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**PRESENT** Cllr K Beatty (in the Chair), Cllrs 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**

### **ITEM - 1 ACKNOWLEDGEMENT OF COUNTRY**

**MOTION** (Rawson/Weaver)

THAT an Acknowledgement of Country be recited in accordance with Council’s Code of Meeting Practice policy.

23/09/01 Carried

### **ITEM - 2 APPLICATIONS FOR LEAVE OF ABSENCE**

**MOTION** (Oldham/Nash)

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

23/09/02 Carried

### **ITEM - 3 DECLARATIONS OF INTEREST**

Proceedings in Brief

Cllr Pull declared an interest (identified as a perceived conflict of interest, significant, non-pecuniary) in item 22 as he is a board member of the Canowindra Sports Trust.

**MOTION** (Weaver/Jones)

THAT the Declarations of Interest be noted.

23/09/03 Carried

### **ITEM - 4 DECLARATIONS OF POLITICAL DONATION**

**MOTION** (Oldham/Pull)

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

23/09/04 Carried

It was noted the time being 2.07pm the Mayor adjourned the meeting.

## **ADJOURNMENT OF MEETING**

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

THAT the meeting be adjourned for the purpose of staff presentations and an address from Mr Philip Donato, MP.

23/09/05 Carried

It was noted the time being 2.55pm the Mayor resumed the Ordinary Council Meeting.

## **ITEM - 5 MAYORAL ELECTIONS PROCEDURE 2023**

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

THAT:

1. Council re-affirm its previous practice of conducting voting for the positions of Mayor and Deputy Mayor by preferential ballot where three or more nominations are received, otherwise by ordinary ballot.
2. Details of the voting for the positions of Mayor and Deputy Mayor be made public.
3. Note that the Mayor and Deputy Mayor elected will hold their office for the remaining term of office, noting local government elections are to be held in September 2024.

23/09/06 Carried

## **ITEM - 6 ELECTION OF MAYOR**

### **Proceedings in Brief**

The General Manager chaired the meeting. The General Manager advised that the Deputy General Manager – Cabonne Services, for the purpose of the election, had been appointed as the Returning Officer.

The Deputy General Manager - Cabonne Services advised that there was one (1) nomination received for the position of the Mayor, being Clr Beatty.

Clr Beatty confirmed his acceptance of the nomination for the position of Mayor.

The Deputy General Manager – Cabonne Services, as the Returning Officer, declared Clr Beatty duly elected as the Mayor of Cabonne Council for the remaining term of Council.

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

THAT the General Manager proceed with the requirements for the election of the Mayor for Cabonne Council as detailed in the item relating to the determination of requirements for the election process.

23/09/07 Carried

## **ITEM - 7 ELECTION OF DEPUTY MAYOR**

### Proceedings in Brief

The Deputy General Manager – Cabonne Services advised there was one (1) nomination for the position of Deputy Mayor, being Clr Jones.

Clr Jones confirmed his acceptance of the nomination for this position of Deputy Mayor.

The Deputy General Manager – Cabonne Services, as the Returning Officer declared Clr Jones duly elected as the Deputy Mayor of Cabonne Council for the remaining term of Council.

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

THAT the General Manager proceed with the requirements for the election of the Deputy Mayor for Cabonne Council as detailed in the item relating to the determination of requirements for the election process.

23/09/08

Carried

## **ITEM - 8 DELEGATION TO MAYOR AND DEPUTY MAYOR (IN MAYOR'S ABSENCE)**

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

THAT subject to not receiving direction from the Council as to the consideration of any particular matter by the council itself and subject to the requirements of the Local Government Act 1993 and Regulations thereunder and any express policy of the council or regulations of any public authority other than the council and pursuant to the powers conferred on council by s377 of the *Local Government Act 1993*, the Mayor Kevin John Beatty and, where allowed, in his absence the Deputy Mayor Jamie Thomas Jones be authorised to exercise or perform on behalf of the Council the powers, authorities, duties and functions as follows:

1. To incur expenditure up to the sum of \$3,000 for incidental expenses, within approved votes of Council.
2. To receive a public interest disclosure in circumstances assigned to the position of Mayor in Council's Public Interest Disclosure (Internal Reporting) Policy.

23/09/09

Carried

## **ITEM - 9 DESTRUCTION OF BALLOT PAPERS**

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

THAT the nomination forms for the position of Mayor and Deputy Mayor be destroyed upon the completion of formalities associated with the respective ballots.

23/09/10

Carried

## **ITEM - 10 MAYORAL MINUTE - APPOINTMENTS**

### Proceedings in Brief

#### Clr Beatty

22/08/23 – Attended Molong Office for the Business Paper Review with Deputy Mayor Jamie Jones, General Manager, Deputy General Manager – Cabonne Infrastructure and Deputy General Manager - Cabonne Services. Attended Ordinary council meeting. Attended Sydney for a Central NSW Joint Organisation Board Meeting.

23/08/23 – Attended Local Government NSW Office for a Central NSW Joint Organisation Board Meeting.

24/08/23 – Attended Parliament House in Sydney for a Central NSW Joint Organisation Board Meeting.

25/08/23 – Leave taken from 25/08/23 to 03/09/23.

04/09/23 – Attended Molong Office for a meeting with the General Manager. Interview with WIN News regarding Flood recovery.

08/09/23 – Attended Molong Office for a meeting with the General Manager.

12/09/23 – Attended Molong Office for the Infrastructure Committee Meeting, Councillor workshop and Roads Advisory Committee Meeting.

13/09/23 – Interview with Neil Gill radio program. Attended Molong Office for a meeting with Transport for NSW.

14/09/23 – Interview with Prime 7 News regarding budget priorities. Travelled to Wagga Wagga for a Country Mayors Health Forum.

15/09/23 – Attended the Country Mayors Health Forum in Wagga Wagga. Interview with Win News in Wagga Wagga regarding road recovery. Attended Eugowra for a Rural Women of the Year presentation at the Eugowra Show.

17/09/23 – Attended the Molong Show.

19/09/23 – Attended Molong Office for a meeting with the General Manager. Interview with Prime 7 News regarding budgets.

20/09/23 – Attended Molong Office for a meeting with the General Manager. Interview with Prime 7 News regarding budgets.

#### Clr Jones

22/08/23 – Attended Business Paper Review and Ordinary council meeting.

28/08/23 – Chaired the Eugowra Recovery Advisory Committee Meeting. Attended the Cudal Central Incorporated Committee Meeting.

29/08/23 – Attended a visit to Molong, Cudal and Eugowra with Senator Perin Davey.

30/08/23 – Interview with Triple M Central West radio station. Interview with 2BS radio station.

31/08/23 – Chaired the Cabonne Local Recovery Committee Meeting.

10/09/23 – Attended the Cudal Show.

12/09/23 – Attended Councillor Workshop and Cabonne Roads Advisory Committee Meeting.

14/09/23 – Attended the Molong Advancement Group Meeting.

15/09/23 – Attended the Eugowra Show preview event.

16/09/23 – Attended the Eugowra Show.

17/09/23 – Attended the Molong Show.

19/09/23 – Attended the Eugowra Progress Association Meeting.

24/09/23 – Attended the Baldry CWA time capsule opening.

Clr Rawson

22/08/23 – Attended Ordinary council meeting.

31/08/23 – Attended meeting with Nashdale locals regarding Cargo Road closures.

04/09/23 – Attended the Mullion Creek Progress Association Meeting.

11/09/23 – Attended the Ophir Crown Land Manager Board Meeting.

12/09/23 – Attended Molong Office for the Innovation and Environment Committee Meeting and Councillor workshop. Attended Roads Advisory Committee Meeting.

14/09/23 – Attended Ophir Road working bee at Ophir.

Clr Batten

31/08/23 – Attended Yeoval Central School Assembly and presented a book for the school library for Local Government Week.

05/09/23 – Attended the Yeoval and District Progress Association Meeting.

12/09/23 – Attended the Innovation and Environment Committee Meeting and Councillor workshop.

21/09/23 – Attended Cumnock Progress Association Meeting.

Clr Nash

06/09/23 – Attended Manildra and District Improvement Association Meeting.

09/09/23 – Attended Manildra Rhino's Rugby League Football Club Presentation Night.

12/09/23 – Attended Committee Meeting in Molong. Attended Age of Fishes Meeting in Canowindra.

24/09/23 – Attended the Baldry CWA time capsule opening.

26/09/23 – Attended Ordinary council meeting.

Clr Weaver

12/09/23 – Attended Age of Fishes Museum with Cox Architects and the Australian Museum.

Attended three (3) meetings with Banjo Pattersons Committee.

21/09/23 – Attended Canowindra Progress Association Meeting.

**MOTION** (Beatty/-)

THAT the information contained in the Mayoral Minute be noted.

## **ITEM - 11 COMMITTEE OF THE WHOLE**

### **MOTION** (Batten/Nash)

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

23/09/12 Carried

## **ITEM - 12 CONFIRMATION OF THE MINUTES**

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

THAT the minutes of the following meetings be adopted;

1. Ordinary Council meeting held on 22 August 2023;
2. Environment, Innovation & Energy Committee held on 12 September 2023;
3. Infrastructure (Other) Committee held on 12 September 2023.

23/09/13 Carried

## **ITEM - 13 CONFIRMATION OF THE ROADS ADVISORY COMMITTEE MEETING MINUTES**

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

THAT:

1. The minutes of the Roads Advisory Committee of Cabonne Council held on 12 September 2023 be adopted;
2. Council wait for the reports for Obley Road and Gumble Road before progressing any further with Lake Canobolas Road project planning;
3. Council review the Roads Register attached to the Draft Roads Management Policy.

23/09/14 Carried

## **ITEM - 14 UNION PICNIC DAY 2023**

### **Proceedings in Brief**

The Mayor requested the date be altered as 22 October 2023 is a Sunday.

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

THAT Council approve the annual Union Picnic Day to be held on Friday 20 October 2023.

23/09/15 Carried

## **ITEM - 15 APPOINTMENT OF SECTION 355 COMMITTEE - O'HALLORAN'S COTTAGE AND BUCKINBAH PARK, YEOVAL**



**MOTION** (O’Ryan/Batten)

THAT Council appoint the Yeoval Historical Society, pursuant to Section 355 and Section 377 of the *Local Government Act 1993*, the management, maintenance, and control of O’Halloran’s Cottage and Buckinbah Park, Yeoval.

23/09/16 Carried

**ITEM - 16 TEMPORARY COUNCIL OFFICE - EUGOWRA RURAL TRANSACTION CENTRE**

**MOTION** (Jones/Weaver)

THAT Council agree to pay the expenses (as detailed in the report) to the Eugowra Promotion and Progress Association in lieu of rent (for a twelve-month period) for utilisation of office space at the Eugowra Rural Transaction Centre.

23/09/17 Carried

**ITEM - 17 COUNCIL RECOGNITION OF CANOWINDRA PROGRESS ASSOCIATION**

**MOTION** (Oldham/Nash)

THAT Council:

1. Formally recognise and endorse the Canowindra Progress Association as the peak community organisation for Canowindra, and
2. Appoint Clr Weaver as the delegate and Clr O’Ryan as alternate to the Canowindra Progress Association.

23/09/18 Carried

**MOTION** (Jones/Weaver)

THAT Council hereby resolve itself into Committee of the Whole to discuss item 18.

23/09/19 Carried

**ITEM - 18 EVENTS ASSISTANCE PROGRAM**

Proceedings in Brief

Clr Rawson queried council giving an additional \$2,000 when a contribution is already given to Orange360. The General Manager and Leader – Community and Economy provided clarification on the funding guidelines.

Clr Rawson queried the funding guidelines relating to the \$5,000 funding request for the Speed Shear at Cargo, noting that it is a new event and there is no certainty of it being successful. The General Manager and Leader – Community and Economy provided clarification on the funding guidelines.

**MOTION** (Nash/O'Ryan)

THAT Council endorse under its 2023/24 Event Assistance Program:

1. \$2,000 for Orange Region Vignerons Association for the Orange Wine Festival, and
2. \$5,000 for Speed Shear Cargo Incorporated for the Speed Shear event.

23/09/20 Carried

**MOTION** (Weaver/Jones)

THAT Council move out of Committee of the Whole and resume the ordinary meeting.

23/09/21 Carried

**ITEM - 19 NSW PUBLIC LIBRARIES ASSOCIATION ANNUAL CONFERENCE**

**MOTION** (Oldham/Nash)

THAT Council:

1. Authorise Clr Oldham and Clr Pull to attend the 2023 NSW Public Libraries Association Conference.
2. Change the date for the November committee meetings and workshops to be held prior to the ordinary council meeting on the 28 November 2023, if required.

23/09/22 Carried

**ITEM - 20 COMPULSORY ACQUISITION - EASEMENTS OVER CROWN LAND PIPELINE ORANGE**

**MOTION** (Weaver/Nash)

THAT Council:

1. Pursuant to Sections 186 and 187 of the *Local Government Act 1993* (NSW) compulsorily acquire easements over the land ("Land") described as:
  - a. Unnamed portion of Crown Land located within Nandillon Ponds Creek to the west of Lot 7001 DP 1000813; and
  - b. Unnamed portion of Crown Land located within Molong Creek within/adjacent to Lot 10 DP 1257544,

for the purpose of an Easement for Water Supply as defined in Schedule 4A of the *Conveyancing Act 1919* in accordance with the requirements of the *Land Acquisition (Just Terms Compensation) Act 1991*.

2. Gives authority to the General Manager to negotiate the terms of the acquisition on behalf of council,
3. Make an application to the Minister for Local Government and the Governor for the compulsory acquisition of the Land, and
4. Grant authority to affix the Common Seal of Council to any acquisition documentation associated with the land.

23/09/23 Carried

### **ITEM - 21 YEOVAL MASTERPLAN**

#### **MOTION** (Batten/Nash)

THAT the draft Yeoval master plan be placed upon 28 days public exhibition, with a further report to be presented to council following the exhibition phase.

23/09/24 Carried

It was noted the time being 3.32pm Clr Pull declared an interest in item 22 and left the Chamber.

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

THAT Council hereby resolve itself into Committee of the Whole to discuss item 22.

23/09/25 Carried

### **ITEM - 22 HAMMER THROW CAGE - CANOWINDRA**

#### **Proceedings in Brief**

Clr Batten queried if the source of the additional funding was appropriate. He suggested council consider an amendment that the additional \$25,000 be funded from the Canowindra Town Improvement Fund.

The General Manager noted that previously, projects similar to this were funded through the general budget and that the same methodology had been used in this instance.

The matter was debated by councillors.

The Mayor also suggested including in the amendment that the surplus funds from the Eugowra Depot refurbishment project be utilised for a future project in Eugowra.

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

THAT Council transfers the hammer throw project funding of \$39,915, and an additional \$25,000 funded from surplus from the Eugowra Depot refurbishment project to the Canowindra Sports Trust to supply and install a hammer throw cage at the Canowindra sports ground as per option 3 outlines in the report.

#### **AMENDMENT** (Weaver/O'Ryan)

THAT:

1. Council transfers the hammer throw project funding of \$39,915, and an additional \$25,000 funded from the Canowindra Town Improvement Fund, to the Canowindra Sports Trust to supply and install a hammer throw cage at the Canowindra sports ground as per option 3 outlined in the report, and
2. The surplus funds from the Eugowra Depot refurbishment project be utilised for a future project in Eugowra.

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

**MOTION** (Weaver/O’Ryan)

THAT:

1. Council transfers the hammer throw project funding of \$39,915, and an additional \$25,000 funded from the Canowindra Town Improvement Fund, to the Canowindra Sports Trust to supply and install a hammer throw cage, at the Canowindra sports ground as per option 3 outlined in the report, and
2. The surplus funds from the Eugowra Depot refurbishment project be utilised for a future project in Eugowra.

23/09/26 Carried

**MOTION** (Jones/Batten)

THAT Council move out of Committee of the Whole and resume the ordinary meeting.

23/09/27 Carried

It was noted the time being 3.56pm Clr Pull returned to the Chamber.

**ITEM - 23 MANILDRA FEMALE CHANGEROOMS**

**MOTION** (Oldham/Jones)

THAT Council:

1. Proceed with the delivery of the Manildra Female Changerooms project.
2. The additional \$223,782 required to complete the project is funded by the Local Roads and Community Infrastructure (LRCI) Phase 4 Grant.

23/09/28 Carried

**ITEM - 24 PLANNING PROPOSAL - 1064 SANDY CREEK ROAD, MOLONG**

**MOTION** (Nash/Jones)

THAT Council:

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.

23/09/29 Carried

**ITEM - 25 DEVELOPMENT APPLICATION 2023/175 - TRANSPORT DEPOT - LOT 6 SECTION 10 DP 759140, 2 CARDINGTON STREET, YEOVAL**

**MOTION** (Weaver/Pull)

THAT Council approve:

1. Development Application 2023/0175 Transport Depot (bus depot) Lot 6 Section 10 DP 759140, known as 2 Cardington Street, Yeoval, subject to the conditions attached, and
2. A variation to council's Building Alignment Policy for Development Application 2023/0175.

23/09/30 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: K Beatty, P Batten, J Jones, M Nash L Oldham, K O'Ryan, A Pull, A Rawson and J Weaver.

Against: Nil

**ITEM - 26 DEVELOPMENT APPLICATION 2023/3 FOUR LOT SUBDIVISION AT LOT 54 DP 750157 AND LOT 2 DP 1125613, BOWLER STREET, EUGOWRA**

**MOTION** (Nash/Rawson)

THAT:

1. Development Application 2023/0003 for a four (4) lot subdivision upon land described as Lot 54 DP 750157 and Lot 2 DP 1125613 - known as Bowler Street, Eugowra, be refused for insufficient information being submitted to enable assessment by council and the NSW Rural Fire Service.
2. The refusal for Development Application 2023/0003 be provided on the attached planning grounds.

23/09/31 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: K Beatty, P Batten, J Jones, M Nash L Oldham, K O’Ryan, A Pull, A Rawson and J Weaver.

Against: Nil

### **ITEM - 27 QUESTIONS FOR NEXT MEETING**

**MOTION** (Oldham/Nash)

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

23/09/32 Carried

### **ITEM - 28 BUSINESS PAPER ITEMS FOR NOTING**

Proceedings in Brief

It was noted Clr Rawson called items 1 and 3 and Clr Nash called item 4 to be further considered.

**MOTION** (Nash/Rawson)

THAT:

1. Items 1, 3 and 4 be further considered.
2. The remaining notation items be noted.

23/09/33 Carried

### **ITEMS FOR NOTATION**

#### **ITEM - 1 REGIONAL NSW - MOLONG HOUSING INFRASTRUCTURE GROWTH BUSINESS CASE**

Proceedings in Brief

Clr Rawson noted that the very first statement in the document in regards to the population of Molong appears incorrect as the census from 2021 states the population for Molong is about 2600.

**MOTION** (Rawson/Nash)

THAT the information be noted.

23/09/34 Carried

**ITEM - 3 AUDIT, RISK AND IMPROVEMENT COMMITTEE - ANNUAL REPORT 2022-23**

Proceedings in Brief

Clr Rawson noted his thanks to the committee for all their hard work.

**MOTION** (Rawson/Nash)

THAT the information be noted.

23/09/35 Carried

**ITEM - 4 TINY HOUSE DEVELOPMENT AS SECONDARY DWELLINGS**

**MOTION** (Nash/Rawson)

THAT the information be noted.

23/09/36 Carried

**ITEM - 29 MATTERS OF URGENCY**

**MOTION** (Jones/Rawson)

THAT it be noted there were nil matters of urgency.

23/09/37 Carried

**ITEM - 30 COMMITTEE OF THE WHOLE SECTION OF THE MEETING**

**MOTION** (Oldham/Pull)

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

23/09/38 Carried

It was noted the time being 4.15pm 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.

1. Carried

### **ITEM - 2 MID SCALE SOLAR PLANT**

#### **RECOMMENDATION** (Rawson/Batten)

THAT Council:

1. Note the updated business case for the Mid-Scale Solar Plant;
2. Endorse the progression of the Mid-Scale Solar Project to tender readiness including development of detailed specification, and
3. Authorise the General Manager to continue negotiations with lending institutions on the proposed structure and terms of the loan for an amount of up to \$4M and receive a further report once the final business case is concluded.

2. Carried

### **ITEM - 3 ENDORSEMENT OF PROCEEDINGS OF CONFIDENTIAL MATTERS CONSIDERED AT COMMITTEE OF THE WHOLE MEETING**

#### **RECOMMENDATION** (O'Ryan/Nash)

THAT the Committee endorse the accuracy of the Report of the Proceedings of Confidential Matters at the Environment Innovation & Energy meeting held on 12 September 2023 are sufficient to state the general effect of the proceeding in Closed Committee.

3. Carried

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### **ITEM - 4 CANOWINDRA BUILDING REFURBISHMENT - RELOCATION OF CABONNE HOME SUPPORT AND LIBRARY SERVICES**

#### **RECOMMENDATION** (Oldham/Weaver)

THAT Council endorse:

1. The use of the Masonic Lodge at 36 Blatchford Street, Canowindra as the temporary Cabonne Home Support office and Library Building and;
2. Approve the allocation of \$100,000 from forecast underspending in operational budgets to undertake necessary works to fit-out the temporary building.



4. Carried

It was noted the time being 4.23pm the Mayor resumed the Ordinary Meeting.

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

**MOTION** (Rawson/Pull)

THAT the Report and Recommendations of the Committee of the Whole Meeting held on Tuesday 26 September, 2023 be adopted.

23/09/39 Carried

There being no further business, the meeting closed at 4.24pm.

CHAIRMAN.

Chairman of the Ordinary Meeting of Cabonne Council held on the 24 October, 2023 at which meeting the listed minutes were confirmed and the signature hereon was subscribed.