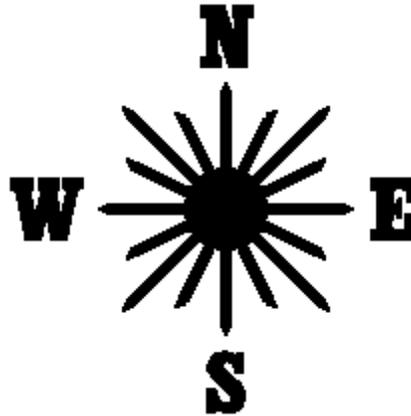


**Mission Statement**

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

# **CENTRAL DARLING**



# **SHIRE COUNCIL**

## **Final Minutes**

**For the Ordinary Meeting**

**Wednesday 28 September 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 was held in the Council Chambers, Wilcannia on Wednesday 28 September 2016 commencing at 9:00am.

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## SECTION 1. ATTENDANCE

**PRESENT:**

Greg Wright Administrator

**ALSO PRESENT:**

Michael Boyd General Manager  
Jacob Philp Director, Business Services  
Reece Wilson Director, Shire Services  
Pam Roncon Executive Officer

**APOLOGIES:**

Nil.

**SECTION 2. DISCLOSURES OF INTEREST – PECUNIARY AND NON  
PECUNIARY**

*01-09-16*

*That the Disclosures of Interest – Pecuniary and Non Pecuniary be received and noted.*

*Resolved*

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

Council's policy on public access to Council Meetings states:

- public access to monthly Council meetings is listed as an agenda item;
- each member of the public seeking to address Council is to register with the General Manager prior to commencement of the Council meeting. Each member of the public is to complete a "registration form" obtained from Council staff. The registration form seeks the proposed topic or topics in public access to be stated;
- each registered member of the public address is limited to five minutes; and
- all matters raised in public access are recorded and a response provided at the Council meeting, or in writing within one month after the meeting date.

Note: The registration form Council indicates only policy making and strategic matters are permitted in public access. Operational matters are to be addressed/ raised separately with the General Manager. Comments/Statements made at Council Meetings are not subject to Parliamentary Privilege

Mr Paul Brown –

5. Administrator's Minute – Far West Initiative.
- 6.2 Fees and Charges, Swimming Pools and Community Hall Hire.
- 6.3 2016-17 Roads to Recovery Projects.

Mr John Elliott –

Construction Delays on Cobb Highway.

***01-09-16***

***Resolved that Council note the public submissions.***

## SECTION 4. CONFIRMATION OF MINUTES OF PREVIOUS MEETING

*02-09-16*

*That the minutes of the Ordinary Meeting of the Council held on 10 August 2016 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

### ADMINISTRATOR'S MINUTE 29 September 2016

#### **The Far West Initiative**

For some time the eight Councils of the Far west of New South Wales have been working with the NSW Government to seek a new way of governing this vast area of the State. While the region covers 40% of the State's land area it contains less than 1% (48,000 people) of the State's population.

The region supports significant agricultural and tourism industries with remote, fragmented communities and declining populations facing substantial environmental, financial and social challenges. Two of those key challenges are the financial sustainability of small rural councils, and the co-ordination of a myriad of State, Commonwealth and non-government agencies and programs across the region and within smaller communities.

It is clear that a more co-ordinated approach is necessary in order to improve the efficiency of expenditure and the effectiveness of community outcomes. The Far West Initiative is an attempt to address these challenges.

In essence, the proposed approach would see a Far West organisation established to deal with the broader, regional issues including more effective delivery of services and planning at the bigger picture level. The local Councils would continue to be responsible for the delivery of local services and with a focus on community priorities like essential services and community activities. Any regional organisation would include representation from the Councils in order to ensure that the experience and expertise of local communities is effectively represented.

A community consultation process is currently being rolled out by the Department of Premier and Cabinet and will visit all of the major centres of our Shire in coming weeks. A range of background material is also available on the website [www.fitforthefuture.nsw.gov.au](http://www.fitforthefuture.nsw.gov.au).

I will be making a submission, on behalf of the Central Darling Shire Council, offering broad, conceptual support to the proposal to create a regional authority. Of course, there is much detail yet to be determined and I will be keen to continue to participate in the further development of the concept in order to build an organisation that will genuinely deliver better planning, services and outcomes for the citizens of our Shire.

I encourage everyone to participate in the consultation process, make submissions and help shape the future of the Far West. Submissions close on Friday 14 October 2016 at 5pm.

The Administrator spoke about the funding announcement by Mr Kevin Humphries, Member for Barwon at White Cliffs on Tuesday 27 September 2016. This announcement saw the Council receive \$5.5M in funding for a new Water Treatment Plant; and

replacement of the Reticulation Network. This critical infrastructure works includes increasing the reservoir and storage capacity; and replacing trunk mains and pumps from the existing storages.

Council successfully applied for funding through the NSW Government's Regional Water and Waste Water Program. The infrastructure works provide the White Cliffs community with safe and reliable water and waste water services. Overall, it is a big win for the Council and the White Cliffs community.

***03-09-16***

***RECOMMENDATION:***

***That Council notes the Administrator's report.***

***Resolved***

## **SECTION 6. DETERMINATION REPORTS**

### **6.1 CALENDAR OF COMPLIANCE & REPORTING REQUIREMENTS 2015-16 & 2016-17**

***04-09-16***

***RECOMMENDATION:***

***That Council note the ongoing progress for June 2016 to August 2016 on the Compliance and Reporting Requirements 2015-16 and 2016-17.***

***Resolved***

6.2 FEES AND CHARGES, SWIMMING POOLS AND COMMUNITY HALL HIRE

*05-09-16*

***RECOMMENDATION:***

***That Council:***

- *adopt the draft changes to the current fees and charges and place these changes on Public Exhibition for a period of 28 days; and*
- *report to Council following completion of the Public Consultation period on all submissions.*

***Resolved***

6.3 2016-17 ROADS TO RECOVERY PROJECTS

*06-09-16*

***RECOMMENDATION***

***That Council endorses the decision of the Director Shire Services and allocates 2016-17 Roads to Recovery funding to:***

- *Wilcannia Town Streets Reseals \$455,000;*
- *Woore St Kerb and Gutter/reconstruction and seal, Wilcannia \$195,000;*
- *Yartla St Kerb and Gutter/reconstruction and seal, Menindee \$105,000;*
- *Holding Street Reconstruction and seal, Menindee \$245,000; and*
- *Porters Crossing culvert replacement, reconstruction and seal, Norma Downs Road \$656,014.*

***Resolved***

6.4 CRITERIA FOR MINOR GRANTS SCHEME

*07-09-16*

**RECOMMENDATION:**

*That Council endorse the proposed categories for the Minor Grants Scheme under the following criteria:*

- *Community events or projects by a community organisation within the Shire – maximum \$1000 on a minimum \$ for \$ basis;*
- *Sporting grants (individuals who are Shire resident) maximum \$500 on a minimum \$ for \$ basis;*
- *event/project must be held within the Shire and of benefit to the Shire community;*
- *Community organisation must be a not for profit non-government organisation;*
- *Community organisation must have adequate insurance coverage or be sponsored or auspiced by a group that has adequate insurance coverage;*
- *financial details of the community organisation must be submitted with the application;*
- *financial budget for the event/project must be submitted with the application;*
- *requests for ongoing (year to year) funding will generally not be supported;*
- *applications may be submitted at any time during the year;*
- *funds approved by Council must be expended during that financial year they were allocated unless otherwise approved by the General Manager or his delegate;*
- *Council must be acknowledged as a sponsor for the event/project; and*
- *if the annual funding allocation by Council is not totally allocated by Council during that year, the unallocated amount will not be carried forward to the following year.*

**Resolved**

**SECTION 7. INFORMATION REPORTS**

**7.1 INFORMATION ITEMS**

**7.1.1 ENVIRONMENTAL SERVICES STATISTICS**

<b><u>Statistics for July 2016</u></b>		
Number of DA's Approved		0
Total Value of DA's Approved		\$0
Food Premises Inspected		0
Animal Control Activities	Impounded	7
	Rehomed	5
	Returned to Owner	1
	Euthanized	1
	Registrations	0
	Microchipped	0
	Penalty Notices Issued	2 0
Water Sampling	Microbiology Samples Collected	10
	Chemistry Samples Collected	0
	Non-Compliant Samples	0

**7.1.2 ROAD GRADING PROGRAM**

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

**7.1.3 RESTART NSW, WATER SECURITIES FOR REGIONS**

The Wilcannia and Ivanhoe Bore Field Augmentation Project is substantially complete with the exception of the electrification of completed electricity works and minor telemetry works at Ivanhoe. Connection to the grid is awaiting processing of submitted NMI Application. These outstanding works are expected to be completed by the end of September 2016 including commissioning.

Council has been granted an extension of time for the Restart project to end September 2016.

#### 7.1.4 COUNTRY TOWNS WATER SUPPLY, REGIONAL WATER AND WASTEWATER BACKLOG

Recapping previous advice, NSW Water Solutions was engaged to complete the next stage of the pre-construction phase of the Ivanhoe, Wilcannia and White Cliffs Augmentation Project and complete options reports for these facilities at these locations. These studies will build upon the scoping reports completed by CWT Pty Limited. On completion of the options studies further consideration will be given to the engagement of a suitable consultant/contractor to complete the remaining pre-construction activities with respect to concept design, D&C Specification and tender documentation with an overall completion dead line of June 2017.

The additional studies are listed below:

1. update the IWCM Strategy to comply with the July 2014 DPI Water IWCM Check List;
2. options Study for each of the proposed new water treatment plants;
3. concept design for each of the proposed new treatment plants;
4. hydraulic analysis for reticulation networks at Wilcannia and White Cliffs;
5. condition assessment of existing reticulation at Wilcannia, Ivanhoe and White Cliffs;
6. review of Environmental Factors; and
7. topographic survey for White Cliffs.

Recapping previous advice, NSW Water Solutions was engaged to complete the next stage of the pre-construction phase of the Ivanhoe, Wilcannia and White Cliffs Augmentation Project and complete options reports for these facilities at these locations. These studies will build upon the scoping reports completed by CWT. On completion of the options studies further consideration will be given to engagement of suitable consultant/contractor to complete remaining pre-construction activities with respect to concept design, D&C Specification and tender documentation with an overall completion dead line of June 2017.

Additional studies are listed below:

1. update the IWCM Strategy to comply with the July 2014 DPI Water IWCM Check List;
2. options study for each of the proposed new water treatment plants;
3. concept design for each of the proposed new treatment plants;
4. hydraulic analysis for reticulation networks at Wilcannia and White Cliffs;
5. condition assessment of existing reticulation at Wilcannia, Ivanhoe and White Cliffs;
6. review of Environmental Factors;
7. topographic survey for White Cliffs;
8. geotechnical and survey of the three treatment plants; and
9. tender documentation.

Items one to eight have been assessed, approved and purchase orders issued to NSW Water Solutions for completion. Initial programming indicates completion of these items by mid December 2016.

As previously advised these studies are funded 100% pursuant to the Restart Program, Regional Water and Backlog Program and targeted at pre-construction activities only.

These projects have commenced with substantial data collection being provided by Council to inform various studies, modelling and projections, including a comprehensive land survey of Wilcannia water and sewerage infrastructure, rating database usage etc. This information will particularly inform the update of the Integrated Water Cycle Management Plan which will subsequently guide many key conclusions and recommendations concerning future water supply and sewerage infrastructure.

Council is awaiting advice with respect to the application for construction funding of the proposed White Cliffs WTP.

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#### 7.1.5 COBB HIGHWAY – EURALLA INITIAL SEAL PROJECT

Initial culvert civil works are in progress. Extensive delays have been encountered due to rainfall events.

Further works, including but not limited to are: side track construction, bulk earthworks, supply and haul select fill; and gravel and sealing works are still in development phase. Council has received specifications from RMS and have submitted associated Works Proposals for RMS consideration.

The final Environmental Protection Licence (EPL) has been received from the EPA.

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#### 7.1.6 ROADS REPORT

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

**State Roads:**

- 2016-2017 RMCC Routine Maintenance budget this year has been reduced, both highways is \$650,000.
- Three Works Orders (WO) have been received to date, totalling \$76,747.31.
- Euralla Initial Seal Project – RMS have provided Council with eight Works Orders relating to the Cobb Highway project totalling \$837,286.09.
- Springdale Initial Seal Project – RMS have provided Council with one Work Order relating to the Cobb Highway project totalling \$38,571.

- Fairmount Initial Seal Project – RMS have provided Council with one Work Order relating to the Cobb Highway project totalling \$33,903.

	Original Budget	% Completed	Remaining Budget
<b>RMCC (Routine Works)</b>	\$650,000	16%	\$543,188
<b>RMCC (Ordered Works)</b>	\$76,747	20%	\$61,075
<b>Euralla IS Project</b>	\$837,286	77%	\$196,978
<b>Springdale IS Project</b>	\$38,571	50%	\$19,285
<b>Fairmount IS Project</b>	\$33,903	50%	\$16,951

**Regional Roads:**

- 2016-17 Regional Road Block Grant amount (including traffic and supplementary components) is \$2,642,000. RRRP allocation \$400,000.
- 2016-17 Regional Roads Repair Program (RRRP) – MR433 Ivanhoe to Menindee Road \$800,000.

	Original Budget	% Expended	Remaining Budget
<b>Regional Road Block Grant</b>	\$2,242,000	12%	\$1,985,112
<b>Regional Roads Repair Program</b>	\$800,000	0%	\$800,000

**Local Roads:**

- 2016-17 Local Roads Component (FAG) has been advised \$1,480,000 which has been allocated to Local Roads.
- 2016-17 Roads to Recovery allocation this year is \$1,621,547. This funding will be allocated to Local Road improvement projects.

	Original Budget	% Expended	Remaining Budget
Local Roads Component (FAG)	\$1,480,000	36%	\$942,560
Roads to Recovery	\$1,621,547	0%	\$1,621,547

#### 7.1.7 SERVICES

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

	Original Budget	% Expended	Remaining Budget
Parks & Gardens/ Sporting Facilities	\$154,500	22%	\$120,026
Ancillary Works	\$158,000	15%	\$134,690
Street Cleaning/ Bins	\$110,000	18%	\$90,051
Aerodromes	\$65,500	60%	\$26,581
Public Conveniences	\$34,000	26%	\$25,202
Swimming Pools	\$350,000	8%	\$323,041
Waste Depots	\$107,000	29%	\$75,924

#### Water & Sewerage Maintenance:

- Wilcannia town water supply is being sourced from the Darling River Weir Pool.
- White Cliffs town water supply is sourced from above ground tanks, current levels: Tank 1 =6.0m, Tank 2 =4.8m, Tank 3 (Wakefield) = 8.1m. Recent rainfall has replenished above ground storages.
- Ivanhoe town water supply is currently being sourced from the Morrison’s Lake reservoir. Morrison’s Lake storage is currently 400 megalitres, town storage dam 50 megalitres. Recent flows in the Willandra Creek have enabled Council to replenish the above ground storages.

	<b>Original Budget</b>	<b>% Expended</b>	<b>Remaining Budget</b>
<b>Wilcannia Water</b>	\$394,000	17%	\$326,796
<b>Wilcannia Sewer</b>	\$80,000	25%	\$60,536
<b>White Cliffs Water</b>	\$128,000	23%	\$98,368
<b>Ivanhoe Water</b>	\$211,000	15%	\$179,126

#### 7.1.8 CAPITAL WORKS

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

<b>Project</b>	<b>Comments</b>	<b>Original Budget</b>	<b>% Expended</b>	<b>Remaining Budget</b>
Aboriginal Communities Water and Sewer	Federal remote communities funding program administered by NSW Office of Water.	\$105,865	6%	\$99,591
Restart NSW – Water Security	Start Dec 2014. Tilpa, White Cliffs, Wilcannia and Ivanhoe  Project value \$1M (\$174,400 expended in 2014/15, \$595,300 expended in 2015/16)	\$230,300	30%	\$162,727
CTWS – Preconstruction activities	Pre-construction activities	\$1,000,000	8%	\$915,408
	Training	\$200,000	77%	\$65,300
Wilcannia Boat Ramp	Postponed pending Weir Feasibility Study	\$85,000	0%	\$0

7.1.9 INVESTMENTS AND BANK BALANCES

<b>Schedule of Investments and Bank Balances as at 31 August 2016</b>	
	<b>Amount</b>
<b>Cash Reserve</b>	
Westpac Business Cash Reserve	\$800,000
<b>Total Reserve Balance as at 31 August 2016</b>	<u>\$800,000</u>
<b>Bank Balances as at 31 August 2016</b>	
General Fund	\$359,235 In Funds
Clearing Account (Account used for receiving deposits)	\$61,835 In Funds
Total Cash at Bank	<u>\$1,221,069</u>
<b>Cash Restrictions</b>	
Internal Restrictions	\$260,000
External Restrictions	<u>\$280,000</u>
Total Restrictions	<u>\$540,000</u>

*08-09-16*

***RECOMMENDATION:***

***That the Information Items reports be received and noted.***

***Resolved***

## SECTION 8. THE RECEIPT OF REPORTS FROM COMMITTEES

*09-09-16*

*To receive and note the Minutes of the Wilcannia Cemetery Committee.*

*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 Council 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.

Pursuant to Section 10A(2) of the *Local Government Act 1993*(the Act) Council or a Committee may close to the public so much of its meeting when matters listed below are to be discussed being:

- (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,
- (i) alleged contraventions of any code of conduct requirements applicable under section 440.

Section 10A(3) of the Act states that a Council, or a Committee, may also close to the public so much of its meeting as comprises a motion to close another part of the meeting to the public.

Section 10A(4) provides that a Council, or a Committee, may allow members of the public to make representations to or at a meeting, before any part of the meeting is closed to the public, as to whether that part of the meeting should be closed.

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 if Council passes a resolution during a meeting, or part of a meeting, that is closed to the public, the Chairperson must make the resolution public as soon as practicable after the meeting or part of the meeting has ended.

***10-09-16***

#### ***RECOMMENDATION:***

***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***

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Council went into Closed Session at 9:20am

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***11-09-16***

***That Council move back into open Council at 9:22am.***

***Resolved***

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Council went back to Open Session at 9:21am

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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 RATEPAYER REQUESTS FOR COUNCIL TO ASSUME LAND OWNERSHIP

***12-09-16***

***RECOMMENDATION:***

***That Council resolve:***

- to not assume ownership of land by way of ratepayer requests unless there is significant community benefit to the Council;***
- to write to the ratepayers of Property's 1 – 6 informing them of Council's decision;***
- inform the Ratepayer of Property 1 their matter will not be forwarded to the debt collector;***
- inform the Ratepayers of Property 2-4 their matters will be dealt with by the debt collector;***

- *inform the Ratepayers of Property's 1, 4, 5 and 6 Council anticipate to hold a public auction of land in the second quarter of 2017 for the sale of land due to unpaid rates and charges; and*
- *release a media statement stating Council's decision to not assume ownership of land by ratepayer requests to Council due to unpaid rates and charges or a ratepayer no longer requiring the land.*

*Resolved*

10.2 SITE OFFICE FOR LONG TERM WORKS

*13-09-16*

**RECOMMENDATION:**

*That Council enter into contractual arrangements with Rollers Australia (Mocrib) for the procurement of a site office/amenity unit for a 104-week period at \$565 per week.*

*Resolved*

**SECTION 11. DATE AND VENUE FOR NEXT MEETING**

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*The next meeting of Council will be held on 26 October 2016 in Wilcannia at 9:00am.*

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*There being no further business, Council Meeting concluded at 9:24am.*

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