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PRESENT Councillor I Gosper (in the Chair), Councillors G Dean, L MacSmith, M Hayes, S Wilcox, G Smith, A Durkin, G Treavors, K Walker, and J Culverson.

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

ITEMS FOR DETERMINATION

ITEM - 1 APPLICATIONS FOR LEAVE OF ABSENCE

Proceedings in Brief

An apology was tendered on behalf of Clrs Nash and Davison for their absence from the meeting.

MOTION (Culverson/Durkin)

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

14/06/11

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 2:01pm the Mayor presented the Youth of the Month Award for June to Joe Parmeter from Molong Central School.

It was noted the time being 2:03pm Jenny from CENTROC provided Council with an overview of the services CENTROC offer until 2:27pm.

ITEM - 4 MAYORAL MINUTE - APPOINTMENTS

Proceedings in Brief

Councillor Gosper

- Attended Daroo Awards launch
- Attended the Directors Meeting
- Attended Council Meeting
- Attended Workshop
- Attended the official opening of Cadia East Gold Mine
- Attended the Water Reference Group Meeting
- Attended Kevin Deans funeral
- Attended the Golden Cross Community Meeting regarding drilling program at Copper Hill Molong
- CENTROC Parliament House Meeting along with General Manager
- Meeting with Deputy Mayor and General Manager
- Chaired W.B.C Board Meeting at Blayney
- Presented Long Service Awards at the Molong Red Cross Morning Tea
- Attended Meeting at Council
- Councillor Workshop
- Committee and Extra Ordinary Meetings
- Attended Canobolas Local Area Command Police Awards Ceremony at the Orange Agriculture Institute
- Attended Community Meeting at Cumnock regarding Sewerage and Water
- Attended the afternoon and evening community meetings at Yeoval regarding sewerage and water
- Attended the National Assembly of Local Government in Canberra along with the General Manager
- Attended meeting at Manildra with both Mills, RMS, Staff and Councillors regarding truck stop and turning area
- Attended the Molong Rotary Annual Change Over Dinner
- Attended the Canobolas Local Area Command Police Precinct Meeting at Canowindra

Councillor Walker

- Committee Meeting
- CTW
- Eugowra Progress Association
- Business Chamber
- CTW interviews
- Lions changeover
- Council Meeting

MOTION (Gosper/-)

THAT the information contained in the Mayoral Minute be noted.

14/06/12

Carried

ITEM - 5 GROUPING OF REPORT ADOPTION

MOTION (Wilcox/MacSmith)

THAT:

1. Council further consider item 14 called by Clr Hayes.
2. Items 6 to 13 and 15 to 16 be moved and seconded.

14/06/13 Carried

ITEM - 6 CONFIRMATION OF THE MINUTES

MOTION (Wilcox/MacSmith)

THAT the minutes of the Ordinary Meeting held 20 May, 2014 and Extraordinary Meeting held 10 June, 2014 be adopted.

14/06/14 Carried

ITEM - 7 COMMUNITY SERVICES COMMITTEE MEETING

MOTION (Wilcox/MacSmith)

THAT the report and recommendations of the Community Services Committee Meeting of Cabonne Council held on 10 June 2014 be adopted.

14/06/15 Carried

**ITEM - 8 ECONOMIC DEVELOPMENT & TOURISM COMMITTEE
MEETING**

MOTION (Wilcox/MacSmith)

THAT the report and recommendations of the Economic Development and Tourism Committee Meeting of Cabonne Council held on 10 June 2014 be adopted.

14/06/16 Carried

ITEM - 9 WORKS COMMITTEE MEETING

MOTION (Wilcox/MacSmith)

THAT the report and recommendations of the Works Committee Meeting of Cabonne Council held 10 June 2014 be adopted.

14/06/17 Carried

ITEM - 10 QUARRY REVIEW COMMITTEE MEETING

MOTION (Wilcox/MacSmith)

THAT the report and recommendations of the Quarry Review Committee Meeting of Cabonne Council held 10 June 2014 be adopted.

14/06/18 Carried

ITEM - 11 INTEGRATED PLANNING AND REPORTING

MOTION (Wilcox/MacSmith)

THAT Council:

1. Adopts the Draft Operational Plan 2014/15, including Part 1 – The Activities and Part 2 – Financials (including Fees and Charges).
2. Adopts the Draft Resource Plans, including Workforce Management Plans' Asset Management Plan (Asset Management Plan, Asset Management Policy, Asset Management Strategy, Water Supply Asset Management Plan, Building Asset Management Plan, Recreation Asset Management Plan, Transport Asset Management Plan and Sewer Asset Management Plan) and the Long Term Financial Plan as amended at the extra-ordinary meeting held Tuesday 10 June, 2014.

14/06/19 Carried

ITEM - 12 MAKING OF RATES AND CHARGES FOR 2014-2015

MOTION (Wilcox/MacSmith)

THAT Council:

1. Adopt the *Pricing Policy and Fees and Charges for 2014-2015*
2. *Make and Levy the Rates for 2014-2015*, as shown on the rating schedule attached.
3. Approve the *Definitions* relating to the various "*Rating Categories*" in the annexure attached.
4. In accordance with Section 566(3) of the Local Government Act 1993, adopt the maximum rate of interest to apply to outstanding rates and charges for the 2014-2015 rating year. That rate is 8.5%.

14/06/20 Carried

**ITEM - 13 GOVERNMENT INFORMATION PUBLIC ACCESS ACT 2009
(GIPA) - AGENCY INFORMATION GUIDE AND PROACTIVE
RELEASE PROGRAM - ANNUAL REVIEW**

MOTION (Wilcox/MacSmith)

THAT Council:

1. Adopt the annexed draft Agency Information Guide and Proactive Release Program, for the ensuing 12 months and make same available through Council's website.
2. Submit their Agency Information Guide to the Information Commissioner.

14/06/21 Carried

**ITEM - 15 PEDESTRIAN ACCESS AND MOBILITY PLAN AND BICYCLE
PLAN ADOPTION**

MOTION (Wilcox/MacSmith)

THAT Council:

1. Adopt the Pedestrian Access and Management Plan.
2. Adopt the Bicycle Plan.

14/06/22 Carried

ITEM - 16 CUMNOCK STREET TREE MASTER PLAN

MOTION (Wilcox/MacSmith)

THAT draft amendments to the Cumnock Street Tree Master Plan be advertised for public comment and a further report submitted to Council.

14/06/23 Carried

ITEM - 14 POLICY DATABASE - PROPOSED CHANGES

Proceedings in Brief

In response to a question from Cllr Hayes the Administration Manager advised that sites to hold street stalls, in addition to those listed in the policy, can be arranged following an assessment by Council's Risk Management Officer.

MOTION (Hayes/Wilcox)

THAT the annexed draft Street Stall and Raffle Ticket Policy be adopted.

14/06/24 Carried

ITEM - 17 CARGO FORMER BABY HEALTH CENTRE BUILDING

MOTION (MacSmith/Walker)

THAT Council:

1. Donate back an amount equivalent to the annual licence fee each year to the Cargo Rural Fire Service Brigade for the former Baby Health Centre in Cargo, and
2. Affix the Seal to the licence agreement between Council and the Cargo Rural Fire Service Brigade.

14/06/25 Carried

It was noted, the time being 2:38 Clr Culverson declared an interest (identified as a pecuniary interest) in the following Item due to her business contracting to Council and left the Chambers.

ITEM - 18 PROCUREMENT (INCLUDING LOCAL PREFERENCE) POLICY

MOTION (Durkin/Wilcox)

THAT Council amend its Procurement (including local preference) Policy by deleting clause 11.3.3 Acquisition of services, goods or materials.

14/06/26 Carried

It was noted, the time being 2:39pm Clr Culverson rejoined the meeting.

ITEM - 19 FINANCIAL ASSISTANCE GRANTS

MOTION (Wilcox/Hayes)

THAT adjustments be made to the Financial Assistance Grants balances once final figures have been received from the NSW Local Government Grants Commission.

14/06/27 Carried

ITEM - 20 LOCAL GOVERNMENT REMUNERATION TRIBUNAL

MOTION (Durkin/MacSmith)

THAT from 1 July 2014 the annual fees payable to Councillors be set at \$10,740 and the additional annual fee payable to the Mayor be set at \$23,440.

14/06/28 Carried

ITEM - 21 RATES INCENTIVE SCHEME

MOTION (Hayes/Walker)

THAT Council not proceed with the Rates Incentive Scheme in 2014 and reassess its future when the number of rates assessments paid in full for 2014/2015 is evaluated.

14/06/29 Carried

ITEM - 22 DRAFT CABONNE COUNCIL COMMUNICATIONS STRATEGY

MOTION (Wilcox/MacSmith)

THAT Council endorse the draft Cabonne Communication Strategy as attached.

14/06/30 Carried

**ITEM - 23 REQUEST FOR BOUNDARY ADJUSTMENT WITH ORANGE
CITY COUNCIL A96619**

MOTION (Culverson/Wilcox)

THAT:

1. Council write to Orange City Council seeking their agreement to have Lot 1 DP 1152172 in the Cabonne Council area transferred to Orange City Council.
2. Upon agreement from Orange City Council, Cabonne Council write to the Office of Local Government to have Lot 1 DP 1152172 in Cabonne Council area transferred to Orange City Council.
3. Council write off rates and interest balance remaining when the Office of Local Government publish a Proclamation in the Government Gazette.

14/06/31 Carried

ITEM - 24 NAMING OF NEW BRIDGE ON CARGO ROAD

MOTION (Wilcox/Durkin)

THAT Council commence the public exhibition process to name the Nashdale Rail over bridge "Ingham Bridge" in accordance with the Geographical Names Board (GNB) guidelines and proceed with the naming of the bridge if no submissions are received within 28 days of exhibition.

14/06/32 Carried

**ITEM - 25 COMPULSORY ACQUISITION OF CROWN LAND FOR
MARYLEBONE BRIDGE**

MOTION (Durkin/Treavors)

THAT:

1. Council proceed with the compulsory acquisition of the land described as Lot 7301 DP 1146159 for the purpose of the construction of a new bridge in accordance with the requirements of the Land Acquisition (Just Terms Compensation) Act 1991;
2. Council make application to the Minister and the Governor for approval to acquire Lot 7301 DP 1146159 by compulsory process under section 186(1) and 186(2)(b) of the Local Government Act 1993;
3. The land to be acquired be classified as operational;
4. Council requests the Minister for Local Government to approve a reduction in the notification period from 90 days to 28 days.

14/06/33 Carried

ITEM - 26 ROAD NAMING - CHOUGHS LANE

Proceedings in Brief

Councillors considered and agreed on a proposal to use the name Griffith Lane for the proposed road name due to the history of the family described in the report.

MOTION (Culverson/Wilcox)

THAT Council adopt 'Griffith Lane' for the naming of the proposed road and commence the public consultation process to name the road 'Griffith Lane' in accordance with Clause 162 of the Roads Act 1993 and proceed with the suggested name if no objections are raised.

14/06/34 Carried

ITEM - 27 MITCHELL ROOM

MOTION (Culverson/Durkin)

THAT Council donate the \$44.00 fee for the use of the Mitchell Room for the annual Salvation Army Red Shield Appeal.

14/06/35 Carried

ITEM - 28 MITCHELL ROOM - MOLONG SHOW SOCIETY

MOTION (Treavors/Wilcox)

THAT Council donate the \$44.00 fee for the use of the Mitchell Room associated with 150th Anniversary of the Molong Show Society.

14/06/36 Carried

**ITEM - 29 ENVIRONMENTAL SERVICES & SUSTAINABILITY
COMMITTEE MEETING**

MOTION (Wilcox/Durkin)

THAT the report and recommendations of the Environmental Services and Sustainability Committee Meeting of Cabonne Council held on 10 June 2014 be adopted and carried motions be noted.

14/06/37 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 Clrs Nash and Davison – apologies) as follows:

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

Against: Nil.

ITEM - 30 DRAFT HERITAGE STRATEGY 2014-2017

MOTION (Wilcox/Culverson)

THAT Council endorse the draft Heritage Strategy 2014-2017

14/06/38 Carried

**ITEM - 31 CONNELLYS STORE - 97 BANK STREET, MOLONG -
BUILDING CONSERVATION**

MOTION (Durkin/Hayes)

THAT the information be noted and Council authorise use of reserve funds to carry out building maintenance and repairs to 97 Bank Street, Molong to weatherproof and secure the building.

14/06/39 Carried

ITEM - 32 QUESTIONS FOR NEXT MEETING

MOTION (Dean/Durkin)

THAT Council Nominate Pip Job for the Cabonne region for the Sensis

Yellow Pages and White Pages Directory Covers Program.

14/06/40 Carried

ITEM - 33 BUSINESS PAPER ITEMS FOR NOTING

Proceedings in Brief

Council further considered the called items, however the considerations did not result in a resolution/

MOTION (Culverson/Treavors)

THAT:

1. Council further consider item 12 called by Clr Hayes and items 6, 8 and 11 called by Clr Culverson.
2. The balance of the items be noted.

14/06/41 Carried

It was noted the time being 3:03pm, during discussion relating to Item 11 of Notation the Director of Environmental Services declared an interest (identified as a pecuniary interest) due to being a property owner on Bocobra Road and left the Chambers.

It was noted the time being 3:10pm, the Director of Environmental Services re-joined the meeting.

**ITEM - 34 RESTART NSW WATER FUND GRANT APPLICATION FOR
CUMNOCK AND YEOVAL POTABLE WATER SCHEMES**

Proceedings in Brief

Councillors discussed the options in the report and decided to apply for 75% grant funding as an application for 100% would be rejected as stated in the report.

MOTION (MacSmith/Smith)

THAT Council:

1. Submit an application for the Restart NSW Fund's Water Security for Regions Program to fund the proposed potable water schemes for Cumnock and Yeoval.
2. Submit the grant application based on Option 2 Construction of two packaged water treatment plants in Cumnock and in Yeoval.
3. Submit the grant application based on the project being 75% grant funded.

14/06/42 Carried

It was noted, in response to a request from Clr Durkin, the Chair called for a division which resulted in a vote for the motion (noting the absence of Clrs Nash and Davison – apologies) as follows:

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

Against: Nil.

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 (Durkin/Culverson)

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.

14/06/44

Carried

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

RECOMMENDATION (Durkin/Wilcox)

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 20 May, 2014 and 10 June, 2014 and 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

ITEM - 3 OUTSTANDING PUBLIC LIABILITY CLAIMS

RECOMMENDATION (Durkin/Wilcox)

THAT the information be noted.

2. Carried

**ITEM - 4 REQUEST FOR CONSIDERATION TO WAIVE INTEREST AND
LEGAL CHARGES ON RATES A79854**

RECOMMENDATION (MacSmith/Wilcox)

THAT:

1. At the end of the 2014/2015 financial year the interest levied on A79854 be written off provided that the payments are maintained and again at the end of the 2015/2016 financial year provided that the payments are maintained.
2. The request to waive legal charges is declined.

3. Carried

ITEM - 5 FACTORY SITE - PACKHAM DRIVE, MOLONG

RECOMMENDATION (Wilcox/Culverson)

THAT Council:

1. List for sale or lease the former Gelato Factory site at Packham Drive, Molong with suitable Real Estate Agents at the prices outlined in the report.
2. Authorise the affixing of the Council Seal to the sale or lease documents.

4. Carried

**ITEM - 6 PLANT REPLACEMENT - TWO SELF PROPELLED MULTI-
TYRED ROLLERS**

RECOMMENDATION (Walker/Wilcox)

THAT Council purchase from Westrac Pty Ltd two Caterpillar CW34 Multi Tyred Rollers, for a total purchase price of \$313,000 (Excl. GST).

5. Carried

It was noted Cirs Dean and Culverson requested their vote against the motion be recorded.

**ITEM - 7 CANOWINDRA EFFLUENT REUSE FILTRATION AND
DISINFECTION SYSTEM UPGRADE**

RECOMMENDATION (Durkin/Walker)

THAT Council:

1. Accept the tender from Ted Wilson and Sons (TWS) for Canowindra effluent reuse scheme-UV system and filtration system, upgrade at a tendered price of \$174,261.35 (inclusive GST).
2. Affix Council Seal to the Contract documents.

6. Carried

* **ITEM - 8 ACQUISITION OF LAND FOR CADIA / FOUR MILE CREEK
INTERSECTION**

RECOMMENDATION (Hayes/MacSmith)

THAT Council proceed to step 2 of schedule 1 of the report.

7. Carried

ITEM - 9 MANILDRA RESIDENTIAL ESTATE MARKETING REPORT

RECOMMENDATION (Durkin/Wilcox)

THAT Council:

1. Adopt a minimum price for the sale of Lots 1 – 4 DP 1187720 at a price as per the conclusion of the report.
2. Engage real estate agents to market Lots 1 – 4 DP 1187720 on a non exclusive basis.
3. Authorise the affixing of the Common Seal to the contract of sale and transfer document relating to Lots 1 – 4 DP 1187720.
4. Delegate authority to the General Manager to proceed with any sale of the land as per point 1 – 3 above.

8. Carried

**ITEM - 10 EXPRESSION OF INTEREST - GASWORKS REMEDIATION
PROGRAM - PROGRESSION TOWARDS SEEKING TENDERS**

RECOMMENDATION (Wilcox/Culverson)

THAT Council invite the following firms to tender for the remediation of the former Molong Gasworks site:

1. EESI Contracting,
2. Enviropacific Services,
3. McMahon Services,
4. RMA Contracting,
5. THIESS.

9. Carried

* **ITEM - 11 SALE OF LAND - PACKHAM DRIVE, MOLONG**

RECOMMENDATION (Durkin/Wilcox)

THAT:

1. Council not proceed with the combined sale of the proposed Lot 3 and Lot 1 DP 833003 until a valuation/appraisal of Lot 1 DP 833003 has been received.
2. Should the valuation/appraisal for Lot 1 DP 833003 be less than \$10,000 the General Manager be authorised to negotiate the sale of proposed Lot 3 whether or not in conjunction with the sale of the proposed Lot 1.
3. Council enter into a Residential Tenancy Agreement for the property known as "Eden" on Packham Drive Molong, pending the sale finalising, and affix the Common Seal to the Agreement.

10. Carried

It was noted the time being 4:30pm the Chair resumed the Ordinary meeting.

REPORT & RESOLUTIONS OF CLOSED COMMITTEE OF THE WHOLE

MOTION (Culverson/Wilcox)

THAT the Report and Recommendations of the Closed Committee of the Whole Meeting held on Tuesday 24 June, 2014 be adopted.

14/06/45 Carried

There being no further business, the meeting closed at 4:30pm.

CHAIRMAN.

Chairman of the Ordinary Meeting of Cabonne Council held on the 15 July, 2014 at which meeting the listed minutes were confirmed and the signature hereon was subscribed.