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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 Acting General Manager, Deputy General Manager - Cabonne Services, Acting Deputy General Manager - Cabonne Infrastructure, Department Leader – Innovation & Technology, Governance Officer and Deputy General Manager Services Executive Assistant.

ITEMS FOR DETERMINATION

ITEM - 1 APPLICATIONS FOR LEAVE OF ABSENCE

MOTION (Oldham/Nash)

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

22/04/01 Carried

ITEM - 2 DECLARATIONS OF INTEREST

Proceedings in Brief

Clr Pull declared an interest (identified as an actual conflict of interest, significant, non-pecuniary) in item 10 application 2 as he participated in meetings with Canowindra Pre-school involving the application.

Clr Rawson declared an interest (identified as a perceived conflict of interest, non-significant, non-pecuniary) in item 11 as he is a member of the Australian National Field Days Committee.

MOTION (Weaver/O’Ryan)

THAT the Declarations of Interest be noted.

22/04/02 Carried

ITEM - 3 DECLARATIONS FOR POLITICAL DONATIONS

MOTION (Nash/Batten)

THAT it be noted there were declarations for political donations.

22/04/03 Carried

ITEM - 4 MAYORAL MINUTE - APPOINTMENTS

Proceedings in Brief

Clr Beatty

22/03/22 – Attended pre meeting workshop with councillors and staff. Attended the ordinary council meeting.

23/03/22 – Attended Orange360 board meeting. Attended Molong Sheep Dog Trials morning tea.

24/03/22 – Attended Pools Advisory meeting in Molong.

25/03/22 – Attended J.O Strategic Regional Priorities meeting via zoom.

26/03/22 – Attended the Cumnock Show opening of the Show Pavilion extension.

27/03/22 – Attended J.O chairs meeting in Sydney.

28/03/22 – Attended Parliament House J.O Chairs meeting. Attended radio interview with 2MC Bathurst and interview with Win Television.

30/03/22 – Attended an interview with Neil Gill radio program. Attended J.O meeting and dinner in Canberra.

31/03/22 – Attended Parliament House Canberra J.O meeting with Federal Politicians.

01/04/22 – Attended Molong Office for Sub Regional Water Strategy meeting.

04/04/22 – Attended Molong Office for a meeting with the General Manager and Floodplain Management Committee meeting.

07/04/22 – Attended Molong main street parking assessment.

09/04/22 – Attended the Cabonne Community Balloon Glow.

12/04/22 – Attended Molong Office for the councillor workshop.

21/04/22 – Attended an interview with B Rock FM Bathurst on J.O matters.

25/04/22 – Attended Obley ANZAC Day dawn service and Molong main service. Attended an interview with Prime7 regarding ANZAC Day.

The Mayor thanked councillors for their involvement in ANZAC Day services across the shire.

Clr Jones

22/03/22 – Attended the ordinary council meeting.

27/03/22 – Attended NSW State Sheepdog Workers Championships in Molong and presented awards. Attended Cumnock Show.

09/04/22 – Attended the Cabonne Community Balloon Glow in Canowindra and presented an award.

12/04/22 – Attended the community, economy and culture committee meeting and councillor workshop. Attended Eugowra Progress Association meeting.

14/04/22 – Attended the Molong Advancement Group meeting.

25/04/22 – Attended Molong ANZAC Day dawn service and Eugowra service.

Clr Weaver

25/04/22 – Attended ANZAC Day in Canowindra and wanted to thank Canowindra Fire Brigade for their efforts on the day.

Clr Rawson

22/03/22 – Attended the ordinary council meeting and Integrated Planning & Reporting workshop.

28/03/22 – Attended Ophir Reserve Land Manager Board meeting in Orange and was elected Deputy Chair of the Board.

29/03/22 – Attended Central Tablelands Water Integrated Planning & Reporting strategic workshop in Blayney.

01/04/22 – Attended steering committee meeting, Sub Regional Water Strategy at Council Chambers.

04/04/22 – Attended Mullion Creek Progress Association general meeting.

12/04/22 – Attended councillor workshop and Transport Infrastructure Committee meeting in Molong.

13/04/22 – Attended Central Tablelands Water Board meeting in Grenfell and chaired the meeting.

25/04/22 – Attended Borenore ANZAC Day service at the Borenore CWA Hall.

Clr Batten

05/04/22 – Attended Yeoval and District Progress Association meeting.

09/04/22 – Attended the Cabonne Community Balloon Festival.

21/04/22 – Attended Cumnock Progress Association Meeting.

25/04/22 – Attended Cumnock ANZAC Day dawn service and Yeoval main service.

MOTION (Beatty/-)

THAT the information contained in the Mayoral Minute be noted.

22/04/04 Carried

ITEM - 5 COMMITTEE OF THE WHOLE

MOTION (Weaver/Jones)

THAT it be noted there were nil items called to be debated in Committee of the Whole.

22/04/05 Carried

ITEM - 6 CONFIRMATION OF THE MINUTES

MOTION (Batten/Nash)

THAT the minutes of the Ordinary Council meeting held on 22 March 2022 be adopted.

22/04/06 Carried

ITEM - 7 CONFIRMATION OF THE COMMITTEE MEETING MINUTES

MOTION (Rawson/Jones)

THAT the report and recommendations of the Community, Economy and Culture & Infrastructure (Transport) Committee Meetings of Cabonne Council held on 12 April 2022 be adopted.

22/04/07 Carried

**ITEM - 8 PAYMENT OF SUPERANNUATION CONTRIBUTIONS FOR
COUNCILLORS**

MOTION (Oldham/Nash)

THAT Council:

1. Receive and note the report provided on the Payment of Superannuation Contribution for councillors; and
2. Commence making a payment (a superannuation contribution payment) as a contribution to a superannuation account nominated by a councillor starting from the financial year commencing 1 July 2022.

22/04/08 Carried

**ITEM - 9 CABONNE COUNCIL ECONOMY, TOURISM AND CULTURE
ADVISORY COMMITTEE**

Proceedings in Brief

Clr Jones noted that the report should read that the advisory committee will meet bi-monthly as opposed to bi-annually.

MOTION (Oldham/Jones)

THAT Council:

1. Approve the implementation of the Cabonne Council Economy, Tourism and Culture Advisory Committee;
2. Endorse the draft Terms of Reference for the Advisory Committee.

22/04/09 Carried

It was noted the time being 2.12pm Clr Pull declared an interest in the following item and left the Chamber.

**ITEM - 10 COMMUNITY ASSISTANCE PROGRAM 2021-2022 - ROUND
TWO**

Proceedings in Brief

Each application was addressed individually, starting with application 2, to allow Clr Pull to remain in the Chamber for discussion on the remaining applications.

MOTION (Oldham/Rawson)

THAT Council approve the following applications under round two of Council's 2021-2022 Community Assistance Program:

1. Cudal Community Children's Centre \$9,968.20
2. Canowindra Preschool Kindergarten Inc \$7,889.30
3. Cumnock Golf Club \$447.50
4. Cumnock Show Society \$5,000.00
5. Cumnock Progress Association \$5,018.00
6. Anglican Parish of Cudal and Molong \$605.00
7. Manildra and District Improvement Association \$1,750.00

22/04/10 Carried

It was noted the time being 2.18pm Clr Pull returned to the Chamber.

It was noted the time being 2.21pm Clr Rawson declared an interest in the following item and left the Chamber.

ITEM - 11 SPONSORSHIP PROGRAM

MOTION (Oldham/Pull)

THAT Council endorse the \$15,000 retention of Sponsorship Program funding for the Australian National Field Days event.

22/04/11 Carried

It was noted the time being 2.21pm Clr Rawson returned to the Chamber.

ITEM - 12 EVENTS ASSISTANCE PROGRAM

MOTION (Weaver/Oldham)

THAT Council endorse a donation of \$500 for the Eugowra Community Children's High Tea under its 2021/22 Event Assistance Program.

22/04/12 Carried

**ITEM - 13 PROPOSED CHANGES TO FLOODPLAIN MANAGEMENT
ADVISORY COMMITTEE**

MOTION (Rawson/Oldham)

THAT Council:

1. Adopt the Draft Terms of Reference for the Cabonne Floodplain Management Advisory Committee;
2. Place the Draft Terms of Reference on public exhibition.

22/04/13 Carried

ITEM - 14 STRATEGIC PURCHASE OF 12 HILL STREET MOLONG

MOTION (Nash/Oldham)

THAT Council:

1. Endorse the purchase of Lot 223 on DP 635534 for the negotiated price of \$350,000;
2. Approve the transfer of \$350,000 from the Roadworks Reserve to fund the purchase; and
3. Classify the land, identified as Lot 223 on DP 635534, as Operational Land in accordance with s.25 of the Local Government Act 1993 following purchase settlement.

22/04/14 Carried

ITEM - 15 CABONNE COUNCIL ROADS ADVISORY COMMITTEE

MOTION (Rawson/Jones)

THAT Council:

1. Endorse the Draft Terms of Reference for the Cabonne Council Roads Advisory Committee;
2. Place the Draft Terms of Reference of public exhibition.

22/04/15 Carried

**ITEM - 16 EMPLOYMENT ZONE REFORMS - STANDARD INSTRUMENT
LOCAL ENVIRONMENTAL PLAN**

MOTION (Rawson/Nash)

THAT council endorse the Return Translation Detail for the employment zones land use tables and pond-based aquaculture, tank-based aquaculture and local distribution premises land use permissibility.

22/04/16 Carried

**ITEM - 17 DRAFT STANDARD INSTRUMENT LOCAL ENVIRONMENTAL
PLAN AGRITOURISM AMENDMENT ORDER**

MOTION (Jones/Batten)

THAT council endorse the 'farm stay accommodation' and 'farm gate premises' clauses to be inserted in the Cabonne Local Environmental Plan 2012, as outlined in the report provided to council.

22/04/17 Carried

**ITEM - 18 MODIFICATION APPLICATION DA 2014/0092/4 FOR A BIO
MASS FUEL BOILER AT LOT 270 DP 821835, DEROWIE STREET,
MANILDRA**

Proceedings in Brief

Discussions were held in regards to provisions in place to deal with air quality monitoring. The Deputy General Manager Services provided clarification on the EPA requirements and advised a copy of the licence will be distributed to councillors.

MOTION (Nash/O'Ryan)

THAT Modification of Development Application 2014/ 0092/4 for a bio mass fuel boiler at Lot 270 DP 821835, Derowie Street, Manildra, be granted consent subject to the conditions attached.

22/04/18 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 K Beatty, P Batten, J Jones, M Nash, L Oldham, K O'Ryan, A Pull, A Rawson and J Weaver.

Against – Nil

**ITEM - 19 MEDIUM DENSITY UNIT DEVELOPMENT - DA 2021/0262 -
LOT 12 DP 730682, 29 FERGUSON STREET, CANOWINDRA**

Proceedings in Brief

Clr Rawson queried what provisions are in place to determine the street scape of developments. The Deputy General Manager Services provided clarification.

MOTION (Weaver/O'Ryan)

THAT council:

1. Approve Development Application 2021/0262 for a four-lot detached medium density unit development upon land described as Lot 12 DP 730682 and known as 29 Ferguson Street, Canowindra, as a 'deferred commencement' consent, and

2. Vary the 8m building frontage setback to permit the development to proceed with a reduced frontage of 5.5m to Waddell Street, Canowindra.

22/04/19 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: Cirs K Beatty, P Batten, J Jones, M Nash, L Oldham, K O’Ryan, A Pull, A Rawson and J Weaver.

Against – Nil

**ITEM - 20 PLANNING PROPOSAL - PROPOSED REZONING OF 1583
BURRENDONG WAY, MULLION CREEK, FROM RU1 PRIMARY
PRODUCTION TO R5 LARGE LOT RESIDENTIAL.**

MOTION (Nash/Pull)

THAT Council:

1. Receive and note the Planning Proposal for the rezoning of land identified as Lots D and E DP 33623, being 1583 Burrendong Way, Mullion Creek, and located within the Strategy Area (SA 5A) as described in the Blayney Cabonne Orange Sub Regional Rural and Industrial Land Use Strategy July 2008 and Cabonne Settlement Strategy 2021-2041
2. Forward the Planning Proposal to the Department of Planning and Infrastructure for Gateway Determination in accordance with Section 3.33 of the Environmental Planning and Assessment Act 1979.
3. Receive a further report following the public exhibition period to provide details of any submissions received during the exhibition process.

22/04/20 Carried

**ITEM - 21 ORANGE CITY COUNCIL REQUEST FOR COMMENT -
PLANNING PROPOSAL - ROSEDALE**

MOTION (Nash/Rawson)

THAT council make a submission to Orange City Council requesting that consideration be given in the proposed rezoning of land known as 440 Clergate Road and 463 Leeds Parade, Orange, to the interface between the proposed rezoning for large lot residential development and the adjacent rural land uses within the Cabonne Council LGA, with provision of buffers to be incorporated in the concept subdivision plan to address potential land use

conflict between residential and rural land uses, biosecurity measures, and to protect the right to farm for established nearby farmland.

22/04/21 Carried

**ITEM - 22 MODIFICATION DA2021/0176/1 - SUBDIVISION OF LAND AT 9
OSTINI LANE, MULLION CREEK**

MOTION (Nash/Batten)

THAT Modification to Development Application 2021/0176/1 for a 12 lot subdivision of Lot 1 DP 131413 being land known as 9 Ostini Lane, Mullion Creek, be granted consent subject to the modified conditions attached.

22/04/22 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 K Beatty, P Batten, J Jones, M Nash, L Oldham, K O’Ryan, A Pull, A Rawson and J Weaver.

Against – Nil

ITEM - 23 QUESTIONS FOR NEXT MEETING

MOTION (Oldham/Jones)

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

22/04/23 Carried

ITEM - 24 BUSINESS PAPER ITEMS FOR NOTING

MOTION (Weaver/O’Ryan)

THAT the notation items be noted.

22/04/24 Carried

ITEM - 25 MATTERS OF URGENCY

MOTION (Oldham/Jones)

THAT it be noted there were nil matters of urgency.

22/04/25 Carried

ITEM - 26 COMMITTEE OF THE WHOLE SECTION OF THE MEETING

MOTION (Oldham/Weaver)

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

22/04/26 Carried

**ITEM - 27 NSW LOCAL GOVERNMENT DESTINATION AND VISITOR
ECONOMY CONFERENCE 2022**

Proceedings in Brief

Clr Weaver nominated Clrs Jones and O’Ryan.

Clr Oldham noted she would like to be delegate.

Clr Jones declined the nomination.

RECOMMENDATION (Weaver/Oldham)

THAT Council nominate Councillors Oldham and O’Ryan as delegates to attend the NSW Local Government Destination and Visitor Economy Conference in Orange, Blayney and Cabonne to be held 17-19 May 2022.

1. Carried

**ITEM - 28 EVENTS ASSISTANCE PROGRAM - EUGOWRA ANNUAL
MURALS MEET**

RECOMMENDATION (Weaver/Jones)

THAT Council approve Events Assistance Program funding of \$5,000 for the 2022 Eugowra Annual Mural Meet.

2. Carried

It was noted the time being 2.58pm 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/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.

3. Carried

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

RECOMMENDATION (Jones/Batten)

THAT the Committee endorse the accuracy of the Report of the Proceedings of Confidential Matters at the Ordinary Council meeting held on 22 March 2022 are sufficient to state the general effect of the proceeding in Closed Committee.

4. Carried

ITEM - 3 PLANT REPLACEMENT

RECOMMENDATION (Pull/Weaver)

THAT Council endorse the purchase from Tracserv Trucks, an Isuzu FYJ 300/350 8 x 4 Rigid Cab Chassis fitted with a 16,000L water tank manufactured by Barry Burrows for the purchase price of \$276,934.54 excl GST.

5. Carried

ITEM - 4 TENDER EVALUATION CUDAL OFFICE RENOVATION

MOTION (Weaver/Oldham)

THAT Council accept the tender from Renascent Regional Pty Ltd for the renovation of the council office in Cudal, under Contract No 1299000 for the value of \$749,997 (ex. GST), and subject to variations.

6. Carried

It was noted the time being 3.06pm the Mayor resumed the Ordinary Meeting.

REPORT & RESOLUTIONS OF COMMITTEE OF THE WHOLE

MOTION (Oldham/Pull)

THAT the Report and Recommendations of the Committee of the Whole Meeting held on Tuesday 26 April, 2022 be adopted.

22/04/27 Carried

There being no further business, the meeting closed at 3.07pm.

CHAIRMAN.

Chairman of the Ordinary Meeting of Cabonne Council held on the 24 May, 2022 at which meeting the listed minutes were confirmed and the signature hereon was subscribed.