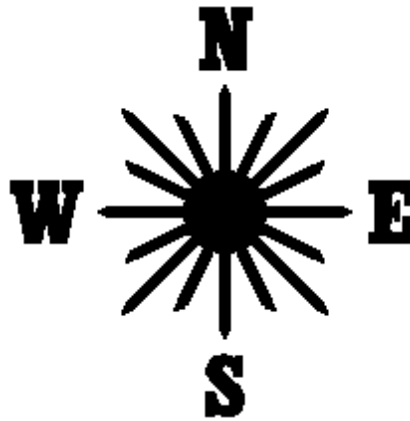


Mission Statement

To promote the Central Darling Shire area by encouraging development through effective leadership, community involvement and facilitation of services

CENTRAL DARLING



SHIRE COUNCIL

Minutes

For the Ordinary Meeting

Wednesday 24 February 2016 at 9:00am

In the Council Chambers

Wilcannia

Council dedicated to serving its Communities

Any public discussion of Council or Committee reports and recommendations is on the basis that such reports or recommendations do not have effect until adopted by a full meeting of Council.

The Ordinary Meeting of Council will be held in the Council Chambers, Wilcannia on Wednesday 24 February 2016 commencing at 9:00am.

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SECTION 1. ATTENDANCE

PRESENT:

Greg Wright	Administrator
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ALSO PRESENT:

Michael Boyd	General Manager
Reece Wilson	Director Shire Services
Krista Tatt	Executive Assistant – Business Services

APOLOGIES:

Jacob Philp	Director of Business Services
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SECTION 2. DISCLOSURES OF INTEREST – PECUNIARY AND NON PECUNIARY

Nil

SECTION 3. PUBLIC ACCESS – QUESTIONS AND COMMENTS FROM THE PUBLIC

Council's policy in regards to public access to Council Meetings states:

- Public Access to monthly meetings of Council will be listed as an agenda item
- Each member of the public who wishes to address Council is to register with Management prior to commencement of the meeting; this registration will involve the completion of a "registration form" made available by council staff. The registration form will require the proposed topic or topics in public access to be stated
- Each address will be limited to five (5) minutes, at the discretion of the Chair
- All matters raised in public access will be recorded with a response provided at the meeting or in writing within one month of the meeting date

Note: the registration form provided by council will indicate that only policy making and strategic matters will be permitted in public access; operational matters should be addressed/ raised separately with the General Manager. In addition, the registration form will state that statements made at council meetings are not subject to parliamentary privilege.

- Bill Elliott – Tourism update
- Nieves Riviera – Update on Post Office Residence.

SECTION 4. CONFIRMATION OF MINUTES OF PREVIOUS MEETING

01-02-16

That the minutes of the Ordinary Meeting of the Council held on 15 December 2015, be taken as read and confirmed as a correct record of the proceedings of the meeting.

Resolved

4.1 BUSINESS ARISING FROM MINUTES

Nil

SECTION 5. ADMINISTRATOR'S MINUTE REPORT

Nil

SECTION 6. DETERMINATION REPORTS

6.1 FOOTWAY RESTAURANT - COURTHOUSE CAFE 65-67 REID STREET WILCANNIA - A& S FETHERS

02-02-16

That A and S Fethers be given approval for the continuance of the footway settings adjacent to the Courthouse Cafe, at the ratio of 1 table to 4 chairs subject to:-

- (1) A copy of the business Public Liability Insurance Policy to the sum of \$20,000,000 coverage, or other amount to the satisfaction of the General Manager, respecting the rights and interests of CDSC, being provided to Council.*
- (2) That the approval be reviewed annually and be subject to the annual renewal fee, once determined. The fee for 2015 – 2016 be set at \$65.00 per setting.*
- (3) That verandah encroachments onto the road reserve be noted by Council, however no further action to be taken in this matter.*
- (4) Should A and S Fethers wish to maintain more than the 4 settings originally approved, that they be invited to submit a Development Application for the additional settings.*

Resolved

6.2 CALENDAR OF COMPLIANCE AND REPORTING REQUIREMENTS 2015/16 – DECEMBER 2015 TO FEBRUARY 2016

3-02-16

That Council note the ongoing progress for December 2015 to February 2016 on the Compliance and Reporting Requirements 2015/16.

Resolved

6.3 SECTION 355 COMMITTEES – UPDATE ON DISCLOSURE OF INTEREST RETURNS

4-02-16

In accordance with the provisions of Section 355 of the Local Government Act 1993, Council acknowledges with regret the resignation of the following S355 Committee members:

White Cliffs Hall Committee

- *Rod COOK*
- *Sue COOK*
- *Barbara GASCH*
- *Doug BROOK*
- *Roger MOHLER*

White Cliffs Community Association

- *Rod COOK*
- *Sue COOK*

Menindee Development Committee

- *Irene HAMILTON*
- *Teresa BURT*

White Cliffs Swimming Pool Committee

- *Belinda WHITE*

Wilcannia Cemetery Committee

- *Eddie HARRIS*
- *Reena STAKER*
- *Muriel RILEY*

Resolved

6.4 RESTART NSW – REGIONAL WATER AND WASTEWATER BACKLOG PROGRAM

5-02-16

That Council endorse the findings and recommendations of the 3 scoping reports for Wilcannia, White Cliffs and Ivanhoe.

Resolved

6.5 QUARTERLY PERFORMANCE REPORT – Q2 - OCTOBER 2015 TO DECEMBER 2015

6-02-16

- 1. That Council receive and note the Quarterly Budget Review in accordance with Regulation 203 of the Local Government (General) Regulation 2005***
- 2. Authorise the required variations to the Operational Plan and Budget adopted by Council on 24 June 2015***
- 3. Note that the revised projected surplus/deficit for the financial year 2015/16 is \$776,000 surplus.***

Resolved

SECTION 7 INFORMATION REPORTS

7.1 INFORMATION ITEMS

7.1.1 ENVIRONMENTAL SERVICES STATISTICS

<u>Statistics for January 2016</u>		
Number of DA's Approved		0
Total Value of DA's Approved		0
Food Premises Inspected		0
Animal Control Activities	Impounded	31 (9 dogs, 22 cats)
	Rehomed	2
	Returned to Owner	0
	Euthanised	29 (7 dogs, 22 cats)
	Registrations	4
	Microchipped	0
	Penalty Notices Issued	0
Water Sampling	Microbiology Samples Collected	12
	Chemistry Samples Collected	0
	Non-Compliant Samples	0

7.1.2 ROAD GRADING PROGRAM

The Yearly Grading Program has been included to enable Council to follow the progress of the grading crews working throughout the Shire. Any changes will be presented on a monthly basis.

7.1.3 ROADS REPORT

The purpose of this report is to update Council on the roads expenditure to date.

State Roads:

- 2015/2016 RMCC works estimated cost for Routine Maintenance Works on both highways is \$740,000.
- 4 Works Orders (WO) have been received to date totaling \$1,133,398. The 4 WO received are; 111.16.01 Sh21 Shoulder Grading \$16,591.52, 111.16.02 Sh8 Heavy patching \$214,911.71, 111.16.03 Sh8 reseals \$683,147.45 111.16.04 Sh21 reseals \$141,724.68 and 111.16.05 Sh21b gravel resheet \$200,157.68. **Total \$1,256,533.04**
- Euralla Initial Seal Project – RMS have provided Council with 4 Works Orders relating to the Cobb Highway project 111.16.06 Water Supply Works \$39,169.80 111.16.07 Water Supply Works \$17,588.40 111.16.08 Gravel Pit Registration \$36,124.53 and 111.16.09 Culvert Works \$349,827.72. **Total \$442,710.45**

	Original Budget	% Completed	Remaining Budget
RMCC (Routine Works)	\$740,000	55%	\$334,258
RMCC (Ordered Works)	\$1,256,533	100%	\$0
Euralla IS Project	\$442,710	19%	\$357,245

Regional Roads:

- 2015/16 Regional Road Block Grant amount (including traffic and supplementary components) is \$2,642,000
- \$515,000 is allocated to Regional Road Reseals (Capital Improvements)

	Original Budget	Expended	% Expended
Regional Road Block Grant	\$2,127,000	\$1,146,190	54%

Local Roads:

- 2015/16 Indicative Local Roads Component (FAG) has been advised \$1,480,000. Adjustments will still need to be made that take into account the revised funding levels and population adjustments.
- Council's allocated budget amount is \$1,000,000
- 2015/16 Roads to Recovery allocation has been increased this year to \$2,006,663. This funding will be allocated to Local Road improvement projects.

	Original Budget	Expended	% Expended
Local Roads Component (FAG)	\$1,000,000	\$912,617	91%
Roads to Recovery	\$2,006,663	\$709,289	35%

7.1.4 SERVICES

The purpose of this report is to update Council on the services expenditure to date.

	Original Budget	Expended	% Expended
Parks & Gardens/ Sporting Facilities	\$178,000	\$70,586	40%
Ancillary Works	\$158,000	\$91,378	58%
Street Cleaning/ Bins	\$110,000	\$66,370	60%
Aerodromes	\$52,250	\$21,337	41%
Public Conveniences	\$43,000	\$17,307	40%
Swimming Pools	\$322,500	\$193,691	60%
Waste Depots	\$136,100	\$64,508	47%

Water & Sewerage Maintenance:

- Wilcannia town water supply is being sourced from the Darling River Weir Pool. No flows since Christmas, weir leakage and hot temperatures have rapidly depleted the weir pool capacity. Estimated remaining supply is 8 to 10 weeks. Wilcannia has been elevated to Level 2 water restrictions effective from Monday 15th February. Operatives have completed minor R&M works and pump tests on the bore infrastructure in preparation of use of the emergency bore.
- White Cliffs town water supply is sourced from above ground tanks, current levels: Tank 1 =4.0m, Tank 2 =3.4m, Tank 3 (Wakefield) = 4.3m. Estimated supply remaining is 6 months. Recent algal blooms in Wakefield tank has resulted in the town being sourced from tank 1 and 2 only. White Cliffs has been elevated to Level 2 water restrictions effective from Monday 15th February.
- Ivanhoe town water supply is currently being sourced from the Morrison’s Lake reservoir. Morrison’s Lake storage is currently 320 megalitres, town storage dam 45 megalitres. Estimated supply remaining is 10months.

	Original Budget	Expended	% Expended
Wilcannia Water	\$317,000	\$248,324	78%
Wilcannia Sewer	\$120,500	\$61,670	52%
White Cliffs Water	\$134,000	\$65,930	49%
Ivanhoe Water	\$183,000	\$122,645	67%

7.1.5 CAPITAL WORKS

The purpose of this report is to update Council on the capital works and projects expenditure to date.

Project	Comments	Original Budget	Expended	% Expended
Aboriginal Communities Water and Sewer	Minor reduction in annual funding amount reflects reduced operating costs of the water and sewer system following recent augmentation.	\$105,865	\$30,505	29%
Sunset Strip Drainage	Low lying areas adjacent to road and properties have been surveyed and draft design completed. (Carried forward from 2014/15)	\$10,000	\$0	0%
Restart NSW – Water Security	Start Dec 2014. Tilpa, White Cliffs, Wilcannia and Ivanhoe Project value \$1M (\$174,400 expended in 2014/15)	\$825,600	\$181,168	22%
Restart NSW – Preconstruction activities	Pre-construction activities Training	\$800,000 \$200,000	\$20,053 \$55,478	2% 28%
Regional Road Reseals (RRBG)	Programmed for completion March 2016	\$515,000	\$0	0%
Landfill Consolidation Grant	Due for completion December 2015	\$80,000	\$56,775	71%
Wilcannia Boat Ramp	Postponed pending Weir Feasibility Study	\$85,000	\$0	0%

7.1.6 RESTART NSW, WATER SECURITIES FOR REGIONS

The successful tenderer, Darling Irrigation, started civil works will in December 2015 on the Wilcannia and Ivanhoe Bore Augmentation Works. Electrical and telemetry works commenced February 2016. Discussions are in progress with Council, Essential Energy and Darling Irrigation about the requirement for adequate power supply (transformers) on existing infrastructure at Ivanhoe. Further information and an updated program will be provided to Council once finalised.

The White Cliffs bore investigation works have been delayed due to ACE Drilling deferring start dates once again. The proposed start date is now 14th March 2016. Council has advised ACE Drilling that failure to start this time will be considered breach of contract and alternate arrangements will be made.

7.1.7 RESTART NSW, REGIONAL WATER AND WASTEWATER BACKLOG

City Water Technology, DPI NSW Office of Water, Population Health Unit and Council attended an initial scoping study on Wednesday 2nd December in Wilcannia. The workshop identified the water treatment level expectations for CDSC, existing state of water treatment plants and critical deficiencies, key design issues, upstream and downstream limits of any future potential contracts and preferred project delivery modes.

The Scoping Reports have now been received and are referenced in a determination report in this agenda.

7.1.8 REMOTE AIRSTRIP UPGRADE (RAU) PROGRAM

Council's applications under the federally funded RAU Program has been successful. The funding agreements were sent, signed and returned in December 2015. They have now been executed and received. The projects will be programmed for completion by June 30 2016, a program of works will be supplied to Council once Engineering staff secure timeframes for material deliveries and contractor availabilities.

The 2 projects approved are:

Menindee Airstrip – Construction of animal proof fencing

- Remove existing dilapidated boundary fence and replace with new 1800mm vermin proof fencing.
- Project value \$73,800 (50% funded \$36,900)

Ivanhoe Airstrip – Construction of animal proof fencing

- Remove existing dilapidated boundary fence and replace with new 1800mm vermin proof fencing.
- Project value \$109,200 (50% funded \$54,600)

The increase on previously reported estimates has been included in the quarterly budget review for Councils consideration.

7.1.9 PUBLIC RESERVES MANAGEMENT FUND PROGRAM (PRMFP) – IVANHOE OVAL AMENITIES

The \$25,000 funded project to upgrade the existing amenities at the Ivanhoe Sporting ground is complete. Works included, but not limited to;

- Painting internal and external
- Relining internal walls and ceilings
- Electrical works including re-wiring/ lighting
- Plumbing works including new hot water service
- Toilet and change rooms, new fixtures and fittings.

The \$25,000 grant is included in the quarterly budget review for Councils consideration.

The grant will now be acquitted prior to the next round of PRMFP opening in March 2016.

7.1.10 FUNDING FROM THE LANDFILL CONSOLIDATION AND ENVIRONMENTAL IMPROVEMENTS GRANTS PROGRAM – ROUND 1 STREAM 2

The NSW Government's Waste Less Recycle More Initiative has approved funding for the Sunset Strip Landfill Site. Works will include fencing, signage and site rehabilitation works.

Whilst Council has accepted the funding, the project will be delivered by the Sunset Strip Progress Association and arrangement of listed in kind contributions will be recorded and provided to Council for acquittal.

Milestone 2, project completion, is forecasted for 31st October 2016.

Congratulations are offered to Barry Fowler and the Sunset Strip Progress Association on an excellent submission and a very worthwhile project for the Sunset Strip Village.

7.1.11 HERITAGE GRANT APPLICATION FOR LOCAL PROJECTS 2015 - 2016

Following a recent onsite visit at Wilcannia by Council's Heritage advisor, Ms Liz Vines, the following project applications were recommended for approval under Council's Restoration Grant Fund 2015-2016. All applications are required to have contributory contributions and are discussed and negotiated with Council's Heritage advisor.

In accordance with the budget allocation of \$14,000 in Council's Operational Plan 2015-16, the project applications totalling \$14,000 have been approved under delegation by the General Manager.

Advice has already been provided to the applicants to enable the work to commence and be completed on or before 31 May 2016 to enable the Council to acquit the Grant funds:

- **73 Reid St** (Anthony Pease) – carrying on with restoration of bond store
- grant approved \$3,500
- **75 Reid St** (Karen Donaldson) – construction of replacement verandah at former fuel store
- grant approved \$3,500
- **90-93 Reid St** (Christine Smith) – carrying out work to roof of building
- grant approved \$3,500
- **64 Reid Street** (Andrew Stacy) – carrying out re-instatement of verandah to building
- grant approved \$3,500

7.1.12 SUCCESSFUL GRANT FUNDING – MENINDEE DISABLED ABLUTION

Central Darling Shire Council has received advice that it has been successful in obtaining thirteen thousand five hundred dollars (\$13,500) funding through the Australian Government Building Stronger Communities Programme for 2015.

Funding was sought for the construction of a disabled ablution facility to serve the Menindee community. It is proposed that the facility be placed between the Menindee Rural Transaction Centre and the Men- in-dee-shed.

The proposed ablution facility, which will be fully disabled compliant, will be constructed at a total cost of thirty thousand dollars (\$30,000). It will be subsidised in cost by Council, in monetary terms and with in-kind assistance from the members of the Men-in-dee shed.

The ablution will also be publicly accessible, and provide the community at large as well as tourists and visitors to the town with a much needed facility.

7.1.13 INVESTMENTS AND BANK BALANCES

Schedule of Investments and Bank Balances as at 31 December, 2015	
	Amount
Cash Reserve	
Westpac Business Cash Reserve	\$695,000
Total Reserve Balance as at 31 December, 2015	<u>\$695,000</u>
Bank Balances as at 31 December, 2015	
General Fund	\$143,831 In Funds
Clearing Account (Account used for receiving deposits)	\$3,070 In Funds
Total Cash at Bank	<u>\$841,901</u>
Cash Restrictions	
Internal Restrictions	\$260,000
External Restrictions	<u>\$280,000</u>
Total Restrictions	<u>\$540,000</u>

Schedule of Investments and Bank Balances as at 31 January, 2016	
	Amount
Cash Reserve	
Westpac Business Cash Reserve	\$635,000
Total Reserve Balance as at 31 January, 2016	<u>\$635,000</u>
Bank Balances as at 31 January, 2016	
General Fund	\$803,780 In Funds
Clearing Account (Account used for receiving deposits)	\$8,858 In Funds
Total Cash at Bank	<u>\$1,447,638</u>
Cash Restrictions	
Internal Restrictions	\$260,000
External Restrictions	<u>\$280,000</u>
Total Restrictions	<u>\$540,000</u>

7-02-16

That the Information Items report be received and noted

Resolved

SECTION 8 THE RECEIPT OF REPORTS FROM COMMITTEES

8.1 DARNICK HALL ANNUAL GENERAL MEETING

8.2 IVANHOE POOL COMMITTEE GENERAL MEETING

8.3 WILCANNIA CEMETERY COMMITTEE GENERAL MEETING

8.4 WHITE CLIFFS HALL COMMITTEE GENERAL MEETING

8-02-16

That the Minutes from the Darnick Hall General Meeting held 8 January 2015, Ivanhoe Pool Committee General Meeting held 21 December 2015, Wilcannia Cemetery Committee General Meeting held 17 October 2015 and White Cliffs Hall Committee General Meeting Report held 30 January 2016 be received and noted.

Resolved

SECTION 9. URGENT BUSINESS

Nil

SECTION 10. CONFIDENTIAL MEETING

CLOSED COUNCIL Confidential Reports (Section 10A (2) of the Local Government Act 1993)

Where it is proposed to close part of the Meeting, the Chairperson will allow members of the public to make representation to or at the meeting, before any part of the meeting is closed to the public, as to whether or not that part of the meeting should be closed to the public. The Chairperson will check with the General Manager whether any written public submissions or representations have been received as to whether or not that part of the meeting should be closed to the public.

The grounds on which part of the Council meeting may be closed to public are listed in Section 10A(2) of the Local Government Act 1993 and are as follows:

- (a) personnel matters concerning particular individuals other than Councillors,
- (b) the personal hardship of any resident or ratepayer,
- (c) information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business,
- (d) commercial information of a confidential nature that would, if disclosed:
 - (i) prejudice the commercial position of the person who supplied it, or
 - (ii) confer a commercial advantage on a competitor of the Council, or
 - (iii) reveal a trade secret.
- (e) information that would, if disclosed, prejudice the maintenance of law,
- (f) matters affecting the security of the Council, Councillors, Council staff or Council property,
- (g) advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.
- (h) during the receipt of information or discussion of information concerning the nature and location of a place or an item of Aboriginal significance on community land.

Section 10A(3) of the Act provides that if a meeting is closed during discussion of a motion to close another part of the meeting to the public (as referred to in section 10A(3) of the Act), the consideration of the motion must not include any consideration of the matter or information to be discussed in that other part of the meeting (other than consideration of whether the matter concerned is matter referred to in section 10A(2) of the Act).

Section 10B(1) of the Act provides that a meeting is not to remain closed to the public during the receipt of information or the discussion of matter referred to in section 10A(2):

- (a) except for so much of the discussion as is necessary to preserve the relevant confidentiality, privilege or security, and
- (b) if the matter concerned is a matter other than a personnel matter concerning particular individuals, the personal hardship of a resident or ratepayer or a trade secret – unless the Council or committee concerned is satisfied that discussion of the matter in an open meeting would, on balance, be contrary to the public interest.

For the purpose of determining whether the discussion of a matter in an open meeting would be contrary to the public interest section 10B(4) of the Act states it is irrelevant that:

- (a) a person may interpret or misunderstand the discussion, or
- (b) the discussion of the matter may:
 - (i) cause embarrassment to the Council or committee concerned, or to Councillors or to employees of the Council, or
 - (ii) cause a loss of confidence in the Council or committee.

Resolutions passed in Closed Council

It is a requirement of Clause 253 of the Local Government (General) Regulation 2005 that any resolution passed in Closed Council, or Committee be made public as soon as practicable after the meeting has ended. At the end of Closed Council or Committee meeting, the Chairperson will provide a summary of those resolutions passed in Closed Council or Committee.

09-02-16

That Council formally close the meeting to the public to discuss matters in accordance with Section 10A (2) of the Local Government Act, 1993.

Resolved

Council went into Closed Session of Council at 9:14am

10-02-16

That Council move back into open Council

Resolved

Council resumed in open Session at 9:20am

The Administrator advised in accordance with Clause 253 of the Local Government (General) Regulation 2005, that the following resolutions were resolved in the Closed Session of Council.

10.1 TENDER CDSC 3/2016 – CONTRACT PLANT HIRE RATES

11-02-16

That Council endorse acceptance of the Registration Prices for Contract Plant Hire for the period February 2016 to December 31 2017

Resolved

10.2 EXTENSION OF CONTRACT – CONTRACT NO. CDSC 2/2014 – BITUMEN SPRAY SEAL SERVICES

12-02-16

- 1. That Council endorse acceptance of the extension of contract CDSC 2/2014 offered by Downer EDI, from February 1, 2016 to June 30, 2016***
- 2. Pursuant to section 55 of the Act and clause 166 of the Regulation, Council resolve to call open tenders for the supply of services and materials necessary for the bituminous spray sealing of pavements from July 2016 to June 2018.***

Resolved

10.3 TENDER CDSC 2/2015 – CRUSHING OF GRAVEL

13-02-16

That Council resolve to accept the schedule of rates tender of Milbrae Quarries for the contract for Gravel Crushing pursuant to Section 55 of the Local Government Act 1993 for the period March 1 2016 to February 29 2018.

Resolved

SECTION 11. DATE AND VENUE FOR NEXT MEETING

The next meeting of Council will be held on 22 March 2016 in Wilcannia at 9:00am.

There being no further business, Council Meeting concluded at 9:20am
