation under Section 3.36 of the *NSW Environmental Planning and Assessment Act 1979,* as endorsed by NSW Department of Planning and Environment, forward the required documentation to Parliamentary Counsel for an Opinion to amend the Cabonne Local Environmental Plan 2012.
- 5. Delegate authority to the General Manager to finalise the amendments to Cabonne Local Environmental Plan 2012 with advice from Parliamentary Counsel and the NSW Government on terms that are broadly consistent with the Planning Proposal and this report.

The amendment was put and lost. The motion was put and carried.

RECOMMENDATION (Nash/Jones)

THAT council:

- 1. Note the public submissions to the Planning Proposal.
- 2. Endorse, as exhibited, the Planning Proposal and its amendment to the Cabonne Local Environmental Plan 2012 (PP-2022-2358) applying to Lot 4 DP 243203, known as 172 Spring Hill Road, Spring Hill, as outlined in this report.
- 3. In exercising its delegation under Section 3.36 of the *NSW Environmental Planning and Assessment Act 1979,* as endorsed by NSW Department of Planning and Environment, forward the required documentation to Parliamentary Counsel for an Opinion to amend the Cabonne Local Environmental Plan 2012.
- 4. Delegate authority to the General Manager to finalise the amendments to Cabonne Local Environmental Plan 2012 with advice from Parliamentary Counsel and the NSW Government on terms that are broadly consistent with the Planning Proposal and this report.

Carried

1.

ITEM - 21 PLANNING PROPOSAL - 230 TILGA STREET, CANOWINDRA - POST EXHIBITION

Proceedings in Brief

Clr Nash expressed concern around flooding/drainage and the number of lots shown in the development concept plan.

The Department Leader – Development Services spoke to the report summarising the issues raised in submissions and the staff responses.

Clrs Weaver, O'Ryan and Pull expressed concern relating to zoning changes from R5 to R1, flooding/drainage on the land and the concept plan not being consistent with the current R5 streetscape.

RECOMMENDATION (Oldham/O'Ryan)

THAT council:

- 1. Note the public submissions to the Planning Proposal,
- 2. Endorse, as exhibited, the Planning Proposal and its amendment to the Cabonne Local Environmental Plan 2012 (PP-2022-1979) applying to Lot 1292 DP 1247534, known as 230 Tilga Street, Canowindra, as outlined in this report,
- 3. In exercising its delegation under Section 3.36 of the *NSW Environmental Planning and Assessment Act 1979,* as endorsed by NSW Department of Planning and Environment, forward the required documentation to Parliamentary Counsel for an Opinion to amend the Cabonne Local Environmental Plan 2012, and
- 4. Delegate authority to the General Manager to finalise the amendments to Cabonne Local Environmental Plan 2012 with advice from Parliamentary Counsel and the NSW Government on terms that are broadly consistent with the Planning Proposal and this report.

Lost

2.

It was noted the time being 3.10pm the Chair announced that the Council would now be resolving into a Closed Committee of the Whole.

CONFIDENTIAL ITEMS

ITEM - 1 CARRYING OF COUNCIL RESOLUTION INTO CLOSED COMMITTEE OF THE WHOLE

RECOMMENDATION (Oldham/Weaver)

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.

Carried

3.

ITEM - 2 MOLONG LIMESTONE QUARRY - POTENTIAL LEGAL ACTION - EARTH PLANT HIRE

RECOMMENDATION (Weaver/Nash)

THAT:

- 1. Council allocate \$50,000 from the Molong Quarry Reserve to cover potential additional legal expenses to proceed with the defence of this matter.
- 2. Authorise the General Manager to commence a cross claim with Earth Plant Hire for the nonpayment of rent.

Carried

ITEM - 3 CONTRACT 1601012 - DESIGN AND CONSTRUCTION OF CANOMODINE CREEK BRIDGE

<u>RECOMMENDATION</u> (Jones/Weaver)

THAT council:

- 1. Note the report on Tender 1601012 Design and Construction of Canomodine Creek Bridge to the November 2023 Council meeting;
- Award Tender 1601012 Design and Construction of Canomodine Creek Bridge to Murray Constructions Pty Ltd in the amount of \$499,149.00 excl GST (\$549,054.00 incl GST) Option 1, subject to the approval of Transport for NSW.

Carried

ITEM - 4 ENDORSEMENT OF PROCEEDINGS OF CONFIDENTIAL MATTERS CONSIDERED AT COMMITTEE OF THE WHOLE MEETING

RECOMMENDATION (Pull/Nash)

THAT the committee endorse the accuracy of the Report of the Proceedings of Confidential Matters at the Australia Day Award Committee meeting held on 24 October 2023 are sufficient to state the general effect of the proceeding in Closed Committee.

Carried

ITEM - 5 CONTRACT 1601013 DESIGN AND CONSTRUCTION OF NYRANG CREEK BRIDGE ON NANGAR ROAD

RECOMMENDATION (Jones/Batten)

THAT council:

- 1. Note the report on Tender 1601013 Design and Construction of Nyrang Creek Bridge to the November 2023 Council meeting.
- 2. Award Tender 1601013 Design and Construction of Nyrang Creek Bridge to Murray Constructions Pty Ltd in the amount of \$934,165 (excl. GST) Option1, subject to the approval of Transport for NSW (TfNSW).
- 3. Seek Transport for New South Wales concurrence on funding of the betterment component of the Nyrang Creek Bridge construction.

6.

7.

5.

It was noted the time being 3.37pm the Chair resumed the Ordinary meeting.

REPORT & RESOLUTIONS OF COMMITTEE OF THE WHOLE

MOTION (Oldham/Rawson)

THAT the Report and Recommendations of the Committee of the Whole Meeting held on Tuesday 28 November, 2023 be adopted.

23/11/24 Carried

There being no further business, the meeting closed at 3.38pm.

CHAIRMAN.

Chairman of the Ordinary Meeting of Cabonne Council held on the 12 December, 2023 at which meeting the listed minutes were confirmed and the signature hereon was subscribed.