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PRESENT Ctrs K Beatty (in the Chair), J Jones, M Nash, P Mullins, G Treavors, C Newsom, A Durkin, L Oldham, P Batten, K Walker, J Weaver and I Davison.

Also present were the Acting General Manager, Director of Finance & Corporate Services, Director of Engineering & Technical Services, Senior Town Planner, Administration Officer, Personal Assistant to Director of Environmental Services, Personal Assistant to Director of Engineering and Technical Services and Community Engagement and Development Manager.

ITEMS FOR DETERMINATION

ITEM - 1 ACKNOWLEDGEMENT OF COUNTRY

Proceedings in Brief

The Mayor recited an Acknowledgement of Country in accord with Council's Code of Meeting practice.

MOTION (Durkin/Weaver)

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

18/09/01 Carried

ITEM - 2 APPLICATIONS FOR LEAVE OF ABSENCE

Proceedings in Brief

There were nil applications for leave of absence.

MOTION (Newsom/Durkin)

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

18/09/02 Carried

ITEM - 3 DECLARATIONS OF INTEREST

Proceedings in Brief

There were nil declarations of interest

MOTION (Oldham/Davison)

THAT it be noted there were nil declarations of interest.

18/09/03 Carried

ITEM - 4 DECLARATIONS FOR POLITICAL DONATIONS

Proceedings in Brief

There were nil declarations of political donations.

MOTION (Newsom/Oldham)

THAT it be noted there were nil declaration of political donations.

18/09/04 Carried

It was noted the time being 2.06pm Mr Andrew Gee MP addressed Council.

ITEM - 5 DEPUTY MAYORAL ELECTIONS PROCEDURE 2018

MOTION (Oldham/Jones)

THAT Council:

1. Re-affirm its previous practice of conducting voting for the position of Deputy Mayor by preferential ballot where three or more nominations are received, otherwise by ordinary ballot.
2. Wishes details of the voting for the position of Deputy Mayor to be made public.

18/09/05 Carried

ITEM - 6 ELECTION OF DEPUTY MAYOR 2018/2019

Proceedings in Brief

The Acting General Manager advised that there was only one nomination for the position of Deputy Mayor, that being Clr Durkin. Clr Durkin confirmed his acceptance of the nomination for the position of Deputy Mayor.

The Acting General Manager declared that Clr Durkin is elected as Deputy Mayor for the ensuing year.

MOTION (Oldham/Nash)

THAT the Acting 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.

18/09/06 Carried

ITEM - 7 DESTRUCTION OF BALLOT PAPERS

MOTION (Weaver/Jones)

THAT the ballot papers for the position of Deputy Mayor be destroyed upon the completion of formalities associated with the respective ballots.

18/09/07 Carried

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

MOTION (Davison/Newsom)

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 Anthony Luke Durkin 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.

18/09/08 Carried

**ITEM - 9 AUTHORISATION OF MEETING CHAIRPERSON WITH
POWERS OF EXPULSION AND REMOVAL**

MOTION (Davison/Weaver)

THAT Council authorise:

1. The presiding Chair of Council and Committee meetings with the power of expulsion as provided by the Local Government Act 1993, Section 10(2).
2. The presiding Chair of Council and Committee meetings with the power to authorise necessary force to remove a person, councillor or otherwise, who has been expelled and refuses to leave the meeting place as provided by the Local Government (General) Regulation 2005, Clause 258.

18/09/09 Carried

**ITEM - 10 OTHER COUNCIL COMMITTEES THAT MEET AS AND WHEN
REQUIRED**

MOTION (Durkin/Oldham)

THAT the Committee Members for Council Committees that meet as and when required for the 2018/20 years will be as follows:

1. Australia Day Awards Committee be all councillors and the General Manager; and
2. Heritage Working Party be Clrs Mullins, Oldham, Director of Environmental Services and the Heritage Advisor.

18/09/10 Carried

**ITEM - 11 DELEGATES TO OTHER ORGANISATIONS - FOR THE
YEARS 2018/20**

Proceedings in Brief

Clr Weaver advised that she would like to change her position from delegate to alternate, with Clr Nash becoming the delegate to the Central West Libraries Committee.

Clr Batten advised that the Canobolas Bush Fire Management Committee should be changed from Clr Nash as the alternate delegate to Clr Jones.

MOTION (Davison/Nash)

THAT Council

1. Confirm its delegates and representatives to other organisations for the 2018/20 years has been listed in the report.
2. Change the delegates for Central West Libraries Committee to Clr Nash becoming the delegate and Clr Weaver the alternate delegate.
3. Change the alternate delegate for Canobolas Bush Fire Management Committee to Clr Jones.

18/09/11 Carried

**ITEM - 12 DELEGATES TO OTHER ORGANISATIONS - COMMUNITY
PEAK ORGANISATIONS**

Proceedings in Brief

Clr Weaver noted that the Canowindra Business Chamber is called Canowindra Business Chamber and Progress Association.

Clr Jones queried if Council should approach Windera to see if they would like a Council representative. The Mayor advised that Windera residents have scheduled meetings with the Mayor and General Manager.

MOTION (Jones/Durkin)

THAT Council confirm the re-appointment of the delegates to Community Peak Organisations (as listed in the report), subject to the support from these organisations for the 2018/20.

18/09/12 Carried

**ITEM - 13 ALTERNATE DELEGATE TO COMMITTEES OTHER THAN
COUNCIL COMMITTEES**

MOTION (Oldham/Weaver)

THAT the information be noted.

18/09/13 Carried

**ITEM - 14 FIXING THE DATE AND TIME FOR COUNCIL AND OTHER
MEETINGS**

Proceedings in Brief

Clr Newsom asked if there was a reason why Council doesn't hold a workshop and Council Meeting on the same day.

The Mayor advised that moving a workshop to the same day as a Council Meeting would go against policy and procedure for public addressing Council.

Clr Nash stated that she liked that all councillors meet more than once a month, as once a month is not enough.

MOTION (Batten/Davison)

THAT regular meetings of Council be held at 2:00pm on the fourth Tuesday of the month.

18/09/14 Carried

ITEM - 15 MAYORAL MINUTE - APPOINTMENTS

Proceedings in Brief

Clr Davison

Provided Council with the Orange360 Region Tourism Bicycle Project application and thanked the Acting General Manager for her support with the project.

Clr Weaver asked where the bicycle track was going. The Director of Engineering and Technical Services noted that the bicycle track would generally be an extension to the existing road pavement, being an additional 1.5m wide.

Clr Mullins noted that Victoria has had success with rail trails and asked if that was something also being looked into.

Clr Davison advised he attended a meeting on rail trails, noting most Victorian rail trails are run by local governments by default, when community groups have ceased to operate. He then tabled the project document and advised the

submission was lodged on Friday at 4pm and he will be giving a copy to Andrew Gee and Philip Donato in the next few weeks.

Clr Batten

Attended the Canobolas Bush Fire Management Committee meeting, noting proposed works on Goobang National Park fire trails. He also mentioned RFS support for the mountain bike proposal for Mt Canobolas. The Mt Canobolas draft plan of management currently does not support new trails. There is a proposal for a mountain bike track, further noting in other areas where mountain bike clubs use these tracks, the clubs look after the area and clean up and advised this could be a benefit. It was noted that during the February bush fire there were issues with crew's directions to the fire site due to the road name similarities of Canobolas Road and Old Canobolas Road. Consultation on the draft plan of management closes at the end of September.

Clr Jones

Attended the Manildra, Cudal, Eugowra and Molong Shows.

Attended the Canobolas RFS Zone Liaison Committee Meeting.

Attended the September Council Workshop.

Mayor

05/09/18 – Attended the Molong office for a meeting with the Acting General Manager. Interview with Neil Gill radio program.

06/09/18 – Attended Central Tablelands Water workshop at Blayney with the Acting General Manager.

10/09/18 – Attended Orange for a meeting with Simon Roland from Mojo Events. Attended the Molong Office for a meeting with the Acting General Manager.

11/09/18 – Attended the Molong Office for the September Council Workshop.

12/09/18 – Attended Orange for the launch 'Be Seen Be Safe' program. Attended Nashdale for the Premier and Cabinet dinner with consulate officials.

18/09/18 – Attended Molong Office for a meeting with the Acting General Manager. Attended a meeting with Robert Alcorn.

19/09/18 – Interview with Neil Gill radio program.

22/09/18 – Attended Molong for the Welcome to NSW Veteran Cycling Championships.

MOTION (Beatty/-)

THAT the information contained in the Mayoral Minute be noted.

18/09/15 Carried

ITEM - 16 COMMITTEE OF THE WHOLE

MOTION (Weaver/Oldham)

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

18/09/16 Carried

ITEM - 17 GROUPING OF REPORT ADOPTION

MOTION (Durkin/Newsom)

THAT:

1. Councillors call any items they wish to further consider
2. Items 18 to 20 be moved and seconded.

18/09/17 Carried

ITEM - 18 CONFIRMATION OF THE MINUTES

MOTION (Durkin/Newsom)

THAT the minutes of the Ordinary meeting held 28 August 2018 be adopted.

18/09/18 Carried

ITEM - 19 COUNCIL UNION PICNIC DAY

MOTION (Durkin/Newsom)

THAT Council:

1. Approve the Annual Union Picnic Day to be held on Friday 12 October 2018.
2. Authorise the attendance of all councillors at the Union Picnic Day.
3. Note the cost of \$52 for attending the Union Picnic Day to be paid to the Picnic Committee from the Councillor Expense Account.

18/09/19 Carried

**ITEM - 20 SUPPORT FOR NSW PUBLIC LIBRARIES ASSOCIATION
FUNDING CAMPAIGN**

MOTION (Durkin/Newsom)

THAT Council:

1. Endorse the NSW Public Libraries Association and Local Government NSW library funding advocacy initiative, *Renew Our Libraries*.

2. Note the announcement by the NSW Government on 24 August 2018 of its intention to provide a \$60m funding package for NSW public libraries for the quadrennial period 2019-20 to 2022-23.
3. Support the ongoing *Renew Our Libraries* initiative to secure the pledged funding, clarify the funding components and liaise with the government regarding the funding model.
4. Support *Renew Our Libraries* to work with the Government to develop a sustainable future funding model with a view guaranteeing an appropriate level of ongoing and indexed state funding.
5. Make representation to the local State Member(s), The Hon. Phil Donato and The Hon. Rick Colless, in relation to the need for ongoing additional funding from the NSW State Government for the provision of public library services.
6. Write to the Hon. Don Harwin, Minister for the Arts and the Hon. Walt Secord, Shadow Minister for the Arts, calling for bi-partisan support for the provision of ongoing and indexed increases in state funding for NSW public libraries, supported by a sustainable future funding model.
7. Activate the campaign locally through its library branches.
8. Endorse the distribution of the NSW Public Libraries Association and Local Government NSW library funding advocacy initiative information in Council libraries, as well as involvement in any actions arising from the initiative.
9. Formally advise the NSW Public Libraries Association and Local Government NSW that Council has endorsed the library funding advocacy initiative.

18/09/20 Carried

ITEM - 21 EVENTS ASSISTANCE PROGRAM 2018/19

MOTION (Batten/Durkin)

THAT Council approve funding of \$500 under the 2018/19 Events Assistance Program to Yeoval Progress Association for the Rally Till It Rains community gathering.

18/09/21 Carried

ITEM - 22 MOLONG MULTI-PURPOSE SPORTS FACILITY

MOTION (Oldham/Newsom)

THAT Council approve a total of \$32,270 be allocated from the Capital Works Reserve Fund for the works at the Molong Multi-Purpose Sports Facility, as detailed in the report.

18/09/22 Carried

ITEM - 23 TRAFFIC COMMITTEE REPORT AUGUST 2018

Proceedings in Brief

Clr Weaver queried if there is a way, when traffic committees come together that a local councillor be in attendance.

The Director of Engineering and Technical Services noted that all items related to the community should go to the Engineering Department.

The Acting General Manager advised that the traffic committee is not a Council Committee.

Clr Weaver noted that local councillors may have more insight and could contribute on local matters.

Clr Treavors stated that issues raised at the Traffic Committee have gone through the Engineering Department and been reviewed by the appropriate staff and regulatory authorities.

MOTION (Treavors/Jones)

THAT Council ratify the recommendations of the Local Traffic Committee of 23 August 2018.

18/09/23 Carried

ITEM - 24 EUGOWRA VOLUNTARY PURCHASE

Proceedings in Brief

Clr Newsom asked who is on the Eugowra Consultative Committee. The Acting General Manager advised she would take the request on notice and will provide councillors with the information.

MOTION (Durkin/Oldham)

THAT Council:

1. Consult with the Eugowra Consultative Committee on the proposed Eugowra Voluntary purchase.
2. Receive a further report regarding provision of funding from the NSW office of Environment and Heritage.

18/09/24 Carried

ITEM - 25 PLANNING PROPOSAL - REZONE LOT 650 DP 788871, 75

BELGRAVIA ROAD, MULLION CREEK

Proceedings in Brief

Clr Davison queried if this has to go for Gateway determination. The Acting General Manager advised that Gateway determination is the formal process for planning proposals.

MOTION (Batten/Jones)

THAT Council:

1. Receive and note the Planning Proposal for the rezoning of land identified as Lot 650 DP 788871, being 75 Belgravia Road, Mullion Creek, and located within the Strategy Area 5 (SA 5b) as described in the Blayney Cabonne Orange Sub Regional Rural and Industrial Land Use Strategy July 2008.
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.

18/09/25 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, J Jones, M Nash, P Mullins, G Treavors, C Newsom, A Durkin, L Oldham, P Batten, K Walker, J Weaver, and I Davison.

Against: Nil

**ITEM - 26 AFFIXING OF COUNCIL SEAL TO AIR SPACE LEASE
AGREEMENT**

MOTION (Newsom/Durkin)

THAT the council seal be affixed to the air space lease legal documents associated with the construction of a gantry over part of Derowie Street, Manildra, to service land owned by MSM Milling described as Lot 270 DP 821835 and Lot 1085601.

18/09/26 Carried

ITEM - 27 PURCHASE OF LAND FROM TRANSPORT NSW IN WATSON

STREET, MOLONG

MOTION (Oldham/Mullins)

THAT:

1. Pursuant to Sections 186 and 187 of the *Local Government Act 1993 (NSW)* Council compulsorily acquire the land forming part of the Great Western Railway proclaimed in Government Gazette No. 289 of 17.7.1885 Folio 4562 and Government Gazette No. 232 of 9.6.1885 Folio 3629, being the area marked as "Lot 1" on the attached plan (the Land) for the purpose of flood infrastructure in accordance with the requirements of the *Land Acquisition (Just Terms Compensation) Act 1991*.
2. Council make an application to the Minister for Local Government and the Governor for the compulsory acquisition of the Land.
3. Authority be granted to affix the Common Seal of Council to any acquisition documentation associated with the Land.
4. The land to be acquired is to be classified as Community Land.

18/09/27

Carried

**ITEM - 28 COUNCIL TO AQUIRE EASEMENTS OVER LAND IN
EUGOWRA FOR THE PUZZLE FLAT CREEK FLOOD LEVEE**

MOTION (Jones/Batten)

THAT:

1. Pursuant to Sections 186 and 187 of the *Local Government Act 1993 (NSW)* Council compulsorily acquire easements over the land described as:
 - (1) Lot 1 in DP 432838 Eugowra;
 - (2) Lot 3943 in DP 1200868 Eugowra;
 - (3) Lot 148 in DP 750182 Eugowra;
 - (4) Lot 7001 in DP 1125814 Eugowra;
 - (5) Lot 88 in DP 750159 Eugowra; and
 - (6) Lot 71 in DP 750182 Eugowra.

as shown in the attached plans for the purpose of flood levee infrastructure in accordance with the requirements of the *Land Acquisition (Just Terms Compensation) Act 1991*.

2. Council make an application to the Minister for Local Government and the Governor for the compulsory acquisition of the Land.

3. Authority be granted to affix the Common Seal of Council to any acquisition documentation associated with the Land.
4. The land to be acquired is to be classified as Community Land.

18/09/28 Carried

ITEM - 29 QUESTIONS FOR NEXT MEETING

Proceedings in Brief

Clr Newsom noted that in regards to Building Better Regions Council needs to discuss what they would like to apply for and thought this could be discussed at a workshop.

Clr Batten requested a report on the cost benefit and feasibility on installing solar electricity at Council's sewer treatment plants

The Acting General Manager indicated further information could be provided to a future Council Workshop.

Clr Batten requested an update on the General Manager research into the provision of electric car charging stations in Cabonne, noting that NRMA has partnered with Orange City Council.

The Mayor noted that the General Manager will be reporting further to Council on this matter

Clr Treavors queried if it would be possible to fund our own electric car charging station.

Clr Mullins noted that with grants Council have two opportunities, Better Regions and Drought funding, and queried how Council propose a formulated list.

The Mayor advised that we are still waiting on the guidelines.

Clr Mullins noted that we need consultation within the community.

Clr Nash noted that cardboard waste from the Solar Farm at Manildra Land Fill, and queried if MSM Milling may in further be able to use such material with their steam boiler.

The Acting General Manager advised that discussions including those with Netwaste continue to seek to reduce waste.

Clr Nash queried if it was possible to get more top soil stored at Manildra land fill.

Clr Davison requested a report on street security cameras.

The Mayor noted that himself, the Deputy Mayor, Clr Treavors and the Director of Engineering and Technical Services had met regarding the street security cameras.

The Director of Engineering and Technical Services advised that research had been done on the application and requirements. Evidence indicates low anti-social behaviour within the local communities and therefore Council is unable

to meet requirements of the grant. Given this information, it doesn't warrant Council pursuing the matter.

Clr Davison noted Council needs to be proactive with developing drought strategy.

The Mayor advised that drought funding guidelines should be released shortly.

Clr Oldham queried the funding strategies for Molong Library and whether Council should investigate funding the project.

The Acting General Manager advised that an application was lodged late last week for the funding. The grants process should be the initial focus.

Clr Durkin requested an update on the Canowindra Retirement Units.

The Acting General Manager advised that she had not received any recent information on the project.

Clr Weaver asked if Council have signed off on the agreement with libraries.

The Director of Finance and Corporate Services advised that council have signed off on the agreement.

MOTION (Jones/Oldham)

THAT Council receive an update at the next Council Workshop in relation to the feasibility on installing solar electricity for Sewerage treatment plants.

18/09/29 Carried

ITEM - 30 BUSINESS PAPER ITEMS FOR NOTING

Proceedings in Brief

It was noted that nil items were called for further consideration.

MOTION (Davison/Nash)

THAT the notation items be noted.

18/09/30 Carried

ITEM - 31 MATTERS OF URGENCY

Proceedings in Brief

It was noted there were nil matters of urgency.

MOTION (Jones/Treavors)

THAT it be noted there were nil matters of urgency.

18/09/31 Carried

ITEM - 32 COMMITTEE OF THE WHOLE SECTION OF THE MEETING

Proceedings in Brief

It was noted there were nil matters called to debate in Committee of the Whole.

MOTION (Durkin/Weaver)

THAT Council hereby resolve itself into Committee of the Whole.

18/09/32 Carried

It was noted the time being 3.34pm 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 (Jones/Weaver)

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 REQUEST FOR CONSIDERATION OF WATER CHARGES FOR
419200000**

RECOMMENDATION (Davison/Nash)

That Council support the request to write off 50% of consumption costs of \$889.75 and write off interest once the other 50% has been paid and access charges paid.

2. Lost

* **ITEM - 3 REQUEST FOR CONSIDERATION OF INTEREST CHARGES
ON WATER ACCOUNT 471410007**

RECOMMENDATION (Davison/Nash)

That Council write off interest charges only at the end of 2018/2019 if regular payments are maintained for account 4714100007.

3. Carried

ITEM - 4 DEBT RECOVERY REPORT OF OUTSTANDING DEBTS

RECOMMENDATION (Durkin/Oldham)

THAT the ratepayers in the annexure attached be advised in writing that if payment of their account is not made, or a satisfactory arrangement for payment is not made within seven days of this correspondence, Council intends to issue a Statement of Claim for the recovery of all monies owed to Council.

4. Carried

**ITEM - 5 SUPPLY AND INSTALATION OF GUARDRAIL AND WIRE
ROPE SAFETY BARRIER.**

RECOMMENDATION (Weaver/Treavors)

THAT Council engage Western Safety Barriers to supply and install guardrail and wire rope safety barrier in the Cabonne Council LGA.

5. Carried

* **ITEM - 6 CONTRACT FOR INSPECTION AND CONDITION
ASSESSMENT OF BRIDGES - RESTART NSW, FIXING COUNTRY
ROADS PROGRAM**

RECOMMENDATION (Oldham/Newsom)

THAT Council:

1. Accept and sign contracts with Pitt and Sherry for the inspection and condition assessment of bridges at the tendered price of \$375,375 (GST exclusive).
2. Authorise any variation to the contract for the project provided the variations are contained within the overall approved funding amount.

6. Carried

* **ITEM - 7 CONTRACT NO 922176 - DESIGN AND CONSTRUCTION OF
THISTLE STREET SEWER PUMP STATION MOLONG, NSW, 2866**

RECOMMENDATION (Weaver/Nash)

THAT Council:

1. Accept the tender from Ted Wilson and Sons for the Design and Construction of Thistle Street Sewer Pump Station at the tendered price of \$381,882.00 (including GST).
2. Approve an additional \$99,000 for the Design and Construction of Thistle Street Sewer Pump Station from Council's sewerage reserve fund.
3. Authorise any variation to the contract for the project provided the variations are contained within the overall approved budget.

7. Carried

ITEM - 8 HEAVY PATCHING IN CABONNE COUNCIL LGA

RECOMMENDATION (Oldham/Treavors)

THAT Council accept the tender from Kerway Asphaltting Pty Ltd to supply Heavy Patching services in Cabonne Council for the financial year 2018-2019.

8. Carried

REPORT & RESOLUTIONS OF COMMITTEE OF THE WHOLE

MOTION (Durkin/Weaver)

THAT the Report and Recommendations of the Committee of the Whole Meeting held on Tuesday 25 September, 2018 be adopted.

18/09/33 Carried

There being no further business, the meeting closed at 3.45pm.

CHAIRMAN.

Chairman of the Ordinary Meeting of Cabonne Council held on the 30 October, 2018 at which meeting the listed minutes were confirmed and the signature hereon was subscribed.