

TABLE OF CONTENTS

ITEM 31	PLANNING PROPOSAL FOR ADDITIONAL PERMITTED USE - 1064 SANDY CREEK ROAD, MOLONG	2
ITEM 32	NATIONAL WATER GRID FUNDING - MOLONG CREEK DAM RAW WATER PIPELINE	3

CONFIDENTIAL ITEMS

Clause 240(4) of the Local Government (General) Regulation 2005 requires Council to refer any business to be considered when the meeting is closed to the public in the Ordinary Business Paper prepared for the same meeting. Council will discuss the following items under the terms of the Local Government Act 1993 Section 10A(2), as follows:

ITEM 7 STRATEGIC LAND PURCHASE CABONNE

(c) information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business

**ITEM 8 TENDER 1754860 - CANOWINDRA LIBRARY AND
CABONNE HOME SUPPORT REFURBISHMENT**

(d) (ii) commercial information of a confidential nature that would, if disclosed, confer a commercial advantage on a competitor of the council

ITEM 9 VOLUNTARY PURCHASE PROGRAM - UPDATE

(c) information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business

ANNEXURE ITEMS

ANNEXURE 31.1 DETERMINATION LETTER.....	6
--	----------

**ITEM 31 - PLANNING PROPOSAL FOR ADDITIONAL PERMITTED USE -
1064 SANDY CREEK ROAD, MOLONG**

REPORT IN BRIEF

Reason For Report	For the resolution of council to proceed with the resoning application
Policy Implications	Nil
Budget Implications	Nil
IPR Linkage	3.1.1.1a - Receive and assess Development Applications.
Annexures	1. Determination Letter ↓
File Number	\\OFFICIAL RECORDS LIBRARY\\LAND USE AND PLANNING\\PLANNING\\AMENDMENT 18 TO LEP 2012 - LOT 1 DP 254240 AND LOT 134 DP 1091778, 1064 SANDY CREEK ROAD MOLONG - 1814410

RECOMMENDATION

THAT council note the correspondence from NSW RFS relating to an amendment to the Cabonne Local Environmental Plan 2012 to enable a Place of Public worship to be a permitted lad use on land known as 1064 Sandy Creek Road, Molong, endorse finalisation of the planning proposal.

DEPUTY GENERAL MANAGER - CABONNE SERVICES REPORT

In considering a Planning Proposal to amend the Cabonne Local Environmental Plan 2012 to include land for an Additional Permitted Use (APU) in Schedule 1 at Lot 1 DP 254240 and Lot 134 DP 1091778, being 1064 Sandy Creek Road, Molong for the purpose of a Place of Public Worship, the ccouncil at its meeting held on 26 September 2023 resolved as follows:

1. Approve the planning proposal to amend Schedule 1 of the Cabonne Local Environmental Plan 2012 to permit a place of public worship on Lot 134 DP 1091778 & Lot 1 DP 254240, 1064 Sandy Creek Road, Molong,
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. Subject to no submissions being received during its exhibition period, endorse finalisation of the planning proposal. Should any submissions be received, a further report will be provided to council for its consideration.

The planning proposal associated documents were placed on public exhibition from Wednesday 12 June 2024 to Monday 22 July 2024, and at the close of the exhibition phase no public submissions had been received by council.

The Gateway determination relating to the Planning Proposal required council to notify NSW Rural Fire Service of the Planning Proposal, and to provide RFS with a copy of the proposal for comment. A response was received by council on 9 May 2024 (copy attached) and states that the subject land is mapped as being bushfire prone, with significant native vegetation retained on site. The suitability of the proposed additional use needs to be addressed through bushfire risk assessment prepared by a suitably qualified bushfire consultant in accordance with the relevant provisions of Planning for Bushfire Protection (PBP) 2019. The response concludes that any future development on the subject land must demonstrate compliance with the relevant provisions of PBP 2019.

The initial report to council in September 2023 addressed bushfire risk as follows:

"The subject land is not flood prone but is mapped as bushfire prone. council's Bush Fire Prone Land Map identifies the site as Vegetation Category 1 and 3. The applicant has proposed to include a bushfire assessment report with any future subdivision development application (DA) and believes it can demonstrate that bushfire risk is manageable. Given the existing use on the site, it is agreed that bushfire consideration can be further addressed at the DA stage."

In considering the Planning Proposal, the initial report to council, the Gateway determination and the RFS response, it is considered that adequate provision is available via s4.14 and s4.46 of the Environmental Planning and assessment act 1979 (as amended) for appropriate assessment and consideration of the PBP 2019 guidelines at the time of any subsequent Development applications for further use of the existing facility at 1064 Sandy Creek Road, Molong. In that respect it is suggested that council note the RFS comments, and the procedures in place under existing legislation to adequately access any future development proposed for the subject land in association with the determination of any future development applications to intensify the use of the subject land and endorse finalisation of the planning proposal.

ITEM 32 - NATIONAL WATER GRID FUNDING - MOLONG CREEK DAM RAW WATER PIPELINE

REPORT IN BRIEF

Reason For Report	To seek council's endorsement to apply for funding under the National Water Grid Funding for the
--------------------------	--

	construction of a new Molong Creek Dam raw water pipeline.
Policy Implications	Nil
Budget Implications	Nil at this stage. The grant funding requires a 50% co-contribution towards the project, which for this project is \$2,675,474. Council officers will seek alternative state government funding for the co-contribution, however, should these not be successful council will need to fund the co-contribution amount from its own funding sources.
IPR Linkage	2.4.2.2a - Work with Orange City Council and Central Tablelands Water to develop a regional town water supply strategy.
Annexures	Nil
File Number	\\OFFICIAL RECORDS LIBRARY\\WATER SUPPLY\\PLANNING\\WATER TASK FORCE - MOLONG WATER SUPPLY - 1814530

RECOMMENDATION

THAT council endorses the application to the National Water Grid Fund to replace the Molong Creek Dam raw water pipeline, and if successful provide the necessary co-contribution towards the costs of the project.

DEPUTY GENERAL MANAGER - CABONNE INFRASTRUCTURE'S REPORT

Background

Expressions of interest have been called for funding under the National Water Grid fund aiming to improve water security, while being economically and environmentally responsible. The investment framework additionally seeks to improve essential town water supplies to ensure security of supply.

Council has recently undertaken a substantial review of its water supply needs for the townships of Molong, Cumnock and Eugowra, including detailed analysis of infrastructure upgrades and the long term financial sustainability of the water and sewer services. Whilst this report is still in draft, the projects and justification of their need to be future ready are sound.

Of particular relevance to the National Water Grid fund is the construction of the Molong Creek Dam Raw Water Main replacement.

Proposed Project

The project involves replacement of the existing 35 year old raw water supply pipeline from Molong Creek Dam to the Molong Water Filtration Plant. This 8,990m long pipeline is the primary source of water for the Molong Water Supply, which services the towns of Molong, Cumnock and Yeoval. It also forms part of an emergency water supply pipeline from Orange.

The reliability of this existing pipeline, constructed in 1987, has been impacted by numerous ongoing breaks and ongoing leaks. The pipeline runs through a rural area with where limited access often making it difficult for Council staff to locate breaks and then gain access to the site with machinery and equipment to undertake the necessary repairs.

Any delay in undertaking these repairs has a direct impact on the Molong potable water supply, resulting in the imposition of water restrictions on occasions until the repairs are undertaken. These breaks have become more frequent in recent years due to the age and condition of the pipeline, making full replacement an urgent priority for Cabonne Council in order to maintain the necessary level of security for Molong.

The Molong Water Supply Scheme has been assessed as a Level 5 water security risk under the NSW Government's Eligible Risk and Issues List. Molong Creek Dam is the key infrastructure component of this scheme and any loss of water from this source, due to leaks or pipeline breaks, impacts on overall water security of the whole system.

As part of a Safe and Secure Water Program (NSW government) project, Council has completed detailed design and specification for this pipeline. The project is defined as shovel ready.

Financial Considerations

The detailed cost estimate for the construction of the new raw water pipeline is \$5,350,948. Under the National Water Grid funding guidelines, funding is provided on the basis of a minimum 50% contribution from the applicant. This co-contribution from Council would equate to \$2,675,474.

Within Council's draft long term financial modelling for water, the funding of this works has been included as a critical needs project. Officers have assumed a 50% funding within this modelling.

Council officers will continue to seek alternative funding opportunities to either fully fund the project externally, or reduce the amount of co-contribution required under any funding agreement.

To qualify for funding under the National Water Grid funding application process, Council needs to resolve that it will provide 50% co-contribution to the project if successful.



RFS



Cabonne shire Council
PO Box 17
MOLONG NSW 2866

Your reference: (PP-2023-214) Ref-2773
Our reference: SPI20240402000036

ATTENTION: Richard Pamplin

Date: Thursday 9 May 2024

Dear Sir/Madam,

**Strategic Planning Instrument
LEP Amendment – Planning Proposal
Amendment to Cabonne Local Environmental Plan 2012**

I refer to your correspondence dated 02/04/2024 inviting the NSW Rural Fire Service (NSW RFS) to comment on the above Strategic Planning document.

The NSW RFS has considered the information submitted and provides the following comments.

It is noted that the Planning Proposal is intended to support an amendment to the *Cabonne Local Environmental Plan (CLEP) 2012* to enable a Place of Public Worship to be a permitted land use on the site at 1064 Sandy Creek Road Molong.

The development is located on bush fire prone land with significant native vegetation retained on site. Therefore, the suitability of the proposed additional use needs to be addressed through a bush fire risk assessment prepared by a suitably qualified bush fire consultant in accordance with the relevant provisions of *Planning for Bush Fire Protection (PBP) 2019*.

The bush fire report needs consideration of the following factors:

- Places of public worship are identified as public assembly buildings and where gross floor area of such developments is over 500sqm, places of public worship are to be assessed as Special Fire Protection Purpose (SFPP) development due to the evacuation challenges presented by large numbers of occupants in accordance with 8.3.11 of *PBP 2019*.
- Preliminary assessment of the site and surrounds have identified steep downslopes beneath the hazard which may require an asset protection zone (APZ) for 100 metres to comply with Table A1.12.1 and Table 6.8a of *PBP 2019*.
- A major part of the subject site is identified to be mapped on Terrestrial Biodiversity Map. As such, clearing required for the purpose of maintaining the abovementioned APZ may conflict with the objectives of Terrestrial Biodiversity as identified in *CLEP 2012*.
- The site plan shows a number of structures proposed to be constructed on land mapped as bush fire prone. Any future development on the site must demonstrate compliance with the relevant provisions of *PBP 2019*,

1

Postal address

NSW Rural Fire Service
Locked Bag 17
GRANVILLE NSW 2142

Street address

NSW Rural Fire Service
4 Murray Rose Ave
SYDNEY OLYMPIC PARK NSW 2127

T (02) 8741 5555
F (02) 8741 5550
www.rfs.nsw.gov.au



RFS



based on the nature of use ancillary to the existing facility.

In this regard, the consent authority must be satisfied that the site has the capacity to accommodate APZs which is dependent on the nature of use and the classification/gross floor area of existing/proposed building(s) intended for public assembly within the site.

For any queries regarding this correspondence, please contact Surbhi Chhabra on 1300 NSW RFS.

Yours sincerely,

Kalpana Varghese
**Supervisor Development Assessment & Plan
Built & Natural Environment**



TABLE OF CONTENTS

ITEM 12	CAPITAL PROJECT STATUS 2024/2025 FINANCIAL YEAR	1
ITEM 13	AMENDMENT TO CABONNE LOCAL ENVIRONMENTAL PLAN 2012 - ADDITIONAL PERMITTED USE	4

ITEM 12 - CAPITAL PROJECT STATUS 2024/2025 FINANCIAL YEAR

REPORT IN BRIEF

Reason For Report	To provide an update on the project portfolio and delivery program
Policy Implications	Nil
Budget Implications	Budgeted Items
IPR Linkage	1.2.1.1a - Review and maintain an effective Enterprise Risk Management Framework
Annexures	Nil
File Number	\\OFFICIAL RECORDS LIBRARY\\ROADS and BRIDGES\\MEETINGS\\OPERATIONS MEETINGS - 1812238

DEPUTY GENERAL MANAGER - CABONNE INFRASTRUCTURE'S REPORT

YEAR AT A GLANCE

The following table outlines project(s) quantity and values for all reportable Project Control Group (PCG) projects at the commencement of the 24/25FY (1/7/2024) to date (13/02/2025).

Table 1 – Projects Overview (all departments)

	START 24/25 FY <i>01/07/2024</i>	TO DATE <i>13/02/2025</i>
PROJECT(S)	148	159
BUDGET	\$17,041,201.00	\$26,401,125.00
TOTAL EXPENDITURE (to date)		\$15,799,533.00

**The data within the table above encompasses the period of 1/6/2024 – 13/02/2025.*

** All figures have been rounded to the nearest dollar.*

Fluctuation to the overall projects are attributed to the following:-

1. Cancellation of five (5) projects.
2. Reduction in budget of projects, by moving budget into the incoming FY or as a reduction in scope of works.
3. Introduction of 12 new projects throughout the financial year.
4. Carry and/or roll overs not being recognised until September 2024 (on average).

CARRY FORWARDS

Of the current 159 projects it is anticipated that the following 23 will be carried over. The below table outlines an expectation of the roll over values. This report

provides an indication only, an accurate value will be provided in a report to council in September 2025.

Table 2 – Proposed carry forward projects and associated budgets

	24/25 FY – COMMENCEMENT BUDGET	24/25 FY – CURRENT BUDGET	25/26 FY CARRY OVER BUDGET <i>(inc. previously proposed FY budget)</i>
TRANSPORT			
Peak Hill - Baldry Creek Road Upgrade	\$8,967,500	\$1,000,000	\$18,559,562
Strategy - Lake Canobolas & Gumble Road	\$0.00	\$250,000	\$125,000
STORM DAMAGE			
Coates Creek Bridge	\$0.00	\$315,415	\$126,166
Norah Creek Culvert	\$0.00	\$222,296	\$88,918
Pinecliffe Road Causeway	\$0.00	\$817,387	\$326,954
URBAN SERVICES			
CHS Building	\$2,285,578	\$300,000	\$1,581,467
Eugowra Swimming Pool	\$276,076	\$0.00	\$239,705
Cudal Swimming Pool	\$295,650	\$0.00	\$238,095
Manildra Swimming Pool	\$216,850	\$0.00	\$217,655
COMMUNITY ASSET PROGRAM			
Relocation of Molong Hockey Field	\$0.00	\$464,673	\$1,401,511
Restoration of Eugowra Sportsground Lighting	\$0.00	\$409,442	\$175,955
Restoration of Memorial Park Eugowra	\$0.00	\$256,428	\$772,650
Relocation of Manildra Multipurpose Courts	\$0.00	\$323,605	\$365,173
Restoration of Eugowra Historical Museum & Bushranger Centre	\$0.00	\$233,518	\$261,401
Activation of Hunter Caldwell	\$0.00	\$361,380	\$195,390

Sports Precinct Molong			
Activation of the Eugowra CBD	\$0.00	\$217,262	\$651,787
Activation of Eugowra Showground Power	\$0.00	\$202,260	\$474,557
Restoration of Eugowra Pool and Amenities	\$0.00	\$505,083	\$559,488
Preliminary Costs of the Old Eugowra Pre-School Site	\$0.00	\$99,857	\$238,338
Water Utilities			
Hydrant Stop Valve Renewal	\$227,503	\$227,503	\$180,304
Organisational			
Eugowra Flood Study & Plan	\$0.00	\$174,700	\$128,300
Canowindra Flood Study & Plan	\$0.00	\$169,700	\$128,300
Mid-Scale Solar	\$3,176,476	\$527,476	\$4,042,106
	\$15,445,633	\$7,077,985	\$31,078,782

Of the abovementioned 23 projects, 17 are for multi-year delivery period and are planned to be delivered within the 2025/26FY. However, the following six (6) projects are being carried forward.

Transport: -

1. Peak Hill Road Upgrade 'Part 1' – Roads of Strategic Importance: -

The original budget for Peak Hill was awarded in 2021/22FY with a total project value of \$10.8m. Upon return of the tender assessment mid 2024 the planned project scope was deemed unachievable due to the high than accounted returned value of all tender responses. Council presented three (3) options to the funding body to allow the project to move forward, placing the project on hold until an outcome was known. In January 2025 council was notified that the funding body had awarded an additional \$19.2m to the project budget via MYEFO. Increasing the overall project budget to \$30m. The additional funding was awarded to ensure the objectives of the Roads of Strategic Importance (ROSI) is met, noting the scope of work to be; *"The project will deliver upgrades along approximately 16 kilometres of Peak Hill Road including road sealing, road rehabilitation, road widening and improving flood resilience"* (extracted from the 2024-25 MYEFO Infrastructure Investment Program press release). The delivery timeframe for completed works is November 2026. The proposed 26/27 FY budget for the project is \$9,993,610.

2. Strategy - Lake Canobolas & Gumble Road: -

The scope of work outlined for this project is to undertake the preplanning works required to enable a shovel ready project, should an internal or external funding opportunity present itself. It is anticipated by the PL that the project will be completed by the end of the calendar year. A Request for Quotation (RFQ) is currently being prepared for release in April 2025, an allowance of six (6) – eight (8) months has been made for the delivery of the design package. Which includes; survey, civil design, geotechnical reporting, major Review of Environmental Effects, Bill of Quantities and other required documentation.

Disaster Recovery Works: -

3. – 5. Coates Creek bridge, Norah Creek culvert and Pinecliffe Road causeway: -

Council awarded the tender for the Design and Construction of Coates, Norah and Pinecliffe to Keech Construction in August 2024. The tender was awarded with the provision that Transport for NSW (TfNSW) approved the upper limit value of works for delivery under the DRFA grant funded program. Due to a delay in receipt of formal approval from TfNSW council were unable to enter into the contract agreement until December 2024. As such, the projects commencement has been delayed, the PL anticipates all three (3) projects to be delivered and acquitted by September 2025.

Water Utilities: –

6. Hydrant Stop Valve Renewal: -

The Water Utilities department undertook a site investigation across the whole of the council network in late 2024 to understand which assets required replacement. The investigation proved successful, and the team have a clear understanding of which hydrants require replacement. To date, the team is working on an upgrading schedule to ensure outage times are known and communicated with the community and key stakeholders. It is anticipated that additional stop valves will be required to be installed at the same time to allow for isolation to install the new hydrants.

ITEM 13 - AMENDMENT TO CABONNE LOCAL ENVIRONMENTAL PLAN 2012 - ADDITIONAL PERMITTED USE

REPORT IN BRIEF

Reason For Report	For the information of coucillors
Policy Implications	Nil
Budget Implications	Nil
IPR Linkage	3.1.6.1a - Implement the Cabonne Recovery Plan.
Annexures	Nil

File Number	\\OFFICIAL RECORDS LIBRARY\LAND USE AND PLANNING\PLANNING\AMENDMENT 21 TO LEP 2012 - LOT 150 DP 750182, 21 NOBLE STREET EUGOWRA - 1808662
--------------------	---

DEPUTY GENERAL MANAGER - CABONNE SERVICES REPORT

It is anticipated that the gazettal of Amendment 11 to the Cabonne Local Environmental Plan 2012 will occur on either 21 or 28 February 2025. This will finalise the Planning Proposal instigated by council on behalf of the Eugowra community, to address a key priority of that community's flood recovery plan objectives - to enable a centre-based child care facility as a permissible land use upon vacant Crown land forming part of the Eugowra Showground.

The amendment to the CLEP 2012, under schedule 1 of that plan, will permit a centre-based child facility as an additional permitted use of land described as Lot 150 DP 750182, being 21 Noble Street, Eugowra.

With the amendment to the LEP completed upon gazettal of the planning instrument, council may consider any development application that is forthcoming for that use upon the subject land.