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PRESENT Clr M Hayes (in the Chair), Clrs G Dean, M Nash, L MacSmith, I Gosper, S Wilcox, 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

Apologies were tendered on behalf of Clrs Durkin, Smith and Treavors for their absence from the meeting. The temporary absence of Clr Walker was noted (Clr Walker did not attend the meeting).

MOTION (Wilcox/Dean)

THAT the apologies tendered on behalf of Clrs Durkin, Smith and Treavors be accepted and the necessary leave of absence be granted.

14/11/01

Carried

ITEM - 2 DECLARATIONS OF INTEREST

Proceedings in Brief

Clr Culverson declared an interest (identified as a non significant, non pecuniary interest) in item 15 of Ordinary due to being a volunteer at the Ophir Reserve. Clr Davison declared an interest (identified as a pecuniary interest) in item 27 of Ordinary due to being a neighbour to the proposed development.

ITEM - 3 DECLARATIONS FOR POLITICAL DONATIONS

Proceedings in Brief

There were nil declarations of political donations.

It was noted the time being 1:05pm a presentation was made to the YOTM for November, Ellee Stedman.

It was noted the time being 1:09pm members of the Canowindra Retirement Village Association addressed Council and answered questions until 1:21pm.

ITEM - 4 MAYORAL MINUTE - APPOINTMENTS

Proceedings in Brief

Councillor Hayes

- Attended the Orange City ANFD awards
- Attended the Riding for Disabled meeting
- Attended the Daroo Awards
- Attended WBC meeting
- Attended EPPA meeting in Eugowra
- Attended Minister Roads meeting
- Attended a meeting with John Cobb Re NBN update

Councillor Gosper

- Attended Council Workshop and Council meeting
- Attended Boomey Bush Fire Brigade AGM
- Attended the Daroo Business Awards Dinner at Molong
- Attended the Canobolas Zone RFS Liaison Committee meeting in Cowra with the Director of Engineering & Technical Services
- Attended ALGA National Roads Congress at Tamworth along with the Director of Engineering & Technical Services

Councillor Culverson

(August-November)

- 06.08.14 Mullion Creek Public School P & C
- 12.08.14 March RFS AGM
- 19.08.14 Council meeting
- 28.08.14 Traffic committee meeting
- 02.09.14 Workshop and Committee meetings
- 09.09.14 Daroo committee meeting
- 10.09.14 Councillor training Dubbo
- 16.09.14 Council meeting and brief re Fit For Future
- 17.09.14 WBC Board meeting Wellington
- 18.09.14 Yeoval community meeting and Cumnock community meeting
- 07.10.14 Workshop and Extraordinary meeting
- 11.10.14 RFS shed opening Borenore and RFS shed opening Byng Emu Swamp
- 14.11.14 Daroo committee meeting and Small Towns Development meeting

- 21.10.14 Ophir Trust
- 23.10.14 Consultative Committee meeting and Orange Central West Libraries
- 24.10.14 Central West Libraries
- 28.10.14 Council meeting
- 01.11.14 Regional Achievement & Community Awards
- 03.11.14 CWL 75th Library Act Anniversary
- 07.11.14 Daroo Awards Night
- 11/14.11.14 NSW Public Libraries Conference

MOTION (Hayes/-)

THAT the information contained in the Mayoral Minute be noted.

14/11/02 Carried

MOTION (Gosper/Culverson)

THAT a letter of appreciation be sent to Ms H Dunlop in relation to her work with the Daroo awards.

14/11/03 Carried

ITEM - 5 COMMITTEE OF THE WHOLE

Proceedings in Brief

Clr Dean called items 19, 21, 23, 24, 27 and 28 and Clr Hayes called items 18 and 33.

MOTION (Wilcox/Dean)

THAT Council consider the called items in the committee of the whole.

14/11/04 Carried

ITEM - 6 GROUPING OF REPORT ADOPTION

Proceedings in Brief

Clr Davison called item 11.

MOTION (Gosper/Dean)

THAT:

1. Councillors further consider the called item.
2. Items 7 to 10 and 12 be moved and seconded.

14/11/05 Carried

ITEM - 11 COMMUNITY ASSISTANCE PROGRAM APPLICATIONS

MOTION (Gosper/Culverson)

THAT Council approve funding for the Community Assistance Program application number 8 (Nashdale/Lidster Public Hall to the value of \$824) in addition to the applications already funded.

14/11/06 Carried

ITEM - 7 CONFIRMATION OF THE MINUTES

MOTION (Gosper/Dean)

THAT the minutes of the Ordinary meeting held 28 October 2014 be adopted.

14/11/07 Carried

ITEM - 8 AUSTRALIA DAY AWARDS COMMITTEE MEETING

MOTION (Gosper/Dean)

THAT the report and recommendations of the Australia Day Awards Committee Meeting of Cabonne Council held on 28 October, 2014 be adopted.

14/11/08 Carried

**ITEM - 9 THE PAYMENT OF EXPENSES & PROVISION OF FACILITIES
FOR MAYOR AND COUNCILLORS 2015 POLICY**

MOTION (Gosper/Dean)

THAT Council:

1. Note there were nil submissions relating to the adoption of the Payment of Expenses & Provision of Facilities for Mayor and Councillors 2015 Policy.
2. Adopt the advertised draft Payment of Expenses & Provision of Facilities for Mayor and Councillors 2015 Policy including limits for expenses listed, with the changes of extending the maximum cost of a vehicle available to the Mayor to \$65,000 and to the claiming of expenses to attend training/educational opportunities for councillors.
3. Within 28 days of adoption provide a copy of the policy to the Office of Local Government.

14/11/09 Carried

ITEM - 10 CODE OF MEETING PRACTICE AMENDMENT

MOTION (Gosper/Dean)

THAT Council:

1. Give public notice of, publicly exhibit and invite submissions for its amended code of meeting practice.
2. Receive a further report to the February 2015 Council meeting to consider any submissions received.

14/11/10 Carried

**ITEM - 12 EASEMENT FOR POWER SUPPLY TO SERVICE CUMNOCK
SWIMMING POOL**

MOTION (Gosper/Dean)

THAT Council approve inclusion of Lot 11 DP 602799 in the easement provisions to enable upgrade of the power supply to the Cumnock swimming pool, community centre, tennis courts and sports oval.

14/11/11 Carried

ITEM - 13 NSW PUBLIC LIBRARY FUNDING CAMPAIGN

MOTION (Culverson/Gosper)

THAT Council continue its support to the campaign mounted by the NSW Public Library Associations for increased State funding to local government for public libraries by:

- a. Supporting the Day of Action in libraries across the state on 5 December 2014 with the primary objective of engaging community members and attracting the attention of local media.
- b. Requesting a meeting between the local Member of Parliament and senior Council officials to garner local political support for the urgent need for increased and sustainable funding for NSW libraries.
- c. Encouraging community groups and individuals to make representations to their local Member of Parliament about supporting the urgent need for increased and sustainable funding for NSW libraries to ensure that the library funding issue becomes a relevant issue for Members of Parliament.
- d. Taking a lead role in activating the campaign locally and encouraging community participation

14/11/12 Carried

ITEM - 14 INTERNAL AUDIT COMMITTEE

MOTION (Wilcox/Nash)

THAT the Terms of Reference for the Governance, Risk and Business Improvement Committee be adopted.

14/11/13 Carried

It was noted, the time being 1:37pm Clr Culverson declared an interest in the following item (identified as a pecuniary interest) due to being a volunteer at the Ophir Reserve and left the Chambers.

ITEM - 15 EX-OFFICIO MEMBER OF THE OPHIR RESERVE TRUST

Proceedings in Brief

Council decided to apply for reappointment.

MOTION (Hayes/Gosper)

THAT Council apply for reappointment to the Trust Board for a further term and appoint Clr Culverson as its representative.

14/11/14 Carried

It was noted, the time being 1:38pm Clr Culverson rejoined the meeting.

ITEM - 16 REQUESTS FOR DONATIONS

MOTION (Wilcox/Nash)

THAT Council:

1. Donate \$200.00 to WIRES;
2. Donate \$250.00 to Mr Robert Ellis to assist him in publishing a book and assist him to find volunteers to type his manuscript; and
3. Donate \$250.00 to The Pre2 Student Leadership Day.

14/11/15 Carried

ITEM - 17 ORANGE BUSINESS CHAMBER - WOMEN NSW PROJECT

MOTION (Nash/Gosper)

THAT Council contribute \$1,000.00 to the Bursary In Trust as managed by the Orange Business Chamber for the Women NSW Project from the s356 vote.

14/11/16 Carried

It was noted items 18 and 19 are to be considered in the committee of the whole.

ITEM - 20 MOLONG CREEK DAM SURVEILLANCE REPORT

MOTION (Culverson/MacSmith)

THAT:

1. The information from the 2013 Molong Creek Dam Surveillance Report is noted.
2. The Actions (shown in Table 3) that will be undertaken by Council in response to the 2013 Molong Creek Dam Surveillance report be noted.
3. That Council approve \$45,000 from the Cabonne Water Fund in this 2014/2015 financial year for the purpose of engaging a Dam Specialist to provide an Options Report to strengthen the Molong Creek Dam.

14/11/17 Carried

It was noted item 21 is to be considered in the committee of the whole.

**ITEM - 22 CABONNE SWIMMING POOLS - CUDAL POOL
RECIRCULATION PUMP AND FILTER REPLACEMENT,
MANILDRA POOL RECIRCULATION PUMP**

Proceedings in Brief

The Mayor noted the word "maintenance" was to be deleted from the recommendation.

MOTION (Gosper/Culverson)

THAT Council undertake the works detailed in the report with the required funding of \$9,500 being allocated from the Capital Works Reserve.

14/11/18 Carried

It was noted items 23 and 24 are to be considered in the committee of the whole.

**ITEM - 25 REQUEST FOR REIMBURSEMENT OF DEVELOPMENT
APPLICATION FEES - 2014/0193 - ACCESSIBLE WC/SHOWER
AMENITIES BUILDING**

MOTION (Dean/Davison)

THAT Council donate \$242.00 from its s356 budget to Eden Hall, being the amount equivalent to DA fees paid in association with Development Application 2014/0193 for Accessible WC/shower amenities building on Lot 65 DP 753248, Peak Hill Road, Baldry.

14/11/19 Carried

**ITEM - 26 REQUEST FOR REIMBURSEMENT OF DEVELOPMENT
APPLICATION FEES - 2014/0162 - FLOOD LIGHTS FOR
MANILDRA TENNIS COURTS - LOT 157 DP 750155, DEROWIE**

STREET, MANILDRA

MOTION (Davison/Culverson)

THAT Council donate \$272.00 from its s356 budget to Manildra Tennis Club, being the amount equivalent to fees paid in association with Development application 2014/0162 for Flood lights on Lot 157 DP 750155, Derowie Street, Manildra.

14/11/20 Carried

It was noted items 27 and 28 are to be considered in the committee of the whole.

ITEM - 29 QUESTIONS FOR NEXT MEETING

Proceedings in Brief

Clr Dean requested a report relating to a pump and irrigator at the Cudal recreational ground a number of years ago.

MOTION (Wilcox/Culverson)

THAT Council receive a report at the next Council meeting in relation to a stolen pump and irrigator at the Cudal recreational ground.

14/11/21 Carried

ITEM - 30 BUSINESS PAPER ITEMS FOR NOTING

Proceedings in Brief

Clr Gosper called items 3 and 12; Clr Nash called items 5 and 6; and Clr MacSmith called item 7.

MOTION (Hayes/Wilcox)

THAT:

1. Council further consider the called items.
2. The balance of the items be noted.

14/11/22 Carried

ITEMS FOR NOTATION

ITEM - 3 FINANCIAL HEALTH CHECK

MOTION (Gosper/Wilcox)

That the information be noted.

14/11/23 Carried

ITEM - 5 WBC ACTIVITIES UPDATE REPORT

MOTION (Davison/Wilcox)

That the information be noted.

14/11/24 Carried

ITEM - 6 FIT FOR THE FUTURE

MOTION (Wilcox/Gosper)

That the information be noted.

14/11/25 Carried

ITEM - 7 BELUBULA RIVER DAM INVESTIGATION

MOTION (Wilcox/Davison)

THAT the information be noted.

14/11/26 Carried

**ITEM - 12 ENGINEERING AND TECHNICAL SERVICES UPDATE
REPORT**

MOTION (Gosper/Wilcox)

THAT the information be noted.

14/11/27 Carried

ITEM - 31 MATTERS OF URGENCY

Proceedings in Brief

In response to a question from Cllr Nash relating to an email sent to all the councillors re the need to bitumen a road, the Director of Engineering & Technical Services advised Council was watering for dust and will look at sealing next year.

In response to a question from Cllr Dean the Director of Environmental Services confirmed that the Wheat Board was responsible for dust suppression at the wheat silo at Manildra.

In response to a question relating to the Manildra tip gate the Director of Environmental Services advised that it was an insurance matter as a JR Richards vehicle had caused the damage.

MOTION (Wilcox/MacSmith)

THAT a report be prepared on the status of the road adjacent to the silos in

Manildra.

14/11/28 Carried

ITEM - 32 COMMITTEE OF THE WHOLE SECTION OF THE MEETING

MOTION (Wilcox/Davison)

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

14/11/29 Carried

ITEM - 18 COUNCILLOR ENGINEERING REQUESTS

Proceedings in Brief

The Director of Engineering & Technical Services spoke on the report and priorities already set in the PAMP.

It was also clarified that regional roads were transferred to local government and there is insufficient State funding provided for same. Council funds need to be used to maintain them.

RECOMMENDATION (Gosper/Davison)

THAT:

1. Funding for footpath works eastern side of Rodd Street, Canowindra between Browns Avenue and Ferguson Street be considered in 2015/16 budget.
2. Allocate \$220,000 from the Capital Works Reserve to rehabilitate Gaskill Street from Blatchford Street to Ferguson Street and undertake the Black Spot project.
3. The Kiewa Street works be funded from existing footpath maintenance budget allocations.

1. Carried

**ITEM - 19 MANILDRA MEN'S SHED REQUEST FOR CONNECTION TO
SEWER FREE OF CHARGE**

Proceedings in Brief

The General Manager provided the history to the matter and advised he is to meet with relevant parties re possible relocation which will mean the connection is not required.

RECOMMENDATION (Dean/Wilcox)

THAT Council defer this item until next month following a meeting between General Manager and the relevant groups.

2. Carried

**ITEM - 21 REPORT ON SEALING ACCESS ROADS FOR RECREATION
GROUNDS**

Proceedings in Brief

The Director of Engineering & Technical Services advised that different recommendations were intended to those written. He added that there are other higher priority works and recommended those listed should be referred to next budget process.

RECOMMENDATION (Gosper/Culverson)

THAT the bitumen seals works at the recreational grounds be referred to the 2015/16 budget process.

3. Carried

It was noted the time being 2:27pm Council was addressed by K Berthelson as an objector to the planning proposal in the following item.

It was noted the time being 2:34pm Council was addressed by D Fenton as the developer in relation to the following item until 2:41pm.

**ITEM - 23 PLANNING PROPOSAL - 381 LOWER LEWIS PONDS ROAD,
CLIFTON GROVE**

RECOMMENDATION (Gosper/Davison)

THAT pursuant to section 59 of the Environmental Planning & Assessment Act 1979, Council forward the Planning Proposal to the Department of Planning and Infrastructure for the Minister to make a Local Environmental Plan to rezone Lot 10 DP 243046, 381 Lower Lewis Ponds Road, Clifton Grove from RU1 Primary Production to R5 Large Lot Residential.

4. 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 Durkin, Smith and Treavors – apology, Walker temporarily absent) as follows:

For: Clrs Hayes, Dean, Nash, MacSmith, Gosper, Wilcox, Davison and Culverson.

Against: Nil.

**ITEM - 24 MODIFICATION OF DEVELOPMENT APPLICATION 2014/123 -
RETAIL PREMISES (MARKET) - 63 KIEWA STREET, MANILDRA**

RECOMMENDATION (Gosper/Wilcox)

THAT Modification of Development Application 2014/123 for retail premises Lot 3 DP 20207 known as 63 Kiewa Street, Manildra, be refused, and that subsequent to the review of Condition 9 of the existing development consent (DA 2014/123) that a condition of consent be imposed requiring the display of all goods and items to be confined to within the building, including its verandah space, with no goods to be displayed in the front yard or on the street.

5. 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 Durkin, Smith and Treavors – apology, Walker temporarily absent) as follows:

For: Clrs Hayes, Dean, Nash, MacSmith, Gosper, Wilcox, Davison and Culverson.

Against: Nil.

It was noted, the time being 2:44pm Clr Davison declared an interest in the following item (identified as a pecuniary interest) due to being a neighbour to the development and left the Chambers.

**ITEM - 27 DA 2015/0012 CELLAR DOOR PREMISE AND AMENITIES
BLOCKS ON LOT 100 & 102 DP 1031436, 1034 THE ESCORT
WAY, BORENORE**

Proceedings in Brief

Due to concerns raised with councillors by neighbours it was decided to have a site visit.

RECOMMENDATION (Gosper/Nash)

THAT Development Application 2015/0012 for Cellar door premise and amenities block x 2 on Lot 100 & 102 DP 1031436, 1034 The Escort Way, Borenore, be granted consent subject to the conditions attached.

This motion was withdrawn by the mover and seconder.

RECOMMENDATION (Gosper/Wilcox)

THAT matter be deferred until Councillors have a site visit.

6. 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 Durkin, Smith and Treavors – apology, Walker temporarily absent; and Clr Davison – declared interest) as follows:

For: Clrs Hayes, Dean, Nash, MacSmith, Gosper, Wilcox and Culverson.

Against: Nil.

It was noted, the time being 2:51pm Clr Davison rejoined the meeting.

**ITEM - 28 DA 2013/0175 2 LOT SUBDIVISION ON LOT 14 DP 1131133,
SPRING HILL ROAD, SPRING HILL**

Proceedings in Brief

It was noted the previous staff recommendation was to refuse the development.

RECOMMENDATION (Gosper/Dean)

THAT DA 2013/0175 for 2 lot subdivision of Lot 14 DP 1131133, Spring Hill Road, Spring Hill be granted consent subject to the conditions attached.

7. 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 Durkin, Smith and Treavors – apology; Clr Walker – temporarily absent) as follows:

For: Clrs Hayes, Dean, Nash, MacSmith, Gosper, Wilcox, Davison and Culverson.

Against: Nil.

ITEM - 33 BYNG/EMU SWAMP RURAL FIRE BRIGADE STATION

RECOMMENDATION (Dean/Gosper)

THAT Council authorise the signing and affixing of the Common Seal to:

1. The Lease between Talbri Pty Limited and Cabonne Council for Lot 200 DP 1198313.
2. Annexure "A" referred to in the Lease between Talbri Pty Limited (the "Lessor") and Cabonne Council (the "Lessee").

8. Carried

CONFIDENTIAL ITEMS

ITEM - 1 CARRYING OF COUNCIL RESOLUTION INTO CLOSED

COMMITTEE OF THE WHOLE MEETING

RECOMMENDATION (Davison/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.

9. Carried

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

RECOMMENDATION (Wilcox/Nash)

THAT the Committee endorse the accuracy of the Report of the Proceedings of Confidential Matters at the Closed Australia Day Committee of the Whole Meeting held on 28 October 2014 and notes that the recommendations recorded in the Official Minutes of that meeting are sufficient to state the general effect of the proceeding in Closed Committee.

10. Carried

ITEM - 3 OUTSTANDING PUBLIC LIABILITY CLAIMS

RECOMMENDATION (Wilcox/Gosper)

THAT the information be noted.

11. Carried

It was noted, the time being 3:01pm Clr Gosper declared an interest in the following item (identified as a non-significant, non-pecuniary interest) due to a former business associate being listed and left the Chambers.

**ITEM - 4 DEBT RECOVERY REPORT OF OUTSTANDING RATES
DEBTS**

RECOMMENDATION (Wilcox/Davison)

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.

12. Carried

It was noted, the time being 3:01pm Clr Gosper rejoined the meeting.

ITEM - 5 SECTION 18A WEEDS NOTICES

RECOMMENDATION (Wilcox/Gosper)

THAT the information be noted.

13. Carried

ITEM - 6 SECTION 18 WEEDS NOTICES

RECOMMENDATION (Wilcox/Dean)

THAT the information be noted.

14. Carried

ITEM - 7 QUARRY FINANCIAL STATEMENT

RECOMMENDATION (Wilcox/Dean)

THAT the information be noted.

15. Carried

ITEM - 8 MOLONG QUARRY PRODUCT SALE AND PRODUCTION

RECOMMENDATION (Gosper/Wilcox)

THAT the information be noted.

16. Carried

**ITEM - 9 WBC STRATEGIC ALLIANCE 2014-2016 TENDER FOR
SUPPLY OF GOODS AND SERVICES**

RECOMMENDATION (Wilcox/MacSmith)

THAT Council:

1. Adopt the attached list of contractors to supply goods and services for the period 1 November 2014 to 30 June 2016.
2. Note that this tender does not prohibit Council from accepting new

tenders for specific projects.

17. Carried

ITEM - 10 PLANT REPLACEMENT - HYDRAULIC EXCAVATOR

RECOMMENDATION (Wilcox/MacSmith)

THAT the Recommendation be put

18. Carried

RECOMMENDATION (Wilcox/Gosper)

THAT Council purchase from WesTrac Pty Ltd one Caterpillar 329DL for the purchase price of \$250,398.86 exc GST.

19. Carried

It was noted the time being 3:10pm the Chair resumed the Ordinary meeting.

REPORT & RESOLUTIONS OF COMMITTEE OF THE WHOLE

MOTION (Wilcox/Davison)

THAT the Report and Recommendations of the Committee of the Whole Meeting held on Tuesday 25 November, 2014 be adopted.

14/11/30 Carried

There being no further business, the meeting closed at 3:11.pm.

CHAIRMAN.

Chairman of the Ordinary Meeting of Cabonne Council held on the 16 December, 2014 at which meeting the listed minutes were confirmed and the signature hereon was subscribed.