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**PRESENT** Clr I Gosper (in the Chair), Clrs G Dean, M Nash, M Hayes, S Wilcox, G Smith, A Durkin, G Treavors, K Walker, I Davison and J Culverson.

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

## **ITEMS FOR DETERMINATION**

### **ITEM - 1 APPLICATIONS FOR LEAVE OF ABSENCE**

#### Proceedings in Brief

An apology was tendered on behalf of Clr L MacSmith for his unavoidable absence from the meeting.

#### **MOTION** (Treavors/Wilcox)

THAT the apology tendered for Clr L MacSmith be accepted and the necessary leave of absence be granted.

13/12/3

Carried

### **ITEM - 2 DECLARATIONS OF INTEREST**

#### Proceedings in Brief

There were nil declarations of interest.

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

#### Proceedings in Brief

There were nil declarations of political donations.

It was noted the time being 2:03pm the local State Member Andrew Gee MP addressed Council until 2:22pm. Mr Alf Cantrell then addressed Council in relation to upcoming events in Yeoval particularly Banjo Paterson related events until 2:32pm.

### **ITEM - 4 MAYORAL MINUTE - CONDUCT OF JANUARY MEETING**

#### **MOTION** (Gosper/-)

THAT:

1. Council not conduct an Ordinary meeting in January 2014 due to the restricted time frame available.
2. An Extraordinary meeting be conducted in January or on February

Committee day if necessary.

13/12/4

Carried

## **ITEM - 5 MAYORAL MINUTE - APPOINTMENTS**

### Proceedings in Brief

#### Attendances

Clr Gosper

- Meeting with YBM Accountants with the General Manager
- Council meeting
- Interviews for Director of Engineering & Technical Services position
- Boomey Bush Fire Brigade meeting
- Nashdale School's 125<sup>th</sup> Anniversary celebrations
- Audit Committee meeting at Blayney with the Director of Finance & Corporate Services
- Caravan Park Committee meeting at Cudal
- Centroc AGM at Young with Director of Engineering & Technical Services
- 100<sup>th</sup> Anniversary celebrations for Western Districts Bowls Association at Orange Newstead
- The annual Builders Bowls Picnic Day at Molong
- Canobolas Zone RFS meeting with General Manager
- Committee meetings
- Meeting at Canowindra Pool
- Meeting at Yeoval with local resident with Clr Smith
- Meeting with General Manager and Deputy Mayor
- Molong St Joseph's School presentation ceremony
- Councillor Christmas function at Borenore Store
- Official opening of 3 new Habitat for Humanity houses at Canowindra
- Opening of the new Canowindra Pool
- Molong Central School's presentation ceremony

Clr Culverson

- Consultative Committee meeting
- Ordinary Council meeting
- Ophir Trust meeting

- Mullion Creek Public School P&C meeting
- Traffic Committee meeting
- Ossa P&C representatives meeting
- Public Libraries NSW Annual Conference
- Committee meetings
- Wentworth Main Mine Lucknow opening OCC
- Blessing and handover mass Mullion Creek

Clr Davison

- Cabonne Tourism Committee meeting
- Council and Committee meetings
- Borenore Progress Association meeting
- CSU graduation ceremony
- BEC meeting at Orange
- Central NSW Tourism AGM Cowra

Clr Walker

- Retirement project – Dubbo
- Caravan Park meeting
- Committee meetings
- Canowindra Pool inspection
- Eugowra Progress Association meeting
- Central Tablelands Water meeting
- St Joseph's School presentations at Eugowra
- Canowindra Pool opening
- Habitat for Humanity open house Canowindra
- Canowindra Public School presentations
- Council meeting

**MOTION** (Gosper/-)

THAT the information contained in the Mayoral Minute be noted.

13/12/5

Carried

**ITEM - 6 GROUPING OF REPORT ADOPTION**

**MOTION** (Durkin/Culverson)

THAT:

1. Council further consider 7 called by Clr Culverson.
2. Items 8 to 20 be moved and seconded.

13/12/6 Carried

**ITEM - 7 CONFIRMATION OF THE MINUTES**

Proceedings in Brief

It was noted that Item 26 was documented in the Minutes of the Ordinary meeting of 19 November 2013 as a Recommendation and did not reflect that it was a Motion of Council moved by Clr Culverson, seconded by Clr Hayes and Carried.

**MOTION** (Culverson/Hayes)

THAT the minutes of the Ordinary Meeting held 19 November 2013 and Extraordinary Meeting held 3 December 2013 be adopted noting Item 26 was documented in the Minutes of the Ordinary meeting of 19 November 2013 as a Recommendation and did not reflect that it was in fact a Motion of Council moved by Clr Culverson, seconded by Clr Hayes and Carried.

13/12/7 Carried

**ITEM - 8 COMMUNITY SERVICES COMMITTEE MEETING**

**MOTION** (Durkin/Culverson)

THAT the report and recommendations of the Community Services Committee Meeting of Cabonne Council held on 3 December 2013 be adopted.

13/12/8 Carried

**ITEM - 9 ECONOMIC DEVELOPMENT & TOURISM COMMITTEE  
MEETING**

**MOTION** (Durkin/Culverson)

THAT the report and recommendations of the Economic Development and Tourism Committee Meeting of Cabonne Council held on 3 December 2013 be adopted.

13/12/9 Carried

**ITEM - 10 WORKS COMMITTEE MEETING**

**MOTION** (Durkin/Culverson)

THAT the report and recommendations of the Works Committee Meeting of Cabonne Council held 3 December 2013 be adopted.

13/12/10 Carried

**ITEM - 11 RATE REVIEW COMMITTEE MEETING**

**MOTION** (Durkin/Culverson)

THAT the report and recommendations of the Rate Review Committee Meeting of Cabonne Council held on 3 December 2013 be adopted.

13/12/11 Carried

**ITEM - 12 MOLONG GASWORKS REMEDIATION**

**MOTION** (Durkin/Culverson)

THAT Council authorise the variation of its Procurement (including local preference) Policy for the review of documentation of the former Molong Gasworks site.

13/12/12 Carried

**ITEM - 13 CENTRAL WEST LIBRARIES - CENTRAL WEST WRITERS' CENTRE (CWWC)**

**MOTION** (Durkin/Culverson)

THAT Cabonne Council write to the Local Member Mr Andrew Gee MP asking that he lobby for funding for the CWWC for 2014.

13/12/13 Carried

**ITEM - 14 COMMUNITY FACILITATION FUND**

**MOTION** (Durkin/Culverson)

THAT Council endorse the expenditure of \$297 from the Community Facilitation Fund for the erection of a garden-storage shed at the Cabonne Food, Wine and Cultural Centre.

13/12/14 Carried

**ITEM - 15 CUDAL SUMMER NIGHT MARKETS - FEBRUARY 2014**

**MOTION** (Durkin/Culverson)

THAT approval be granted for the road closure for this event as set out in the Cudal A&P Society Inc. submission to conduct the 'Cudal Summer Night Market' on Smith Street, Cudal on Saturday 8 February 2014 with the temporary road closure of Smith Street, between the Main Street and the unnamed laneway from 4:00PM to 9:00PM subject to the following

conditions:

1. Implementation of the submitted Risk Management Plan
2. A clear passageway of 4 metres wide should be maintained within the closed section of roadway for emergency access
3. Event organiser to obtain written approval from the NSW Police Force and all directions and conditions promptly obeyed
4. Council to be provided with an updated copy of the \$20M Public Liability Insurance Policy, indicating Cabonne Council's interests, with the date and location of the event
5. The Event Organiser must obtain owner's approval for any use of private land
6. The Event Organiser is to notify all Emergency Services of the event
7. The Event Organiser is to notify all business proprietors and residents affected by the event at least 7 days prior to the event
8. The Event Organiser shall be responsible for the cost of repairing any damage caused to Council infrastructure as a result of the proposed event.

13/12/15 Carried

**ITEM - 16 CAMP QUALITY TRACTOR TREK - SEPTEMBER 2014**

**MOTION** (Durkin/Culverson)

THAT Council approve the application subject to:

1. Implementation of the Risk Management Plan and Traffic Management Plan, in accordance with the 'Guide to Traffic and Transport Management for Special Events' (RTA v3.4 August 2006) for a Class 2 event
2. NSW Road Rules being observed by participants at all times
3. Written approval being obtained from NSW Police
4. Written approval being obtained from all affected Local Government Authorities
5. Council being provided with an updated copy of the \$20M Public Liability Insurance Policy indicating Cabonne Council's interests, with the date and location of the event
6. The Event Organiser notifying all Emergency Services of the event

13/12/16 Carried

**ITEM - 17 2013 NATIONAL LOCAL ROADS AND TRANSPORT CONGRESS**

**MOTION** (Durkin/Culverson)



THAT Council support future National Local Roads and Transport Congresses by sending delegates.

13/12/17 Carried

**ITEM - 18 MOLONG SHOWGROUND AND GOLF COURSE**

**MOTION** (Durkin/Culverson)

THAT Council:

1. Approve the license for the Molong Show Society; and
2. Authorise the Mayor and General Manager to sign and seal the document

13/12/18 Carried

**ITEM - 19 MOLONG COMMUNITY HALL**

**MOTION** (Durkin/Culverson)

THAT Council waive the fees for the use of the hall.

13/12/19 Carried

**ITEM - 20 CUDAL COMMUNITY HALL**

**MOTION** (Durkin/Culverson)

THAT Council adopt the Plan of Management for the Cudal Community Hall and advise Council's solicitor to finalise the transfer of title in compliance with Council's December 2012 resolution.

13/12/20 Carried

**ITEM - 21 COSTS ASSOCIATED WITH LOSSES DUE TO WATER  
USERS' FAULTY PLUMBING**

Proceedings in Brief

The current Council policy was read out and it was agreed that it did not require further review at this time. It was also noted that the Central Tablelands Water policy is one of no reductions due to a water leak on the users side of the meter.

**MOTION** (Walker/Nash)

THAT an information sheet be sent with the next water/sewer accounts advising owners of their water consumption responsibilities.

13/12/21 Carried

**ITEM - 22 DELIVERY OF BITUMEN EMULSION TO CENTRAL NSW  
COUNCILS - BORAL ASPHALT**

**MOTION** (Wilcox/Walker)

THAT Council:

1. Endorse the extension of the current bitumen emulsion contract with Boral Asphalt;
2. Write to Boral Asphalt with intention of extension; and
3. Advise Centroc of its decision.

13/12/22 Carried

**ITEM - 23 SEWAGE CONNECTION FOR THE CUDAL SHOWGROUND**

**MOTION** (Durkin/Dean)

THAT Council:

1. Grant approval for the sewer connection to the Cudal Showground; and
2. Waive the developer charges of \$8,753.90 for the sewer connection to the Cudal Showground.
3. Accept the grant as trustees of the Cabonne Council Reserve Reserves Trust.

13/12/23 Carried

**ITEM - 24 MOLONG CREEK DAM: MANAGEMENT OF  
ENVIRONMENTAL FLOWS INTO MOLONG CREEK**

**MOTION** (Wilcox/Hayes)

THAT Council:

1. Adopt the Triggers and Total Environmental Flow Release Volumes for the Molong Creek Dam and Borenore Creek Dam (shown in Table 1 of the report);
2. Adopt the statement that environmental flow releases should be contingent on adequate town water supply and the Molong Water Supply Scheme being able to meet its level of service; and
3. Refer the funding of \$20,000 to the 2014/15 for consideration of the implementation of the management plan.

13/12/24 Carried

**ITEM - 25 MOLONG WATER TREATMENT PLANT UPGRADE:**

**ADDITIONAL WORKS REQUIRED BY MULTITRODE PTY LTD**

**MOTION** (Durkin/Hayes)

THAT Council approve the proposal by Multitrode Pty Ltd for the amount of \$510,000 (incl. GST) for the upgrade works at the Molong WTP and not call for tenders as with Multitrode's knowledge of the particular equipment it is unlikely that a satisfactory result would be achieved by calling tenders.

13/12/25 Carried

**ITEM - 26 ENVIRONMENTAL SERVICES & SUSTAINABILITY  
COMMITTEE MEETING**

**MOTION** (Treavors/Culverson)

THAT the report and recommendations of the Environmental Services and Sustainability Committee Meeting of Cabonne Council held on 3 December 2013 be adopted and carried motions be noted.

13/12/26 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 (noting the absence of Clr MacSmith – apology) as follows:

For: Clrs Gosper, Dean, Nash, Hayes, Wilcox, Smith, Durkin, Treavors, Walker, Davison and Culverson.

Against: Nil.

**ITEM - 27 MODIFICATION APPLICATION 2011/103/2 FOR 3 DETACHED  
VILLAS ON LOT 5 SECTION 16 DP 758221 LAND KNOWN AS 11  
PRESTON ST, CANOWINDRA.**

**MOTION** (Durkin/Walker)

THAT Modification Application 2011/103/2 for 3 detached villas on Lot 5 Section 16 DP 758221, be granted consent subject to the conditions attached.

13/12/27 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 (noting the absence of Clr MacSmith – apology) as follows:

For: Clrs Gosper, Dean, Nash, Hayes, Wilcox, Smith, Durkin, Treavors, Walker, Davison and Culverson.

Against: Nil.

**ITEM - 28 RESIDENT CONCERNS FOR THE UNDERTAKING OF SPRAY  
PAINTING ACTIVITIES ON LOT 10 SECTION 60 DP 758693, 16  
MOLONG STREET, MOLONG**

Proceedings in Brief

It was noted the Director of Environmental Services provided a verbal update and answered questions in relation to this matter.

**MOTION** (Hayes/Davison)

THAT Council note it received a further report on the day of the meeting.

13/12/28 Carried

**ITEM - 29 NETWASTE REGIONAL TENDER FOR WASTE SERVICES**

**MOTION** (Wilcox/Walker)

THAT Council inform JR Richards and Sons of 92 Manning St, Tuncurry in writing, as soon as possible, that Council wishes the current Waste Services Contract to be extended until midnight 3 April 2016.

13/12/29 Carried

**ITEM - 30 COLLECTION AND RECYCLING OF E WASTE FOR  
COUNCILS IN THE NETWASTE REGION**

**MOTION** (Wilcox/Davison)

That Council:

1. Sign the Agreement under the Common Seal, once circulated, appoint Reverse E-Waste as the exclusive service provider for E Waste collection and recycling.
2. Ensures the requirements of the arrangement are met.

13/12/30 Carried

**ITEM - 31 BUSINESS PAPER ITEMS FOR NOTING**

**MOTION** (Culverson/Dean)

THAT:

1. Councillors further consider items 5 and 6 called by Clr Gosper.
2. The balance of the items be noted.

13/12/31 Carried

**ITEMS FOR NOTATION**

**ITEM - 5 BUSINESS DEVELOPMENT ASSISTANCE PROGRAM (BDAP)**

Proceedings in Brief

The General Manager explained the implications of not considering the applications already received against the current Program guidelines.

**MOTION** (Gosper/Davison)

THAT Council:

1. Proceed with assessment of the two (2) current applications for determination at the February Council meeting.
2. Suspend receipt of BDAP applications until the Program is amended.

13/12/32 Carried

**ITEM - 6 FUNDING FOR THE CONSTRUCTION OF PUZZLE FLAT  
LEVEE, EUGOWRA**

**MOTION** (Gosper/Wilcox)

THAT Council write to the two (2) local State MPs advising that Council is still seeking funding for this project and will be pursuing same once the design is finished.

13/12/33 Carried

**ITEM - 32 QUESTIONS FOR NEXT MEETING**

Proceedings in Brief

In relation to requests by Clr Davison the General Manager suggested a session be held to discuss establishment of a food processing industry in the Shire together with surrounding councils and a session be held to canvass ideas such as heating the Molong pool, a hydrotherapy pool, etc.

**MOTION** (Dean/Culverson)

THAT Council receive a report at the March Council meeting in relation to the state of the Plant Fund and the program for the next 12 months.

13/12/34 Carried

**MOTION** (Davison/Dean)

THAT Council receive a report at the February Council meeting in relation to:

1. Options relating to status of the Council owned Factory site at Packham Drive Molong.
2. Council lodging an application of the AR Bluett Memorial Award.

13/12/35 Carried

**MATTERS OF URGENCY**

There were nil matters of urgency.

**CONFIDENTIAL ITEMS**

**ITEM - 1 CARRYING OF COUNCIL RESOLUTION INTO CLOSED  
COMMITTEE OF THE WHOLE MEETING**

**MOTION** (Dean/Walker)

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.

13/12/36

Carried

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

**RECOMMENDATION** (Dean/Durkin)

THAT the Committee endorse the accuracy of the Report of the Proceedings of Confidential Matters at the Closed Committee of the Whole Meeting held on 19 November 2013 notes that the recommendations recorded in the Official Ordinary Minutes of that meeting are sufficient to state the general effect of the proceeding in Closed Committee.

1.

Carried

It was noted the time being 3:34pm Clr Culverson declared an interest (identified as a pecuniary interest) in the following Item due to one of the ratepayers named in the report being a relative and left the Chambers.

It was also noted at this time Clr Wilcox declared an interest (identified as a non significant non-pecuniary interest) in the following Item due to one of the ratepayers named in the report being a neighbour and friend and left the Chambers.

**ITEM - 3 DEBT RECOVERY REPORT OF OUTSTANDING RATES**

**DEBTS**

**RECOMMENDATION** (Durkin/Dean)

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 that Council intends to issue a Statement of Claim for the recovery of all monies owed to Council.

2. Carried

It was noted the time being 3:36pm Clrs Culverson and Wilcox rejoined the meeting.

It was noted, the time being 3:37am Clr Walker declared an interest (identified as non significant non-pecuniary interest) in the following Item due to the matter relating to a neighbour and left the Chambers.

**ITEM - 4 REDEEMING BANK GUARANTEE**

**RECOMMENDATION** (Durkin/Wilcox)

THAT Council agree to the redemption of bank guarantees in relation to works carried out for DA 2008/163.

3. Carried

It was noted, the time being 3:38pm Clr Walker rejoined the meeting.

**ITEM - 5 AGE OF FISHES FOSSILS**

**RECOMMENDATION** (Durkin/Dean)

THAT Council:

1. Note the advice regarding ownership of the Age of Fishes fossils.
2. Advise the Age of Fishes Board in writing of the advice received.

4. Carried

**ITEM - 6 VOLUNTARY PURCHASE, MOLONG**

**RECOMMENDATION** (Walker/Wilcox)

THAT Council provisionally nominate number 5 Betts Street as the second Voluntary Purchase priority in Molong pending a further report to Council.

5. Carried

\* **ITEM - 7 CANOWINDRA POOL, CONTRACT VARIATION**

**RECOMMENDATION** (Gosper/Walker)

THAT Council approve the release of 50% of the retention being standard business practice and on the basis of the risk assessment carried out.

6. Carried

It was noted the time being 3:45pm the Chair resumed the Ordinary meeting.

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

**MOTION** (Culverson/Davison)

THAT the Report and Recommendations of the Closed Committee of the Whole Meeting held on Tuesday 17 December, 2013 be adopted.

13/12/37 Carried

At this time the Mayor noted it was the final meeting of the Director of Engineering & Technical Services due to his upcoming retirement. The Mayor, councillors and staff acknowledged with praise and a standing ovation the significant contribution to Cabonne by the Director.

There being no further business, the meeting closed at 3:52pm.

CHAIRMAN.

Chairman of the Ordinary Meeting of Cabonne Council held on the 18 February, 2013 at which meeting the listed minutes were confirmed and the signature hereon was subscribed.