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PRESENT Clrs K Beatty (in the Chair), G Treavors, A Durkin, L Oldham, P Batten and K Walker.

Clrs J Jones, M Nash, P Mullins, C Newsom, J Weaver and I Davison attended remotely.

Also present were the Deputy General Manager - Cabonne Services, Department Leader – Innovation & Technology, Department Leader – Community & Economy and Executive Support Officer.

The General Manager, Deputy General Manager - Cabonne Infrastructure, Department Leader – Governance & Corporate Performance and Department Leader – Development Services attended remotely.

ITEMS FOR DETERMINATION

ITEM - 1 ACKNOWLEDGEMENT OF COUNTRY

MOTION (Newsom/Oldham)

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

21/09/01 Carried

ITEM - 2 APPLICATIONS FOR LEAVE OF ABSENCE

MOTION (Newsom/Oldham)

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

21/09/02 Carried

ITEM - 3 DECLARATIONS OF INTEREST

Proceedings in Brief

Clr Batten declared an interest (identified as a perceived conflict of interest, significant, non-pecuniary) in items 16 and 19 as he is the Chair of the Molong Advancement Group.

MOTION (Davison/Nash)

THAT the declarations of interest be noted.

21/09/03 Carried

ITEM - 4 DECLARATIONS FOR POLITICAL DONATIONS

MOTION (Oldham/Weaver)

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

21/09/04 Carried

ITEM - 5 ELECTION OF MAYORAL AND DEPUTY MAYOR

Proceedings in Brief

It was noted the time being 2.09pm the Mayor declared the positions of Mayor and Deputy Mayor vacant and handed over to the General Manager as Returning Officer.

The General Manager advised that for the purpose of the Mayor and Deputy Mayor election the Deputy General Manager – Cabonne Services has been appointed as the Returning Officer.

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

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

Clr Jones confirmed his acceptance of the nomination for the 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 (Oldham/Durkin)

THAT Council:

1. Elect the Mayor and Deputy Mayor (if more than 1 nomination is received) by way of open voting.
2. Conduct the Election of Mayor and Deputy Mayor in accordance with the Local Government Act 1993 and the result be declared by the Returning Officer.
3. Appoint a Mayor and Deputy Mayor serving from 28 September 2021 until the end of the current term of Council.

21/09/05 Carried

ITEM - 6 DELEGATION TO MAYOR AND DEPUTY MAYOR (IN

MAYOR'S ABSENCE)

MOTION (Newsom/Batten)

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/her 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.

21/09/06 Carried

ITEM - 7 MAYORAL MINUTE - APPOINTMENTS

Proceedings in Brief

Clr Beatty

24/8/21 – Attended the office for the business paper review meeting via Microsoft Teams with the Deputy Mayor, General Manager and the Deputy General Managers. Attended the Ordinary Council meeting via Microsoft Teams.

25/8/21 – Interview with 2MC Bathurst. Attended Orange 360 meeting via Microsoft Teams.

1/9/21 – Interview with Neil Gill radio program.

2/9/21 – Attended the office for webinar with Office of Local Government for a Covid 19 update. Recorded vaccination media release for social media.

3/9/21 – Attended the office to record vaccination importance interview for Triple M. Attended a meeting with the General Manager.

7/9/21 – Attended the office for a meeting with the General Manager.

14/9/21 – Attended the office for a Covid 19 update webinar with the Office of Local Government. Attended the councillor workshop via Microsoft Teams.

15/9/21 – Interview with Neil Gill radio program.

17/9/21 – Attended the office for an interview with Prime News regarding lockdown freedoms. Attended a Zoom meeting with the Deputy Premier regarding lockdown. Attended a meeting with the General Manager.

22/9/21 – Attended Orange 360 meeting via Microsoft Teams. Attended Local Land Services meeting via Microsoft Teams. Attended meeting with the General Manager.

27/9/21 – Attended meeting with the General Manager via telephone regarding a positive Covid 19 case in Canowindra.

MOTION (Beatty/-)

THAT the information contained in the Mayoral Minute be noted.

21/09/07 Carried

**ITEM - 8 MAYORAL MINUTE - FINANCIAL CONTRIBUTION TOWARDS
CABONNE SHOW SOCIETIES**

MOTION (Walker/Weaver)

THAT Council agree to donate \$1,000 to each local Show Society in the shire.

21/09/08 Carried

**ITEM - 9 MAYORAL MINUTE - INFRASTRUCTURE CONTRIBUTIONS
REFORMS**

MOTION (Oldham/Durkin)

THAT Council:

1. Calls on the NSW Government to withdraw the Environmental Planning and Assessment Amendment (Infrastructure Contributions) Bill 2021 (the Bill) from the NSW Parliament;
2. Calls on the NSW Government to undertake further consultation with the local government sector on any proposed reforms to the infrastructure contributions system;
3. Calls on the NSW Government to de-couple the Independent Pricing and Regulatory Tribunal led review of the rate peg to include population growth from the infrastructure contributions reforms;
4. Writes to the local State Member Mr Phillip Donato MP, the Premier the Hon Gladys Berejiklian MP, Treasurer the Hon Dominic Perrottet MP, Minister for Planning and Public Spaces the Hon Rob Stokes MP and Minister for Local Government the Hon Shelley Hancock MP seeking them to withdraw the Bill;
5. Writes to the Shadow Treasurer the Hon Daniel Mookhey MLC, Shadow Minister for Planning and Public Spaces Mr Paul Scully MP, Shadow Minister for Local Government Mr Greg Warren MP, The Greens Mr David Shoebridge MLC, Shooters, Fishers and Farmers Party the Hon Robert Borsak MLC, Pauline Hanson's One Nation the Hon Mark Latham MLC, Animal Justice Party the Hon Emma Hurst MLC, Christian Democratic Party (Fred Nile Group) the Hon Fred Nile MLC, Independent Mr Justin Field, Portfolio Committee Chair The

Greens Ms Cate Faehmann, Portfolio Committee Deputy Chair Animal Justice Party the Hon Mark Pearson MLC and Committee members Liberal Party the Hon Catherine Cusack MLC and the Hon Shayne Mallard MLC, The Nationals the Hon Ben Franklin MLC and Australian Labor Party the Hon Rose Jackson MLC and the Hon Adam Searle MLC seeking their support in securing the withdrawal of the Bill from the NSW Parliament and outlining council's concerns with the Bill;

6. Alerts the local media to the threat of future ratepayer funds being expended rather than developer levies for new infrastructure brought about by increased development under the proposed legislation and shares and promotes these messages via its digital and social media channels and via its networks; and
7. Affirms its support to LGNSW and requests LGNSW continue advocating on Council's behalf to protect local government from any amendments to infrastructure contributions which leaves councils and communities exposed to expending ratepayer funds on new infrastructure made necessary by new development, currently the responsibility of developers.

21/09/09 Carried

ITEM - 10 COMMITTEE OF THE WHOLE

Proceedings in Brief

Clr Weaver requested that items 21 and 23 be debated in Committee of the Whole.

MOTION (Durkin/Treavors)

THAT items 21 and 23 be debated in Committee of the Whole.

21/09/10 Carried

ITEM - 11 GROUPING OF REPORT ADOPTION

Proceedings in Brief

The Mayor advised that item 16 would be further considered due to Clr Batten having declared an interest in that item.

MOTION (Treavors/Davison)

THAT:

1. Item 16 be further consider; and
2. Items 12, 13, 14, 15 and 17 be moved and seconded.

21/09/11 Carried

ITEM - 12 CONFIRMATION OF THE MINUTES

MOTION (Treavors/Davison)

THAT the minutes of the Ordinary meeting held 24 August 2021 be adopted.

21/09/12 Carried

ITEM - 13 CENTRAL NSW BUSINESS HQ (BIZ HQ)

MOTION (Treavors/Davison)

THAT Council approve the Business Enterprise Centre – Central NSW Limited amended constitution as presented and endorse the acceptance by the Board at the members meeting on 30 September 2021.

21/09/13 Carried

ITEM - 14 EUGOWRA TOWN MASTERPLAN

MOTION (Treavors/Davison)

THAT the Eugowra Town Master Plan be adopted.

21/09/14 Carried

**ITEM - 15 DRAFT REVIEW OF CABONNE ECONOMIC DEVELOPMENT
AND VISITOR ECONOMY STRATEGY**

MOTION (Treavors/Davison)

THAT Council places the Draft Cabonne Economic Development and Visitor Economy Strategy on public exhibition for 28 days in accordance with Council's Community Participation Plan.

21/09/15 Carried

It was noted the time being 2.17pm Clr Batten declared an interest in the following item and left the Chamber.

ITEM - 16 VILLAGE ENHANCEMENT FUND POLICY

MOTION (Jones/Newsom)

THAT Council adopt the Village Enhancement Fund Policy.

21/09/16 Carried

It was noted the time being 2.18pm Clr Batten returned to the Chamber.

**ITEM - 17 GOVERNMENT INFORMATION PUBLIC ACCESS ACT 2009
(GIPA) AGENCY INFORMATION GUIDE - ANNUAL REVIEW**

MOTION (Treavors/Davison)

THAT Council adopt the draft 2021/22 Agency Information Guide annexed to the report.

21/09/17 Carried

ITEM - 18 ANNUAL FINANCIAL STATEMENTS

MOTION (Batten/Nash)

THAT:

1. The Mayor, Deputy Mayor, General Manager and Deputy General Manager Services sign the Statement by councillors and management pursuant to section 413(2) of the Local Government Act for both the General Purpose and Special Purpose Financial Statements.
2. Council refers the General-Purpose Financial Statements and Special Purpose Financial Statements to the Audit Office NSW for audit.

21/09/18 Carried

It was noted the time being 2.19pm Clr Batten declared an interest in the following item and left the Chamber.

ITEM - 19 EVENTS ASSISTANCE PROGRAM

MOTION (Weaver/Oldham)

THAT council approves under its 2021/22 Event Assistance Program:

1. \$2,000 for Molong Poetry Brawl by Molong Advancement Group,
2. \$856 for the launch of the Yeoval produced Banjo Paterson Book – “A.B. Banjo Paterson” by The Mulga Bill Festival Inc, and
3. The carryover of funding (\$3,000) for Baroquefest by Canowindra Fine Music Inc.

21/09/19 Carried

It was noted the time being 2.20pm Clr Batten returned to the Chamber.

ITEM - 20 CABONNE COUNCIL POOLS ADVISORY COMMITTEE

Proceedings in Brief

It was noted that Clrs Weaver and Nash expressed an interest in attending the first Cabonne Council Pools Advisory Committee meeting.

MOTION (Durkin/Newsom)

THAT Council:

1. Adopt the Cabonne Council Pools Advisory Committee Terms of Reference; with the following amendment:

Section 8 Meetings – The committee will meet bi-annually,

2. Appoint the Mayor to the Cabonne Council Pools Advisory Committee, for the remaining term of council, and
3. Delegate authority to the Mayor and General Manager to review the expressions of interest received and appoint the community members.

21/09/20 Carried

It was noted that item 21 was debated in Committee of the Whole.

ITEM - 22 WASHPEN RURAL FIRE SERVICE STATION

MOTION (Durkin/Weaver)

THAT Council:

1. Authorise the acquisition of Lot 1071 DP 1275409, Gundong Road, Obley, to enable construction of the proposed Washpen Rural Fire Service Brigade Station.
2. Delegate authority to the General Manager to execute necessary documentation to progress the acquisition of Lot 1071 DP 1275409 Gundong Road, Obley.
3. Authorise the affixing of the Common Seal to the contract documentation.
4. Following finalisation of sale, categorise the land as Operational Land.

21/09/21 Carried

It was noted that item 23 was debated in Committee of the Whole.

ITEM - 24 ADDITIONAL GRAVEL RESHEETING WORKS

MOTION (Batten/Treavors)

THAT Council approves the allocation of \$380,000 from the Roads Reserve to the 2021/22 budget allocation to fund additional gravel resheeting on the local road network.

21/09/22 Carried

ITEM - 25 DRAFT BUSHFIRE PRONE LAND MAPPING CABONNE LOCAL GOVERNMENT AREA

MOTION (Durkin/Nash)

THAT Council place the draft Bushfire Prone Land Map on public exhibition for 28 days, and upon conclusion of the public consultation phase that a further report be provided to council.

21/09/23 Carried

**ITEM - 26 TEMPORARY VARIATION TO 1985/0082 LOT 3 DP866377,
MULYAN ROAD, CLERGATE**

MOTION (Oldham/Treavors)

THAT Council permit the Canobolas Motorcycle Club to hold two (2) events per month for October and November 2021 at Newhaven Park, Mulyan Road, Clergate, subject to the club providing adequate written notice to all neighbouring properties of the proposed events and that the events are not held on consecutive weekends.

21/09/24 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, D Durkin, L Oldham, P Batten, K Walker, J Weaver and I Davison.

Against: Nil

ITEM - 27 QUESTIONS FOR NEXT MEETING

Proceedings in Brief

Clr Weaver requested a report in relation to the status of the Canowindra Medical Centre project.

Clr Treavors requested that consideration be given to a leash free area in Cudal. The Deputy General Manager – Cabonne Services advised that the Companion Animals Management Plan will be reviewed in consultation with the incoming Council and the community, she further advised that staff are investigating leash free areas in other towns noting that there is currently only one in the shire, that being in Molong.

MOTION (Durkin/Davison)

THAT Council receive a report at the next Council meeting in relation to the status of the Canowindra Medical Centre project.

21/09/25 Carried

ITEM - 28 BUSINESS PAPER ITEMS FOR NOTING

MOTION (Treavors/Durkin)

THAT the notation items be noted.

21/09/26 Carried

ITEM - 29 MATTERS OF URGENCY

Proceedings in Brief

The Mayor requested that Item 31 – Regional Sport Facility Fund, tabled as a late item, be considered as a matter of urgency due to the closing date for applications being prior to the next ordinary council meeting.

MOTION (Oldham/Nash)

THAT Item 31 be considered as a matter of urgency.

21/09/27 Carried

ITEM - 31 REGIONAL SPORT FACILITY FUND

MOTION (Jones/Batten)

THAT Council submit the following applications for funding under the NSW Government's Regional Sport Facility Fund (Round 2):

1. Yeoval Exercise Pathway at Yeoval Recreation Precinct, Yeoval valued at approximately \$181,000.
2. Sports flooring at Eugowra Multipurpose valued at approximately \$292,500.

21/09/28 Carried

ITEM - 30 COMMITTEE OF THE WHOLE SECTION OF THE MEETING

MOTION (Oldham/Weaver)

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

21/09/29 Carried

ITEM - 21 EUGOWRA MEDICAL CENTRE REFURBISHMENT PROJECT

Proceedings in Brief

Clr Jones requested an explanation from the Deputy General Manager – Cabonne Infrastructure regarding the word “abandon” being used in the recommendation. The Deputy General Manager – Cabonne Infrastructure advised that the terminology from the funding deed references abandon, so

when Council choose not to proceed with a project it references abandoning the project, hence the wording in the recommendation. He further advised that conversations with the Eugowra Medical Centre have been positive in regards to future options and working with the new incoming council and the development of the new delivery program.

Clr Weaver queried the tender readiness reference in the report; what is that timeframe, and would it still apply in four years' time. The Deputy General Manager – Cabonne Infrastructure advised that if the scope of the future project remains similar then the tender process would be able to be undertaken without changes.

RECOMMENDATION (Jones/Weaver)

THAT:

1. Council notify the Department of Industry, Science, Energy and Resources of its intention to abandon project Eugowra Medical Centre Refurbishment Project in accordance with grant agreement BBRFIIV000069; and
2. Council, in consultation with the Eugowra Medical Centre committee and community, will pursue other opportunities and resources, so as to provide suitable medical services to the Eugowra community.

1. Carried

**ITEM - 23 NAMING OF CANOWINDRA RECREATION GROUND AND
TOM CLYBURN OVAL**

Proceedings in Brief

Clr Weaver requested that points 1, 2 and 4 be amended to Canowindra Sports Complex rather than Canowindra Recreation Ground. Clr Durkin stated, as seconder of recommendation, that if the Deputy General Manager – Cabonne Infrastructure agreed, given he has been in discussions with the governing body, then he supported the amendment to the recommendation.

The Deputy General Manager – Cabonne Infrastructure confirmed that he has received feedback from the chair of the Sports Trust that their preference is for the precinct to be named it the Canowindra Sports Complex rather than the Canowindra Recreation Ground.

RECOMMENDATION (Weaver/Durkin)

THAT Council:

1. Endorse the official naming of the Canowindra Sports Complex being Lots 62, 192, 193, 194, 195 on DP750147.
2. Submit an application to the Geographical Naming Board to officially name the Canowindra Sports Complex being Lots 62, 192, 193, 194, 195 on DP750147.

3. Endorse the official naming of the Tom Clyburn Oval for the extent of the sports oval contained within Lot 62 on DP750147.
4. Request the Geographical Naming Board Tom Clyburn Oval to be listed as an area of interest within the Canowindra Sports Complex.

2. Carried

It was noted the time being 2.48pm 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/Treavors)

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.

3. Carried

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

RECOMMENDATION (Davison/Weaver)

THAT the Committee endorse the accuracy of the Report of the Proceedings of Confidential Matters at the Ordinary Council meeting held on 24 August 2021 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.

4. Carried

ITEM - 3 PLANT REPLACEMENT ROAD MAINTENANCE TRUCK

RECOMMENDATION (Walker/Nash)

THAT Council:

1. Resolve to accept the tender of Ausroad Systems for \$285,777.00 (excl GST) for the supply of road maintenance truck.
2. Authorise any variation to the contract for the project provided the variations are contained within the overall approved budget.

5. Carried

**ITEM - 4 REQUEST FOR TENDER FOR GRAVEL RESHEETING IN THE
CABONNE COUNCIL LGA**

RECOMMENDATION (Weaver/Batten)

THAT Council:

1. Accept the tender of Townsend's Grader and Earthmoving Services for \$235,752.00 (excl. GST), for the supply of gravel resheeting services in the Cabonne Council LGA.
2. Authorise any variation to the contract for the project provided the variations are contained within the overall approved budget.

6. Carried

It was noted the time being 2.51pm the Mayor resumed the Ordinary Council meeting.

REPORT & RESOLUTIONS OF COMMITTEE OF THE WHOLE

MOTION (Durkin/Oldham)

THAT the Report and Recommendations of the Committee of the Whole Meeting held on Tuesday 28 September, 2021 be adopted.

21/09/30 Carried

There being no further business, the meeting closed at 2.52pm.

CHAIRMAN.

Chairman of the Ordinary Meeting of Cabonne Council held on the 26 October, 2021 at which meeting the listed minutes were confirmed and the signature hereon was subscribed