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

Also present were the General Manager, Director of Environmental Services, Director of Finance & Corporate Services, Acting Director of Engineering & Technical Services, Administration Manager and Administration Officer.

It was noted there was a public forum prior to the commencement of the Ordinary Council meeting.

# **ITEMS FOR DETERMINATION**

## ITEM - 1 APPLICATIONS FOR LEAVE OF ABSENCE

#### Proceedings in Brief

Apologies were tendered on behalf of CIrs Davison and Walker for their absences from the meeting.

In Clr Walker's absence he asked to pass on the compliments of the season to all of Council.

#### **MOTION** (Newsom/Oldham)

THAT the apologies tendered on behalf of Clrs Davison and Walker be accepted and the necessary leave of absence be granted.

#### 19/12/01 Carried

## ITEM - 2 DECLARATIONS OF INTEREST

#### Proceedings in Brief

Clr Nash declared an interest (identified as an actual conflict of interest, significant non-pecuniary) in Item 10 as her daughter manages one of the village swimming pools.

Clr Batten declared an interest (identified as an actual conflict of interest, significant non-pecuniary) in Item 11 as he is Chair of Molong Advancement Group who proposed the Molong Recreation Ground Lighting project, he is also a member of the Molong Show Society.

Clr Beatty declared an interest (identified as a potential conflict of interest, non-significant non-pecuniary) in Item 16 as he has a casual working relationship with family members of an objector to the Development Application.

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Clr Durkin declared an interest (identified as a perceived conflict of interest, significant non-pecuniary) in Item 16 as an objector is a direct family member (brother) of a work colleague.

Clr Mullins declared an interest (identified as a perceived conflict of interest, non-significant non-pecuniary) in Item 22 as his partner is listed as an objector to the recommendation.

**MOTION** (Treavors/Durkin)

THAT the declarations of interest be noted.

19/12/02 Carried

# **ITEM - 3 DECLARATIONS FOR POLITICAL DONATIONS**

#### Proceedings in Brief

There were nil declarations of political donations.

MOTION (Newsom/Oldham)

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

#### 19/12/03 Carried

It was noted the time being 2.18pm a Youth of the Month award for December was presented to Olivia Holland.

## ITEM - 4 MAYORAL MINUTE - APPOINTMENTS

#### Proceedings in Brief

#### Clr Beatty

Wished to thank councillors for their attendance at the various school presentation ceremonies and wanted to make note of the talent in our regions schools; teachers and students, and expressed that it is a fortunate shire.

26/11/19 – Attended the Molong Office for the business paper review with the General Manager and directors. Attended the Ordinary Council meeting.

27/11/19 – Attended Parliament House, Canberra with the General Manager in relation to a meeting with Minister Coulton's Chief of Staff and Health Advisor regarding the Canowindra Medical Centre. Attended Central NSW Joint Organisation meeting.

28/11/19 – Attended Parliament House, Canberra with the General Manager in relation to Central NSW Joint Organisation meeting and met with Federal Ministers.

2/12/19 – Attended the Molong Office for meeting with the General Manager and to attend to office correspondence.

4/12/19 – Attended the Molong Office for a meeting with the General Manager. Attended the Kinross Wolaroi School presentation day.

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9/12/19 – Attended the Molong Office for inception meeting with key stakeholders, project manager and scoping team regarding the Molong Community Centre.

10/12/19 – Meeting with Fairbridge Committee regarding the Fairbridge Memorial Project. Attended workshop presentation by Gary White, Chief Planner, NSW Department of Planning.

11/12/19 – Attended St Joseph's School presentation day. Attended Yeoval Central School presentation night.

12/12/19 – Attended the Molong Office for meeting with the General Manager. Attended the ARIC (Audit Risk Improvement Committee) meeting.

13/12/19 – Attended Molong Central School Kindergarten Graduation ceremony.

## <u>Clr Jones</u>

26/11/19 – Attended the Molong Office for business paper review and attended the Ordinary Council meeting.

5/12/19 – Attended the Mullion Creek Public School presentation evening.

9/12/19 – Attended the Molong Community Centre design consultation meeting.

10/12/19 – Attended the Local Strategic Planning Statement briefing from NSW Chief Planner, Gary White. Attended the Eugowra Promotion and Progress Association meeting.

11/12/19 – Meeting with representative of Eugowra Preschool to discuss their future plans for the facility. Attended the Eugowra Public School presentation evening.

12/12/19 – Attended Charles Sturt University Orange Campus for the official sod turning ceremony to mark the commencement of construction of the new medical school.

Clr Jones wanted to recognise and place on Council's record that a previously unidentified soldier from the First World War was earlier this month identified as Private Charles Gage from Eugowra.

Clr Jones stated that he was advised that Private Gage grew up on a property at Eugowra, attended the Eugowra school and was a labourer in the town. Private Gage enlisted in February 1916 at the age of 24 and joined the 56<sup>th</sup> Battalion in France on 2 December 1916. Private Gage was killed by shellfire the very next day on route to the front line, his brother, Christopher erected an unnamed grave marker. Private Gage was one of the first Aboriginal Australians to die on the Western Front and he and his brothers' names are on the Cenotaph in Eugowra's Memorial Park.

# Clr Treavors

30/11/19 – Attended Cudal Twilight Markets.

5/12/19 – Attended Cudal Preschool presentations and Cudal Primary School presentations.

6/12/19 – Attended Manildra Primary School presentations.

Clr Newsom

3/12/19 – Attended the Cargo Public School presentation.

12/12/19 – Attended the Eugowra St Joseph's School presentation.

16/12/19 – Attended the Canowindra St Edward's School presentation.

17/12/19 – Attended the Canowindra Public School presentation.

#### <u>Clr Batten</u>

28/11/19 - Attended the Cumnock Progress Association meeting with Clr Davison.

2/12/19 – Attended the Yeoval Progress Association meeting with Clr Davison.

10/12/19 – Attended the Cumnock Public School presentation evening with Clr Davison.

Clr Batten queried if there will be further consultation in regards to the Pedestrian Access and Mobility Plan and Bike Plan as comments from both of the progress association meetings attended indicates there has only been a low awareness of consultation. The Director of Engineering and Technical Services advised that it needs to be publicly exhibited and that will be subject to a Community Engagement Plan. The first round of consultation was undertaken to gain guiding principles, he noted that he is aware there has been some criticism regarding the process but explained that the community engagement process is not complete.

Clr Batten noted that the Cumnock community wished to express their thanks to Council for its generous donation of \$2,400 for the Pony Club Camp.

Clr Weaver wished to extend her thanks to the Mayor, Councillors, General Manager and staff for their support over the past few weeks.

## MOTION (Beatty/-)

THAT the information contained in the Mayoral Minute be noted.

#### 19/12/04 Carried

## ITEM - 5 COMMITTEE OF THE WHOLE

#### Proceedings in Brief

It was noted that CIr Jones called Item 22 to be debated in Committee of the Whole.

**MOTION** (Durkin/Jones)

THAT Item 22 be debated in Committee of the Whole.

19/12/05 Carried

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#### ITEM - 6 GROUPING OF REPORT ADOPTION

#### **MOTION** (Durkin/Nash)

THAT items 7 to 9 be moved and seconded.

19/12/06 Carried

## ITEM - 7 CONFIRMATION OF THE MINUTES

#### MOTION (Durkin/Nash)

THAT the minutes of the Extraordinary meeting held 12 November 2019 and Ordinary meeting held 26 November 2019 be adopted.

#### 19/12/07 Carried

## ITEM - 8 SUPPORT FOR NSW PUBLIC LIBRARIES ASSOCIATION FUNDING CAMPAIGN

#### **MOTION** (Durkin/Nash)

THAT Council:

- 1. Make representation to the local State Member, Mr Philip Donato, in relation to the need for a sustainable state funding model for the ongoing provision of public library services.
- 2. 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 Consumer Price Index (CPI) indexation of state funding for NSW public libraries, as well as legislation of all elements of the 2019-20 to 2022-23 NSW state funding model.
- 3. Take a leading role in lobbying for sustainable state government funding for libraries.
- 4. Endorse the distribution of the NSW Public Libraries Association NSW library sustainable funding advocacy information in Council libraries, as well as consider involvement in any actions proposed by the Association.

#### 19/12/08 Carried

## ITEM - 9 NOVEMBER 2019 LOCAL TRAFFIC COMMITTEE MEETING

#### MOTION (Durkin/Nash)

THAT Council ratify the recommendations of the November 2019 Local Traffic Committee.

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#### 19/12/09 Carried

It was noted that Clr Nash declared an interest in the following item and left the Chamber at 2.26pm.

# ITEM - 10 ENTRANCE FEES AT VILLAGE POOLS

#### Proceedings in Brief

Clr Newsom suggested that Council consider, because the Shire is in drought and pools are the focus of these little villages, providing a fee free period over the month of January. The Mayor commented that the matter could be discussed by Council but noted that there is already a couple of community groups that are funding entry fees for school children in a couple of the villages through the holiday period and possibly longer.

The General Manager advised that Council recently received advice that funding of up to \$10K from the State Government for use during the school holidays for pools in drought affected communities will be available. Information will be provided to the five committees of the village pools and the swimming clubs of the two contracted pools for feedback on how they could best spend the funding, that might be subsidised entry or an event. He noted that if Council look at free entry it could create problems with season ticket holders that have already paid.

Clr Jones requested an update from the General Manager on the changes to the operation of the pools. The General Manager provided a detailed update.

Clr Jones suggested that in the future Council consider introducing a Cabonne wide pool pass for families.

After considerable discussion Clr Durkin requested that the motion be put.

Clr Batten requested that his vote be recorded against the motion.

## MOTION (Batten/-)

THAT the motion be put.

## 19/12/10 Carried

## **MOTION** (Durkin/Mullins)

THAT Council:

1. Approve the following entrance fees for Cudal, Cumnock, Manildra, Eugowra and Yeoval swimming pools:

Adult Daily	\$3
Child Daily	\$2
Senior Citizen Daily	\$2
Family Day Pass	\$10
Family Season Pass	\$125

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Single Season Pass \$70

Child Season Pass \$55

Senior Single Season Pass \$55

2. Advertise the fees for a period of 28 days in accordance with the requirements of the Local Government Act (1993).

## 19/12/11 Carried

It was noted the time being 2.36pm Clr Nash returned to the Chamber.

It was noted the time being 2.38pm Clr Batten declared an interest in part c of the following item, he left the Chamber during discussion on that matter. Clr Batten returned to the Chamber at 2.39pm.

# **ITEM - 11 BUILDING BETTER REGIONS FUND ROUND 4**

# Proceedings in Brief

It was noted that Clr Durkin suggested all items be dealt with individually and all councillors agreed.

# MOTION (Durkin/Jones)

THAT Council:

- 1. Submits the following projects for funding under Round 4 of the Building Better Regions Fund:
  - a. Cabonne Council Playground Upgrades \$400,000;
  - b. Cabonne Council Refurbishment of Public Toilet Amenities \$300,000;
  - c. Molong Recreation Ground Lighting Upgrade \$400,000;
  - d. Tom Clyburn Oval, Canowindra Lighting Upgrade \$400,000;
  - e. Cudal Showground Power & Water Upgrades \$190,000;
  - f. Eugowra Medical Centre Redevelopment \$252,000;
  - g. Construction of New Molong Showground Amenities Block \$340,000; and
  - h. Construction of Phase 1 of the Eugowra Multi-purpose Community Centre at Eugowra Showground \$985,000.
- 2. Provides the following contributions towards the cost of the projects, should the applications be successful, and that those contributions be funded from Council's Reserves:
  - a. Cabonne Council Playground Upgrades \$200,000;
  - b. Cabonne Council Refurbishment of Public Toilet Amenities \$150,000;
  - c. Molong Recreation Ground Lighting Upgrade \$200,000;
  - d. Tom Clyburn Oval, Canowindra Lighting Upgrade \$200,000;
  - e. Cudal Showground Power & Water Upgrades \$82,500;

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- f. Eugowra Medical Centre Redevelopment \$96,000;
- g. Construction of New Molong Showground Amenities Block \$170,000; and
- h. Construction of Phase 1 of the Eugowra Multi-purpose Community Centre at Eugowra Showground \$492,500.

#### 19/12/12 Carried

## ITEM - 12 LOCAL GOVERNMENT TOURISM CONFERENCE 2020

#### Proceedings in Brief

Clr Weaver requested, as the Council delegate, that if she is unable to attend that Clr Davison be authorised to attend.

Clr Newsom requested that she also be authorised to attend.

Clr Mullins suggested that in the future Council consider allowing committee members the opportunity to attend.

#### MOTION (Oldham/Weaver)

THAT Council:

- 1. Authorise Council's Tourism and Community Development Coordinator to attend the NSW Local Government Tourism Conference in Jindabyne from 16-18 March 2020.
- 2. Authorise Clrs Weaver and Newsom, and Clr Davison as an alternate, to attend the NSW Local Government Tourism Conference in Jindabyne from 16-18 March 2020.

## 19/12/13 Carried

## ITEM - 13 EVENTS ASSISTANCE PROGRAM 2019/20

**MOTION** (Batten/Jones)

THAT Council approve funding under the 2019/2020 Events Assistance Program (EAP) to the following events:

- 1. 2020 F.O.O.D Week Inc. for \$5,000; and
- 2. Rally till it Rains for Yeoval Christmas Dinner for \$1000.

#### 19/12/14 Carried

## **ITEM - 14 MOLONG TRUCK WASH PROJECT**

**MOTION** (Nash/Treavors)

THAT:

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- 1. Council communicate with the funding agencies to terminate the Deed associated with the Molong Truck Wash Project based on the following report; and
- 2. All progress payments or milestone payments paid so far to the Council as described in the following report be returned as per the deed to the funding agencies.

#### 19/12/15 Carried

# ITEM - 15 DETAILED INVESTIGATION AND DESIGN OF MOLONG TOWN LEVEE

#### Proceedings in Brief

Clr Mullins proposed an amendment to the motion to include the reestablishment of the Molong Flood Plain Risk Management Committee in accordance with Section 22 of the Floodplain Development Manual of April 2005 issued by the State Government.

Clrs Batten, Durkin and Oldham requested their vote against the amendment be recorded.

## MOTION (Oldham/Batten)

THAT Council approve \$87,666.67 from Council reserve as Council contribution for detailed investigation and design of Molong Town Levee in accordance with the terms set out in the Office of Environment and Heritage Funding Agreement as described in the following report.

## **AMENDMENT** (Mullins/Nash)

THAT Council:

- 1. Approve \$87,666.67 from Council reserve as Council contribution for detailed investigation and design of Molong Town Levee in accordance with the terms set out in the Office of Environment and Heritage Funding Agreement as described in the following report; and
- 2. Re-establish the Molong Flood Plain Risk Management Committee.

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

## MOTION (Mullins/Nash)

THAT Council:

1. Approve \$87,666.67 from Council reserve as Council contribution for detailed investigation and design of Molong Town Levee in accordance with the terms set out in the Office of Environment and Heritage Funding Agreement as described in the following report; and

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2. Re-establish the Molong Flood Plain Risk Management Committee.

#### 19/12/16 Carried

It was noted the time being 2.54pm the Mayor and Clr Durkin declared an interest in the following item and left the Chamber, Clr Jones assumed the Chair.

#### ITEM - 16 DEVELOPMENT APPLICATION 2014/0114/04 -MODIFICATION TO EXTRACTIVE INDUSTRY, LOT 775 DP 813587, 1654 THE ESCORT WAY, BORENORE

#### Proceedings in Brief

Clr Newsom queried how the vehicle movements will be monitored. The Director of Environmental Services explained that Council and the RMS have the opportunity to do inspections and respond to complaints, she also noted the requirement to report annually to Council on the production and rate of extraction.

#### MOTION (Nash/Batten)

THAT Modification Application DA 2010/0114/04 for increased extraction at Bald Hill Quarry located upon Lot 775 DP 813587, 1654 The Escort Way, Borenore, be granted consent subject to the conditions attached to the planning assessment report.

#### 19/12/17 Carried

The Chair called for a Division of Council as required under Section 375A (3) of the Local Government Act (noting the absence of Clrs Davison and Walker) 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 and J Weaver.

Against: Nil

It was noted the time being 2.58pm the Mayor and Clr Durkin returned to the Chamber, the Mayor resumed the Chair.

#### ITEM - 17 MODIFICATION OF EIGHT (8) LOT SUBDIVISION (MODIFICATION OF CONDITIONS) OF LOTS 218 AND 219 IN DP47258, LOTS 5, 6 & 7 IN DP 702416, LOTS 1 & 2 IN DP 114761, LOTS 9, 10, 11, 12, 19, 20, 24, 30, 31, 148, 189, 210, 211 & 238 IN DP 756869, LOT 1 IN DP 181139, LOT 4 IN DP 114638, LOT 18 IN DP 10891443, LOT 1 DP 104.55555 AND LOTS 1 & 2 IN DP 104.55882, KNOWN AS 'ADAIR', 89 BRUCE ROAD, ORANGE

**MOTION** (Durkin/Nash)

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THAT the modification of Development Application 2008/0177 for an Eight (8) lot subdivision be granted consent subject to the conditions attached.

#### 19/12/18 Carried

The Chair called for a Division of Council as required under Section 375A (3) of the Local Government Act (noting the absence of Clrs Davison and Walker) 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 and J Weaver.

Against: Nil

## **ITEM - 18 QUESTIONS FOR NEXT MEETING**

#### Proceedings in Brief

Clr Nash requested an update report be provided for the Village Enhancement Program, including budget and project status.

#### MOTION (Newsom/weaver)

THAT Council receive a report at the next Council meeting in relation to the Village Enhancement Program, including budget and project status.

#### 19/12/19 Carried

#### **ITEM - 19 BUSINESS PAPER ITEMS FOR NOTING**

**MOTION** (Treavors/Jones)

THAT the notation items be noted.

#### 19/12/20 Carried

## ITEM - 20 MATTERS OF URGENCY

#### **MOTION** (Oldham/Treavors)

THAT it be noted there were nil matters of urgency.

19/12/21 Carried

#### **ITEM - 21 COMMITTEE OF THE WHOLE SECTION OF THE MEETING**

MOTION (Oldham/Durkin)

Page 12

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

#### 19/12/22 Carried

It was noted that CIr Mullins declared an interest in the following item and remained in the Chamber.

## ITEM - 22 EVENTS ASSISTANCE PROGRAM 2019-20 - A DAY ON THE GREEN

#### Proceedings in Brief

Clr Mullins stated that he agrees with the benefits outlined and realises it was a late application but believes there will be great benefits to Cabonne and the surroundings areas. He commented that if Council do not agree it could damage Council's reputation.

Clr Treavors stated that he originally objected to the matter being put out to submissions and commented that he does not believe it is appropriate for Council to providing money to a private enterprise.

Clr Nash noted she previously owned a business in Manildra and when the Elvis Festival was held in Parkes and the Canowindra Balloon Festival it brought substantial income to the surrounding communities.

Clr Batten commented the high percentage of tickets sold are from Orange residents with limited attraction being from other areas. He suggested the funds would be better going towards an event such as FOOD Week.

Clr Oldham commented that she has spoken with a number of people living in the area and believes the event will benefit the Shire.

Clr Newsom queried the marketing campaign and how Cabonne will be showcased and stated that she agreed with Clr Batten's comments on the funding being better spent on another event. The Mayor stated that the organiser has advised, due to the timeframes, Council could not be promoted on printed material because it had already been printed, but ensured Council will be promoted on the night of the event and on all electronic media.

It was noted that Clrs Treavors, Newsom and Batten voted against the motion.

#### **RECOMMENDATION** (Mullins/Nash)

THAT:

- 1. Council provides funding of \$30,000 over three years from its Events Assistance Program to Roundhouse Entertainment for A Day on the Green at Heifer Station, Borenore, to support the event and associated site establishment costs as follows:
  - i. Year 1 2019-20 \$20,000;
  - ii. Year 2 2020-21 \$5,000;

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- iii. Year 3 2021-22 \$5,000.
- 2. Funding is conditional on the recipient providing event support and site establishment for the hosting of a minimum of three A Day on the Green events at Heifer Station vineyard.
- 3. Funding is conditional on the recipient acknowledging Cabonne Council as a sponsor of the event.

#### Carried

It was noted the time being 3.11pm 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/Durkin)

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.

#### Carried

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

#### **<u>RECOMMENDATION</u>** (Weaver/Jones)

THAT the Committee endorse the accuracy of the Report of the Proceedings of Confidential Matters at the Ordinary Council meeting held on 26 November 2019 and notes the recommendations recorded in the Official Ordinary Minutes of that meeting are sufficient to state the general effect of the proceeding in Closed Committee.

#### Carried

2.

3.

1.

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# ITEM - 3 SALE OF 184 GASKILL STREET CANOWINDRA (LOT 1 DP 503767)

# **RECOMMENDATION** (Durkin/Nash)

THAT the information be noted.

# Carried

4.

# ITEM - 4 REQUEST FOR CONSIDERATION OF WATER CHARGES FOR 896000007

# **RECOMMENDATION** (Batten/Durkin)

THAT Council write off \$3,713.70 for account 896000007 due to water loss.

5. Carried

# ITEM - 5 DEBT RECOVERY REPORT OF OUTSTANDING DEBTS

# **<u>RECOMMENDATION</u>** (Oldham/Treavors)

THAT the ratepayers in the annexure 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.

# 6. Carried

It was noted the time being 3.13 pm the Mayor resumed the Ordinary meeting.

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

# MOTION (Jones/Treavors)

THAT the Report and Recommendations of the Committee of the Whole Meeting held on Tuesday 17 December, 2019 be adopted.

19/12/23 Carried

There being no further business, the meeting closed at 3.14pm.

CHAIRMAN.

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Chairman of the Ordinary Meeting of Cabonne Council held on the 25 February, 2020 at which meeting the listed minutes were confirmed and the signature hereon was subscribed.