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**PRESENT** Clr K Beatty (in the Chair), Clrs P Batten, J Jones, 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, Department Leader – Development Services, Department Leader – Community & Economy, Department Leader – Innovation & Technology and Department Leader – Governance & Corporate Performance.

## **ITEMS FOR DETERMINATION**

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

#### Proceedings in Brief

An apology was tendered on behalf of Clr Nash for her absence from the meeting.

#### **MOTION** (Rawson/Oldham)

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

23/12/01 Carried

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

#### Proceedings in Brief

Clr O’Ryan declared an interest (identified as a perceived conflict of interest, significant non-pecuniary) in Item 13 as she is an employer of an objector.

Clr Pull declared an interest (identified as potential conflict of interest, non-significant, non-pecuniary) in Item 18 as his employer is a partner in the Sub-Regional Town Water Strategy.

#### **MOTION** (O’Ryan/Jones)

THAT the declarations of interest be noted.

23/12/02 Carried

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

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

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

23/12/03 Carried

It was noted the time being 2.05pm there was a Youth of the Month award presentation to Alyssa Wallbank and staff retirement presentations to Sue Schmich and Warwick Doulman.

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

##### Proceedings in Brief

##### Clr Beatty

28/11/2023 – Attended the Councillor Workshop. Attended the Ordinary Council meeting. Attended the Cabonne Floodplain Management Advisory Committee meeting.

29/11/2023 – Attended the Molong Office for meeting with Peter Robson – Orange360. Attended meeting with the General Manager.

1/12/2023 – Attended the Molong Office for a meeting with Tim Sullivan. Interview with Prime and WIN News. Attended meeting with the General Manager. Attended official opening of the Cabonne Community Centre.

5/12/2023 – Attended the Molong Office for a meeting with NSW Reconstruction Authority. Interview with B Rock FM. Attended Central NSW Joint Organisation briefing on Zoom.

6/12/2023 – Interview with Neil Gill Radio program. Attended the Audit, Risk and Improvement Committee meeting at the Molong Office.

8/12/2023 – Attended Eugowra for meeting with CEO of IAG and NRMA.

##### Clr Jones

28/11/2023 – Attended the Councillor Workshop. Attended the Ordinary Council meeting. Attended the Cabonne Floodplain Management Advisory Committee meeting.

1/12/2023 – Attended the official opening of the Cabonne Community Centre. Attended the Molong Christmas Markets.

4/12/2023 – Attended the Kerrs Creek Wind Farm community briefing.

6/12/2023 – Attended the Eugowra Public School presentation evening.

7/12/2023 – Attended the Eugowra St. Joseph's School presentation evening.

9/12/2023 – Attended the Canowindra Christmas Carols event.

11/12/2023 – Attended the Molong Central School presentation evening.

##### Clr Batten

28/11/2023 – Attended the Ordinary Council meeting.

6/12/2023 – Attended the Molong St. Joseph's School presentation evening. Attended Yeoval Central School presentation evening.

7/12/2023 – 8/12/2023 – Attended the Mining and Energy Related Councils meeting in Sydney.

9/12/2023 – Attended the Cumnock Community Christmas Tree.

10/12/2023 – Attended the Yeoval Christmas Dinner.

##### Clr Rawson

28/11/2023 – Attended the Ordinary Council meeting via Microsoft Teams.  
Attended the Cabonne Floodplain Management Advisory Committee meeting via Microsoft Teams.

1/12/2023 – Attended the official opening of the Cabonne Community Centre.  
Attended the Central Tablelands Water Christmas event in Grenfell.

4/12/2023 – Attended the Mullion Creek Progress Association meeting.

6/12/2023 – Attended the Cudal Public School presentation evening.

#### Clr Pull

Attended the official opening of the Cabonne Community Centre.

Attended the Canowindra Christmas Shopping Night.

Attended the Molong Christmas Markets.

Attended the Ordinary Council meeting.

#### Clr Oldham

Attended the Clergate Public School presentation evening.

Attended the Borenore Public School presentation evening.

#### Clr Weaver

Attended the Cargo Public School presentation evening.

#### Clr O’Ryan

Attended the Canowindra St. Edward’s School presentation evening.

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

THAT the information contained in the Mayoral Minute be noted.

23/12/04 Carried

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

#### Proceedings in Brief

It was noted that Clr Jones called Item 13 to be debated in Committee of the Whole.

#### **MOTION** (Oldham/Jones)

THAT Item 13 be debated in Committee of the Whole.

23/12/05 Carried

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

#### **MOTION** (Weaver/Rawson)

THAT the minutes of the following meetings be adopted;

1. Ordinary Council meeting held on 28 November 2023, and
2. Australia Day Awards Committee meeting held on 28 November 2023.

23/12/06 Carried

**ITEM - 7 CONFIRMATION OF THE CABONNE LOCAL TRAFFIC COMMITTEE MEETING MINUTES**

**MOTION** (Batten/Jones)

THAT the minutes of the Cabonne Local Traffic Committee held 23 November 2023 be adopted.

23/12/07 Carried

**ITEM - 8 CONFIRMATION OF THE CABONNE FLOODPLAIN MANAGEMENT ADVISORY COMMITTEE MEETING MINUTES**

**MOTION** (Jones/Weaver)

THAT the minutes of the Cabonne Floodplain Management Advisory Committee held 28 November 2023 be adopted.

23/12/08 Carried

**ITEM - 9 RESCISSION MOTION - ITEM 21 OF NOVEMBER 2023 COUNCIL BUSINESS PAPER - PLANNING PROPOSAL 230 TILGA STREET, CANOWINDRA POST EXHIBITION**

Proceedings in Brief

The Mayor clarified that this motion is to consider the rescission motion being tabled only and that the Planning Proposal for 230 Tilga Street, Canowindra – Post Exhibition matter will be considered at Item 13.

Clr Batten provided the reasons for the rescission motion:

- 1) The decision to not approve the recommendation suggested by staff meant that council was inconsistent with its settlement strategy, and
- 2) There was no clear direction set for staff on next steps.

Clr Pull noted that the workshop held had now further clarified the proposal and will now enable a decision to be made on the matter.

**MOTION** (Batten/Oldham)

THAT the motion be put.

23/12/09 Carried

**MOTION** (Batten/Oldham)

THAT the rescission motion be received.

23/12/10 Carried

**ITEM - 10 REVIEW OF SHOWGROUND PLANS OF MANAGEMENT**

**MOTION** (Weaver/O’Ryan)

THAT council:

1. Endorse the draft Plans of Management for:
  - a) Cudal Showground,
  - b) Eugowra Showground,
  - c) Molong Showground,
2. Forward the draft Plans of Management to the NSW Department of Planning and Environment for consent to place the plans on public exhibition, and;
3. Authorise the General Manager to place the draft Plans of Management on public exhibition following consent being granted.

23/12/11 Carried

### **ITEM - 11 HERITAGE GRANT PROGRAM - AWARDING OF FUNDING TO APPLICANTS**

#### Proceedings in Brief

The Deputy General Manager Services advised of an error in the table in the report, item 8 that refers to 9 Fenton Rd, East Guyong [former school] should be former church and the scope should be restoration works to former church.

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

THAT council allocate \$22,000 of grant funding as outlined in Table 1 of the report.

23/12/12 Carried

### **ITEM - 12 PLANNING PROPOSAL - PROPOSED REZONING OF LOTS 33, 108, 202 & 203 IN DP 750145 CARGO ROAD CARGO FROM RU1 PRIMARY PRODUCTION TO R5 LARGE LOT RESIDENTIAL**

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

THAT council:

1. Approve the planning proposal to amend the *Cabonne Local Environmental Plan 2012* to rezone lots 33, 108, 202 & 203 in DP 750145 from RU1 Primary Production to R5 Large Lot Residential and amend the minimum lot size (MLS) from 100 hectares to 4,000m<sup>2</sup>;
2. Forward the planning proposal and proposed timeframe in this report to the Department of Planning and Environment for Gateway determination in accordance with Section 3.33 of the *Environmental Planning and Assessment Act 1979*; and
3. If no submissions are received during its public exhibition, endorse finalisation of the planning proposal. However, if any submissions are received, a further report will be forwarded to Council for its consideration.

23/12/13 Carried

It was noted that Item 13 was called to be debated in Committee of the Whole.

## **ITEM - 14 QUESTIONS FOR NEXT MEETING**

### Proceedings in Brief

Clr Weaver (on behalf of Clr Nash) requested a report be presented to a future meeting regarding extending the opening hours and the ability of enabling remote access to the Molong Library.

### **MOTION** (Pull/Weaver)

THAT council receive a report at a future council meeting in relation to extending the opening hours and the ability of enabling remote access to the Molong Library.

23/12/14 Carried

## **ITEM - 15 BUSINESS PAPER ITEMS FOR NOTING**

### **MOTION** (Weaver/Batten)

THAT the notation items be noted.

23/12/15 Carried

## **ITEM - 16 MATTERS OF URGENCY**

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

THAT it be noted there were nil matters of urgency.

23/12/16 Carried

It was noted that Clr Pull declared an interest in the following item and remained in the Chambers.

## **ITEM - 18 FUNDING STRATEGIC WATER PLANNING**

### Proceedings in Brief

The Deputy General Manager Infrastructure advised that there was an error in the summary table in the report, noting that the figures in the *CC Water Reserves required to cover the difference* row in the *SRTWS* and *MWS* columns should be reversed.

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

THAT council approve the transfer \$393,194 from the Water Reserve to cover the costs of the Strategic Planning not included in the 2024 financial year budget.

23/12/17 Carried

## **ITEM - 19 FUNDING EMERGENCY SEWER WORKS**

### **MOTION** (Weaver/Pull)



THAT council approve transfer of funds of \$275,000 from the Sewer Reserve to cover costs associated with the urgent repairs of sewer infrastructure that is not covered in the 2024 financial year budget.

23/12/18 Carried

**ITEM - 20 DRAFT MOLONG FLOOD STUDY**

**MOTION** (Rawson/Jones)

THAT council endorse the draft Molong Flood Study for public exhibition.

23/12/19 Carried

**ITEM - 21 DEVELOPMENT APPLICATION MODIFICATION 1999/0147/1  
808 DAVYS PLAINS ROAD CUDAL - LIMESTONE MINE**

**MOTION** (Weaver/Batten)

THAT Modification to Development Application 1999/0147/1 for Lot 172 and Lot 278 DP 750139, being 808 Davys Plains Road, Cudal, be granted consent subject to the conditions attached.

23/12/20 Carried

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

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

Against: Clr A Rawson.

**ITEM - 17 COMMITTEE OF THE WHOLE SECTION OF THE MEETING**

**MOTION** (Oldham/Batten)

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

23/12/21 Carried

It was noted the time being 2.32pm Clr O’Ryan left the Chambers.

**ITEM - 13 PLANNING PROPOSAL - 230 TILGA STREET, CANOWINDRA  
- POST EXHIBITION**

**Proceedings in Brief**

Clr Batten commented that the land identified in the planning proposal is definitely identified in the settlement strategy for consideration for future development and that the process, as council has had explained, has clearly

indicated that the objections that have been raised can be considered at the development proposal stage.

Clr Pull requested that it be noted that if a development application is received for twenty-one blocks that he would be vehemently defending that it does not go ahead.

**RECOMMENDATION** (Batten/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-2022-1979) 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.

1. Carried

It was noted the time being 2.40pm Clr O’Ryan returned to the Chamber.

It was noted the time being 2.50pm 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.

2. Carried

**ITEM - 2 ENDORSEMENT OF PROCEEDINGS OF CONFIDENTIAL**

**MATTERS CONSIDERED AT COMMITTEE OF THE WHOLE  
MEETING**

**RECOMMENDATION** (Rawson/Batten)

THAT the Committee endorse the accuracy of the Report of the Proceedings of Confidential Matters at the Australia Day Award Committee meeting held on 28 November 2023 are sufficient to state the general effect of the proceeding in Closed Committee.

3. Carried

**ITEM - 3 REQUEST FOR CONSIDERATION OF WATER  
CONSUMPTION CHARGES**

**RECOMMENDATION** (Pull/Rawson)

THAT council:

1. Write off 50% of water consumption costs of \$1,750.75 for account 241100009 for the billing period 1 February 2023 – 30 April 2023, and \$44.41 in interest accrued during investigations, and
2. Write off 50% of water consumption costs of \$3,701.88 for account 4386000006 for the billing period 1 May 2023 – 31 July 2023

4. Carried

It was noted the time being 2.52pm the Chair resumed the Ordinary meeting.

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

**MOTION** (Rawson/Oldham)

THAT the Report and Recommendations of the Committee of the Whole Meeting held on Tuesday 12 December, 2023 be adopted.

23/12/22 Carried

There being no further business, the meeting closed at 2.53pm.

CHAIRMAN.

Chairman of the Ordinary Meeting of Cabonne Council held on the 27 February, 2024 at which meeting the listed minutes were confirmed and the signature hereon was subscribed.