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**PRESENT** Clr K Beatty (in the Chair), 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, Governance Officer and Records Officer.

## **ITEMS FOR DETERMINATION**

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

#### Proceedings in Brief

An apology was tendered on behalf of Clr Batten for his absence from the meeting.

#### **MOTION** (Oldham/O’Ryan)

THAT the apology tendered on behalf of Clr Batten be accepted and the necessary leave of absence be granted.

23/05/01 Carried

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

#### Proceedings in Brief

Clr Oldham declared an interest (identified as a potential conflict of interest, non-significant, non-pecuniary) in Item 16 as she is the President of the Arts Council Cabonne Incorporated.

Clr O’Ryan declared an interest (identified as a potential conflict of interest, non-significant, non-pecuniary) in Item 16 as she is the Treasurer of the Arts Council Cabonne Incorporated.

#### **MOTION** (Rawson/Pull)

THAT the Declarations of Interest be noted.

23/05/02 Carried

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

#### **MOTION** (Pull/Jones)

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

23/05/03 Carried

It was noted the time being 2:02pm there was a Youth of the Month presentation for Noah McDonald.

It was noted the time being 2:04pm the Mayor adjourned the Meeting.

### **ADJOURNMENT OF MEETING**

#### **MOTION** (Jones/Pull)

THAT the meeting be adjourned until Ctrs Nash and Weaver arrive.

23/05/04 Carried

It was noted the time being 2:26pm the Mayor resumed the Council Meeting.

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

#### **Proceedings in Brief**

##### **Clr Beatty**

18/04/23 – Attended the Business Paper Review and Ordinary Council meeting. Attended Cabonne Recovery Plan Community Engagement meeting in Manildra.

20/04/23 – Attended Molong Office and meeting with Mr Philip Donato, MP.

21/04/23 – Attended Molong Office and meeting with Eugowra Men's Shed representatives.

24/04/23 – Leave taken until 06/05/23.

11/05/23 – Attended Molong Office for meeting with Kerr's Creek Wind Farm. Attended Molong Showground Masterplan meeting.

12/05/23 – Attended Molong Office and attended the Orange 360 meeting with Ned Sweetapple.

18/05/23 – Attended Molong Office for meeting with Upper Macquarie County Council Weeds Authority. Attended meeting with Owen Williams and James Manny regarding issues in Nashdale. Attended Cabonne Local Recovery Committee meeting.

##### **Clr Jones**

18/04/23 – Attended the Business Paper Review and Council Meeting.

25/04/23 – Attended ANZAC Day Ceremonies in Toogong and Molong. Attended the Eugowra Flood Relief Harness Racing Fundraiser.

26/04/23 – Attended an interview with Neil Gill, Triple M Central West.

28/04/23 – Attended the Molong Museum Opening.

02/05/23 – Attended and Chaired the Cabonne Economy, Tourism and Culture Committee meeting.

04/05/23 – Attended a meeting with the Hon. Sam Farraway, MLC and members of the Eugowra Community Children's Centre in Eugowra.

09/05/23 – Attended and Chaired the Cabonne Infrastructure Committee meeting. Attended the Cabonne Council public forum and workshop. Attended the Eugowra Promotions and Progress Association meeting.

10/05/23 – Attended the Plan of Management for the Eugowra Showground meeting.

11/05/23 – Attended the Plan of Management for the Molong Showground meeting.

13/05/23 – Attended the Eugowra Community Children’s Centre High Tea fundraiser.

15/05/23 – Attended the Eugowra Recovery Advisory Committee meeting.

18/05/23 – Attended the Cabonne Local Recovery Committee meeting.

23/05/23 – Attended the Flood Recovery briefing and tour in Eugowra.

#### Clr Oldham

11/04/2023 – Attended Councillor Workshop.

13/04/2023 – Attended Molong Advancement Group meeting.

18/04/23 – Attended Council meeting.

25/04/23 – Attended ANZAC Day Ceremonies in Cudal and Borenore.

27 to 30/04/23 – Attended Australian Local Government Women’s Association Conference in Forbes.

09/05/23 – Attended Councillor Workshop and community meeting with Molong Business Collective.

#### Clr Pull

18/04/23 – Attended Ordinary Council meeting and Flood Recovery Community meeting in Manildra.

21/04/23 – Attended Borenore Progress Association BBQ in Borenore.

25/04/23 – Attended ANZAC Day Ceremonies in Cudal and Borenore.

26/04/23 – Attended Central Tablelands Board meeting in Grenfell.

01/05/23 – Attended Mullion Creek Progress Association meeting in Mullion Creek.

09/05/23 – Attended Councillor Workshop and Committee meeting in Molong.

#### Clr Nash

25/04/23 – Attended ANZAC Day Ceremonies in Manildra and Obley.

26/04/23 – Attended Central Tablelands Water meeting in Grenfell.

02/05/23 – Attended Yeoval Progress Association meeting.

03/05/23 – Attended Manildra and District Improvement Association meeting.

09/05/23 – Attended Councillor Workshop and Committee meeting.

17/05/23 – Attended Central Tablelands Water Audit Risk and Improvement Committee meeting in Blayney.

18/05/23 – Attended Cumnock Progress Association meeting.

23/05/23 – Attended Ordinary Council meeting.

#### **MOTION** (Beatty-/

THAT the information contained in the Mayoral Minute be noted.

23/05/05

Carried

## **ITEM - 5 COMMITTEE OF THE WHOLE**

### Proceedings in Brief

It was noted Cllr Rawson called items 18, 26 and 27 to be debated in Committee of the Whole.

### **MOTION** (Oldham/Nash)

THAT items 18, 26 and 27 be debated in Committee of the Whole.

23/05/06 Carried

## **ITEM - 6 CONFIRMATION OF THE MINUTES**

### **MOTION** (Rawson/O'Ryan)

THAT the minutes of the following meetings be adopted:

1. Ordinary Council meeting held on 18 April 2023;
2. Environment, Innovation & Energy Committee meeting held on 09 May 2023;
3. Infrastructure (Other) Committee meeting held on 09 May 2023.

23/05/07 Carried

## **ITEM - 7 NSW RURAL DOCTORS NETWORK BUSH BURSARY & CWA SCHOLARSHIP PROGRAM**

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

THAT Council participate in the 2023 Bush Bursary and CWA Scholarship Scheme and provide a \$3,000 donation through the community facilitation fund.

23/05/08 Carried

## **ITEM - 8 RISK APPETITE STATEMENTS**

### **MOTION** (Jones/Pull)

THAT Council adopt the Risk Appetite Statements.

23/05/09 Carried

## **ITEM - 9 INTERNAL AUDIT CHARTER**

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

THAT Council adopt the Internal Audit Charter.

23/05/10 Carried

## **ITEM - 10 LOCAL GOVERNMENT REMUNERATION TRIBUNAL -**

## **ANNUAL DETERMINATION 2023**

### **MOTION** (Oldham/Pull)

THAT from 1 July 2023 the annual fees payable to each councillor be set at \$17,680 and the additional annual payable fee to the Mayor be set at \$37,925.

23/05/11 Carried

### **ITEM - 11 EMERGENCY SERVICES LEVY**

#### **MOTION** (Jones/Rawson)

THAT Council support LGNSW to make representations to the NSW Government to restore the Emergency Services Subsidy and ask that the government develop a fairer, more transparent, and financially sustainable method of funding critical emergency services.

23/05/12 Carried

### **ITEM - 12 GROWING REGIONAL ECONOMIES FUND**

#### **MOTION** (Rawson/Jones)

THAT Council:

1. Apply for funding through the NSW Government's Growing Regional Economies Fund – Expression of Interest for the following project:
  - a. Molong Housing Infrastructure Growth Strategy estimated at \$23,250,000 (total project cost \$31,000,000).
2. Endorse the use of borrowings towards the 25 per cent co-contribution estimated, as \$7,750,000, to come through borrowings should the application for funding be successful.

23/05/13 Carried

### **ITEM - 13 EUGOWRA COMMUNITY CHILDREN'S CENTRE FUNDING APPLICATION**

#### **MOTION** (Jones/Weaver)

THAT:

1. Council provide a letter of intent to support the Eugowra Community Children's Centre funding application through the 2022-23 Start Strong Capital Works – Crisis Fund.
2. The letter of intent supports the re-establishment of the Eugowra Community Children's Centre at the Eugowra Showground located at 21 Noble Street, Eugowra part of Lot 71 in DP 750182, or other suitable site, subject to the following conditions:
  - a. As Council manages the land on behalf of the Crown, Council would be required to seek approval through Crown Lands – Department of Planning and Environment.

- b. The exact location of the building site would be subject to a stakeholder master planning process and built into Council's plan of management for the site (as required by the Crown).
- c. The structure receiving Development Approval through Cabonne Council.

23/05/14 Carried

**ITEM - 14 SPONSORSHIP PROGRAM**

**MOTION** (Weaver/Nash)

THAT Council provides \$5,000 from the 2022/2023 Sponsorship Program to Molong Advancement Group for the Molong Village Markets to be held on the June long weekend 2023.

23/05/15 Carried

**ITEM - 15 2023 LOCAL ROADS CONGRESS**

**MOTION** (Nash/Weaver)

THAT Council authorise Cllr Rawson, or an alternate representative from the Infrastructure (Transport) Committee, to attend the 2023 Local Roads Congress.

23/05/16 Carried

It was noted the time being 2:39pm Cllrs Oldham and O'Ryan declared an interest in the following item and left the Chamber.

**ITEM - 16 EVENTS ASSISTANCE PROGRAM**

**MOTION** (Pull/Nash)

THAT Council endorse under its 2022/23 Event Assistance Program:

1. \$5,000 to Arts Council Cabonne for the Acquisitive Art Prize.

23/05/17 Carried

It was noted the time being 2:41pm Cllrs Oldham and O'Ryan returned to the Chamber.

**ITEM - 17 PLANNING PROPOSAL - 51 WINTER LANE, SUMMER HILL CREEK - POST EXHIBITION**

**MOTION** (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-2022-1494) applying to



Lot 6 DP 703806, known as 51 Winter Lane, Summer Hill Creek, 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, Industry and Environment, forward the required documentation to Parliamentary Counsel for 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.

23/05/18 Carried

It was noted Item 18 was called to be debated in Committee of the Whole.

**ITEM - 19 DEVELOPMENT APPLICATION 2023/73 FOR DWELLING HOUSE AT 47 TOOGONG STREET, CUDAL**

Proceedings in Brief

The Mayor advised that the applicant requested the matter be deferred to a future meeting.

**MOTION** (Weaver/Pull)

THAT the matter be deferred to a future meeting.

23/05/19 Carried

**ITEM - 20 QUESTIONS FOR NEXT MEETING**

**MOTION** (Nash/Pull)

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

23/05/20 Carried

**ITEM - 21 BUSINESS PAPER ITEMS FOR NOTING**

Proceedings in Brief

It was noted Clr Pull called items 5 and 6 and Clr Rawson called item 10 to be further considered.

**MOTION** (Pull/Rawson)

THAT:

1. Items 5, 6 and 10 be further considered.
2. The remaining notation items be noted.

23/05/21 Carried

**ITEMS FOR NOTATION**

**ITEM - 5 FLOOD RECOVERY UPDATE**

**MOTION** (Pull/Rawson)

That the information be noted.

23/05/22 Carried

**ITEM - 6 GASKILL STREET CANOWINDRA CBD PIGEON POPULATIONS**

Proceedings in Brief

Clr Pull queried the operational cost associated with the control methods proposed. The Deputy General Manager Infrastructure provided clarification.

**MOTION** (Pull/Rawson)

THAT the information be noted.

23/05/23 Carried

**ITEM - 10 MEDIAN PROCESSING TIMES 2023**

**MOTION** (Pull/Rawson)

THAT the information be noted.

23/05/24 Carried

**ITEM - 22 MATTERS OF URGENCY**

**MOTION** (Nash/Rawson)

THAT it be noted there were nil matters of urgency.

23/05/25 Carried

**ITEM - 23 COMMITTEE OF THE WHOLE SECTION OF THE MEETING**

**MOTION** (Jones/Pull)

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

23/05/26 Carried

**ITEM - 18 PLANNING PROPOSAL - 1093 MITCHELL HIGHWAY, ORANGE (WINDERA EAST) - POST EXHIBITION**

Proceedings in Brief

Clr Rawson noted his objection to this proposal due to concerns around access to the property and specifically access options in an emergency situation.

Clrs Oldham, O’Ryan, Pull and Rawson requested their votes be recorded against this proposal.

**RECOMMENDATION** (Nash/Pull)

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-2021-6607) applying to Lot 3 DP 549987, known as 1093 Mitchell Highway, Orange, as outlined in this report.
3. Endorsement of the Planning Proposal be conditional to undertaking an Aboriginal Cultural Heritage Assessment Report to the satisfaction of Heritage NSW.
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, Industry and Environment, forward the required documentation to Parliamentary Counsel for 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, this report and advice from Heritage NSW.

1. Carried

**ITEM - 26 CABONNE RECOVERY PLAN - 'BUILDING BACK A BETTER CABONNE'**

**RECOMMENDATION** (Rawson/Pull)

THAT:

1. The draft Cabonne Recovery Plan ‘Building Back A Better Cabonne’ be placed on public exhibition for 28 days; and
2. Council note a further report will be presented to council outlining outcomes of the public exhibition.

2. Carried

**ITEM - 27 DEVELOPMENT APPLICATION 2022/0216/1 REVIEW OF DETERMINATION OF ANIMAL BOARDING OR TRAINING ESTABLISHMENT - NO. 1031 OPHIR ROAD, SUMMER HILL CREEK**

**RECOMMENDATION** (Nash/Pull)

THAT Development Application 2022/0216 for an Intensive Livestock Agriculture and Animal Training or Boarding Establishment on Lot 25 DP 750372 and Lot 21 DP 543420 No. 1031 Ophir Road, Summer Hill Creek, be granted consent subject to the conditions attached.

3. 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 (noting the absence of Cllr Batten-apology) for the motion as follows:

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

Against: A Rawson.

It was noted the time being 3:34pm the Mayor resumed the Ordinary Meeting.

**ITEM - 24 REVISED LONG TERM FINANCIAL PLAN**

**MOTION** (Rawson/O’Ryan)

THAT Council endorse the draft revised Long Term Financial Plan 2023-2024, and that it be placed on public exhibition for 28 days.

23/05/27 Carried

**ITEM - 25 INTEGRATED PLANNING AND REPORTING 2023/24**

**MOTION** (Weaver/Nash)

THAT Council adopt the:

1. Delivery Program.
2. Operational Plan, including:
  - a. Activities;
  - b. Budget;
  - c. Statement of Revenue Policy; and
  - d. Fees and Charges.

23/05/28 Carried

It was noted the time being 3.36pm 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/Nash)

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.

4. Carried

**ITEM - 2 INDUSTRIAL WATER CHARGES - HEADS OF AGREEMENT**

**RECOMMENDATION** (Nash/Jones)

THAT Council:

1. Note the conditions of the Heads of Agreement as outlined in the report.
2. Authorise the affixing of the Common Seal to the Heads of Agreement document.

5. Carried

**ITEM - 3 COUNCIL PROPERTY - 68-74 BANK STREET, MOLONG**

**RECOMMENDATION** (Nash/Weaver)

THAT Council:

1. Agree to enter into a 5-year lease agreement (with 2 x 5-year terms option to renew, to a maximum of 15 years) with The Crown in the right of the State of NSW represented by the NSW Police Force, for Lot 1 DP 208228, being the premises located at the address of 68-74 Bank Street, Molong, subject to suitable adjustment to Clause 36.
2. Authorise the General Manager to execute any document necessary for the purposes of entering into a lease agreement, including the affixing of the Council's Seal to any such document.

6. Carried

It was noted the time being 3:50pm the Mayor 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 23 May, 2023 be adopted.

23/05/29 Carried

There being no further business, the meeting closed at 3:51pm.

CHAIRMAN.

Chairman of the Ordinary Meeting of Cabonne Council held on the 27 June, 2023 at which meeting the listed minutes were confirmed and the signature hereon was subscribed.