

**TABLE OF CONTENTS**

ITEMS FOR DETERMINATION.....	1
ADJOURNMENT OF MEETING.....	1
ITEM - 1 APPLICATIONS FOR LEAVE OF ABSENCE .....	1
ITEM - 2 DECLARATIONS OF INTEREST .....	1
ITEM - 3 DECLARATIONS OF POLITICAL DONATION.....	1
ITEM - 4 MAYORAL MINUTE - APPOINTMENTS.....	2
ITEM - 5 COMMITTEE OF THE WHOLE .....	3
ITEM - 6 CONFIRMATION OF THE MINUTES .....	3
ITEM - 7 MODERN SLAVERY ACT IMPLEMENTATION - PROJECT UPDATE .....	3
ITEM - 8 AUSTRALIA DAY 2025.....	3
ITEM - 9 UNSPENT EXPENDITURE REVOTED TO 2024/2025 BUDGET .....	4
ITEM - 10 EVENTS ASSISTANCE PROGRAM .....	4
ITEM - 12 QUESTIONS FOR NEXT MEETING.....	4
ITEM - 13 BUSINESS PAPER ITEMS FOR NOTING .....	4
ITEMS FOR NOTATION.....	4
ITEM - 1 TRANSFER OF CROWN ROAD AT OPHIR RESERVE .....	4
ITEM - 2 MOLONG ANIMAL HOLDING FACILITY RELOCATION UPDATE .....	5
ITEM - 14 MATTERS OF URGENCY .....	5
ITEM - 15 COMMITTEE OF THE WHOLE SECTION OF THE MEETING .....	5
ITEM - 11 DEVELOPMENT APPLICATION 2024/0123 - SUBDIVISION(BOUNDARY ADJUSTMENT) AT 1093 MITCHELL HWY AND 21 WINDERA DRIVE, WINDERA.....	5
ITEM - 16 TRANSITIONING COUNCILS LOCAL WATER UTILITY STRATEGIC PLANNING FROM INTEGRATED WATER CYCLE MANAGEMENT TO INTEGRATED PLANNING & REPORTING.....	6
CONFIDENTIAL ITEMS .....	7
ITEM - 1 CARRYING OF COUNCIL RESOLUTION INTO CLOSED COMMITTEE OF THE WHOLE .....	7
ITEM - 2 AUDIT, RISK AND IMPROVEMENT COMMITTEE - MEETING MINUTES.....	7

**ITEM - 3 TENDER 1691954 DESIGN & CONSTRUCTION OF FLOOD  
REPAIRS TO PINECLIFFE RD CAUSEWAY, NORAH  
CREEK RD CULVERT & COATES CREEK BRIDGE.....7**

**ITEM - 4 VOLUNTARY PURCHASE SCHEME - STATUS UPDATE .....8**

**ITEM – 5 BELUBULA RIVER WALK LAND ACQUISITION.....8**

**REPORT & RESOLUTIONS OF COMMITTEE OF THE WHOLE .....8**

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

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

### **ITEMS FOR DETERMINATION**

It was noted the time being 2.01pm the Chair adjourned the Ordinary Council meeting.

### **ADJOURNMENT OF MEETING**

#### **MOTION** (Batten/Jones)

THAT Council adjourn the Ordinary Council meeting for a public address from Windera resident, Peter Schmelitschek regarding development application 2024/0123 – subdivision (boundary adjustment) at 1093 Mitchell HWY and 21 Windera Drive, Windera.

24/08/01      Carried

It was noted the time being 2.04pm the Chair resumed the Ordinary Council meeting.

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

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

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

24/08/02      Carried

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

#### **MOTION** (Rawson/Nash)

THAT it be noted there were nil declarations of interest.

24/08/03      Carried

### **ITEM - 3   DECLARATIONS OF POLITICAL DONATION**

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

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

24/08/04      Carried

## **ITEM - 4 MAYORAL MINUTE - APPOINTMENTS**

### **Proceedings in Brief**

#### **Clr Beatty**

23/07/2024 – Pre-meeting briefing, Molong. Telephone meeting with Telstra regarding Mullion Creek small cell tower. Ordinary Council meeting, Molong.

24/07/2024 – Orange 360 Board meeting.

28/07/2024 – Cudal Community Children's Centre backyard opening, Cudal.

30/07/2024 – Policy Lab workshop on productive water, Charles Sturt University (CSU) Orange. Official Dinner.

31/07/2024 – Policy Lab workshop on productive water, CSU Orange. Interview with 2BS Bathurst regarding Policy Lab. Road inspection of Four Mile Creek Road.

01/08/2024 – Open Agri Business forum, Australian National Field Days Site. Interview with AWA regarding Simtable rollout.

03/08/2024 – Canobolas Zone State Emergency Services Awards Ceremony, Orange Ex-Services Club.

07/08/2024 – Interview with 2BS Bathurst regarding Central NSW Joint Organisation (CNSWJO) matters.

08/08/2024 – CNSWJO chairs meeting and send-off dinner with Australian Local Government Association President Linda Scott, Parliament House Sydney.

09/08/2024 – Country Mayors Association meeting, Parliament House Sydney.

#### **Clr Jones**

23/07/2024 – Meeting with Telstra regarding Mullion Creek small cell tower. Business paper review and Ordinary Council meeting, Molong.

25/07/2024 – Cabonne Acquisitive Art Prize, Molong.

28/07/2024 – Cudal Community Children's Centre backyard opening, Cudal.

01/08/2024 – RES wind farm community consultation meeting.

03/08/2024 – Canobolas Zone State Emergency Services Awards Ceremony, Orange Ex-Services Club.

#### **Clr Batten**

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

06/08/2024 – Yeoval and District Progress Association meeting, Yeoval. Mining and Energy Related Councils meeting, Dubbo.

#### **Clr Nash**

08/08/2024 – Central Tablelands Water (CTW) CNSWJO meeting, Orange.

Manildra and District Improvement Association Meeting, Manildra.

#### **Clr Rawson**

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

23-25/07/2024 – Water Management Conference, Goulburn (CTW). CTW was awarded the Samrah Award for the Most Improved Water Service Provider in NSW.

30-31/07/2024 – CNSWJO and CSU Water Policy Lab, Orange.

05/08/2024 – Mullion Creek Progress Association meeting, Mullion Creek.

06/08/2024 – Met with the Department of Climate Change, Energy, the Environment and Water Licencing and Approvals Branch regarding Summer Hill Creek, Orange (Ophir Board).

08/08/2024 – Convened CTW Extraordinary meeting to confirm new General Manager appointment.

**MOTION** (Beatty/-)

THAT the information contained in the Mayoral Minute be noted.

24/08/05 Carried

**ITEM - 5 COMMITTEE OF THE WHOLE**

**Proceedings in Brief**

It was noted Cllr Rawson called item 11 to be debated in Committee of the Whole.

**MOTION** (Oldham/Jones)

THAT item 11 be debated in Committee of the Whole.

24/08/06 Carried

**ITEM - 6 CONFIRMATION OF THE MINUTES**

**MOTION** (Weaver/Pull)

THAT the minutes of the following meetings be adopted;

1. Ordinary Council meeting held on 23 July 2024.

24/08/07 Carried

**ITEM - 7 MODERN SLAVERY ACT IMPLEMENTATION - PROJECT UPDATE**

**MOTION** (Rawson/Pull)

THAT council notes the Central NSW Joint Organisation Modern Slavery Report and participate in ongoing collaboration across the region to minimise duplication and reduce regulatory burden.

24/08/08 Carried

**ITEM - 8 AUSTRALIA DAY 2025**

**MOTION** (Weaver/Pull)

THAT council note the schedule for Australia Day 2025.

24/08/09 Carried

**ITEM - 9 UNSPENT EXPENDITURE REVOTED TO 2024/2025 BUDGET**

**MOTION** (Weaver/Batten)

THAT the works listed in the report be included in the 2024/2025 budget.

24/08/10 Carried

**ITEM - 10 EVENTS ASSISTANCE PROGRAM**

**MOTION** (Jones/Nash)

THAT council approves under its 2024/25 Event Assistance Program \$5,000 for the 2024 Eugowra Canola Cup and Family Picnic Day.

24/08/11 Carried

It was noted Cllr Rawson called item 11 to be debated in Committee of the Whole.

**ITEM - 12 QUESTIONS FOR NEXT MEETING**

**MOTION** (Oldham/Nash)

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

24/08/12 Carried

**ITEM - 13 BUSINESS PAPER ITEMS FOR NOTING**

Proceedings in Brief

It was noted Cllr Rawson called item 1 and Cllr Jones called item 2 to be further considered.

**MOTION** (Rawson/Pull)

THAT:

1. Item 1 and 2 be further considered.
2. The remaining notation items be noted.

24/08/13 Carried

**ITEMS FOR NOTATION**

**ITEM - 1 TRANSFER OF CROWN ROAD AT OPHIR RESERVE**

**MOTION** (Rawson/Pull)

THAT the information be noted.

24/08/14 Carried

**ITEM - 2 MOLONG ANIMAL HOLDING FACILITY RELOCATION  
UPDATE**

**MOTION** (Jones/Pull)

THAT the information be noted

24/08/15 Carried

**ITEM - 14 MATTERS OF URGENCY**

**Proceedings in Brief**

It was noted that, due to Council entering Caretaker Period and the requirement for a decision to be made, Cllr Pull requested an urgent update on the Belubula River Walk land acquisition.

**MOTION** (Weaver/Pull)

THAT the Belubula River Walk Land Acquisition be considered a Matter of Urgency.

24/08/16 Carried

**MOTION** (Batten/Weaver)

THAT the Matter of Urgency – Belubula River Walk Land Acquisition be considered in Closed Committee of the Whole for confidential reasons Section 10A(2)(c) of the Local Government Act.

24/08/17 Carried

**ITEM - 15 COMMITTEE OF THE WHOLE SECTION OF THE MEETING**

**MOTION** (Rawson/Pull)

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

24/08/18 Carried

**ITEM - 11 DEVELOPMENT APPLICATION 2024/0123 -  
SUBDIVISION(BOUNDARY ADJUSTMENT) AT 1093 MITCHELL  
HWY AND 21 WINDERA DRIVE, WINDERA**

**Proceedings in Brief**

Cllr Rawson delivered a speech and stated he would be voting against the motion.

The Mayor proposed an amendment to defer the matter to a future council meeting to allow for councillors to inspect the site.

**RECOMMENDATION** (Nash/Jones)

That Development Application 2024/0123 for a subdivision (boundary adjustment) between land described as Lot 3 DP 549987, being 1093 Mitchell Hwy, Orange, and Lot 403 DP 1083051, being 21 Windera Drive, Windera, be granted consent subject to the conditions attached.

**AMENDMENT** (Beatty/Batten)

THAT the matter be deferred to a future Council meeting to allow councillors to inspect the site.

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

**RECOMMENDATION** (Beatty/Batten)

THAT the matter be deferred to a future Council meeting to allow councillors to inspect the site.

1. Carried

The Chair called for a Division of Council as required under Section 375A (3) of the Local Government Act which resulted in a vote for the motion as follows:

For: Clrs P Batten, K Beatty, J Jones, M Nash, L Oldham, K O’Ryan, A Pull, A Rawson and J Weaver.

Against: Nil

**ITEM - 16 TRANSITIONING COUNCILS LOCAL WATER UTILITY  
STRATEGIC PLANNING FROM INTEGRATED WATER CYCLE  
MANAGEMENT TO INTEGRATED PLANNING & REPORTING**

**RECOMMENDATION** (Rawson/Jones)

THAT council:

1. Note the advice from the Central NSW Joint Organisation regarding the priority of transitioning Council’s Local Water Utility Strategic Planning from Integrated Water Cycle Management to Integrated Planning & Reporting,
2. Note that this transition is supported by a Practitioner’s Toolkit developed by Central NSW Joint Organisation with the support of the NSW Government and with advice from the Department of Climate Change, Energy, the Environment and Water,
3. Commence the transition process for Cabonne Council Water and Sewer strategy to align with the Integrated Planning and Reporting framework,



4. Support Central NSW Joint Organisation advocacy on a sensible approach to the Department of Climate Change, Energy, the Environment and Water Regulatory and Assurance Framework, and
5. Write to Department of Climate Change, Energy, the Environment and Water and the Minister for Water stating that this is the intention of Council.

2. Carried

It was noted the time being 2.31pm 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** (Weaver/Oldham)

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

#### **ITEM - 2 AUDIT, RISK AND IMPROVEMENT COMMITTEE - MEETING MINUTES**

##### **RECOMMENDATION** (Nash/Pull)

THAT council adopt the minutes from the meeting of the Audit, Risk and Improvement Committee held 17 July 2024.

4. Carried

#### **ITEM - 3 TENDER 1691954 DESIGN & CONSTRUCTION OF FLOOD REPAIRS TO PINECLIFFE RD CAUSEWAY, NORAH CREEK RD CULVERT & COATES CREEK BRIDGE**

##### **RECOMMENDATION** (Weaver/Rawson)

THAT Council:

1. Award Tender 1691954 Design & Construction of Flood Repairs to Pinecliffe Road Causeway, Norah Creek Road culvert and Coates Creek Bridge to Keech Constructions Pty Ltd in the amount of \$973,402.85 (incl GST), subject to the approval of Transport for NSW.

2. Provide the General Manager with delegation to execute Tender 1691954 Design & Construction of Flood Repairs to Pinecliffe Road Causeway, Norah Creek Road culvert and Coates Creek Bridge, subject to the approval of Transport for NSW.

5. Carried

#### **ITEM - 4 VOLUNTARY PURCHASE SCHEME - STATUS UPDATE**

##### **RECOMMENDATION** (Jones/Nash)

THAT council:

1. Accept the valuation reports for the purpose of acquisition for the following properties:
  - a. 2 North Street, Eugowra
  - b. 8 North Street, Eugowra
  - c. 6 Euchareena Road, Molong
  - d. 21 Betts Street, Molong,
2. Authorise the General Manager to negotiate terms of purchase of each allotment on behalf of council, and
3. Authorise the Mayor and General Manager to execute all documentation required to finalise the acquisition of all land parcels.

6. Carried

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#### **ITEM – 5 BELUBULA RIVER WALK LAND ACQUISITION**

##### **RECOMMENDATION** (Weaver/Pull)

THAT council:

1. Note the verbal report on the Belubula River Walk land acquisition,
2. Agree to purchase Lot 3 DP576079 for the purpose of the Belubula River walk,
3. Authorise the General Manager to negotiate terms of purchase of the allotment on behalf of council,
4. Authorise the Mayor and General Manager to execute all documentation required to finalise the acquisition of the land parcel, and
5. Receive a further report on the outcomes of negotiations.

7. Carried

It was noted the time being 2.51pm the Chair resumed the Ordinary meeting.

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

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

THAT the Report and Recommendations of the Committee of the Whole Meeting held on Tuesday 13 August, 2024 be adopted.

24/08/19 Carried

The Mayor noted that Cllr Oldham has indicated that she will not be re-standing in the Local Government Election 2024 after serving two terms with Cabonne Council. He wished to thank her for her dedication, commitment and time to Cabonne.

The Mayor further wished the councillors that are re-standing in the Local Government Election 2024 the best of luck. He also thanked the General Manager and all council staff for their support. The General Manager thanked the Mayor for his leadership and the kind words to staff.

Cllr Weaver wished to thank the Mayor and Deputy Mayor for their guidance, support and wonderful comradery. She further commented that the staff are incredible, and she is extremely proud to be a part of Cabonne.

Cllr Oldham thanked the Mayor, councillors and the executive leadership team for their support. She commented that she has enjoyed her 8 years with Cabonne Council and especially wished to thank the General Manager's Senior Executive Assistant, Robyn Little for her support during this time.

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

CHAIRMAN.

Chairman of the Ordinary Meeting of Cabonne Council held on the 22 October, 2024 at which meeting the listed minutes were confirmed and the signature hereon was subscribed.