

# **ORDINARY MEETING**

# **MINUTES**

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**THURSDAY 5TH DECEMBER 2019**

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**WARREN SHIRE COUNCIL**  
Minutes of the Ordinary Meeting of Council  
held in Council Chambers, 115 Dubbo Street Warren  
on Thursday 5th December 2019 commencing at 8:32 am

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**Present:**

**COUNCILLORS**

MJ Quigley	Chair
KR Irving	
MJ Beach	
HJ Druce	
KW Taylor	
SJ Derrett	
RJ Higgins	
AJ Brewer	
P Serdity	

**STAFF MEMBERS**

G Wilcox	General Manager
D Arthur	Divisional Manager Finance & Administrations (DMFA)
R Lawford	Divisional Manager Engineering Services (DMES)
M Stephens	Manager Health and Development Services (MHD)
J Burtenshaw	Executive Assistant (EA)

**APOLOGIES**

Apologies were tendered on behalf of Councillor KL Walker and Councillor BD Williamson and it was **MOVED** Druce/Brewer that the apologies be accepted and a leave of absence for the members concerned be granted.

**Carried**  
**237.12.19**

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**CONFIRMATION OF MINUTES**

**MOVED** Irving/Derrett that the Minutes of the Ordinary Meeting of Council held on Thursday, 24th October 2019 be adopted as a true and correct record of that Meeting.

**Carried**  
**238.12.19**

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**DISCLOSURES OF INTERESTS**

Nil.

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**MAYORAL MINUTE(S)**

**MOVED** Quigley/Taylor that Council offer assistance to the Board of the Warren Golf Club to help them look at a strategic direction for the development and to deliver long term growth and benefit for the community.

**Carried**  
**239.12.19**

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**WARREN SHIRE COUNCIL**  
Minutes of the Ordinary Meeting of Council  
held in Council Chambers, 115 Dubbo Street Warren  
on Thursday 5th December 2019 commencing at 8:32 am

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**MAYORAL MINUTE(S)**

**CONTINUED**

GM-A  
Chk Lst

**MOVED** Quigley/Taylor that Warren Shire Council support the proposal of lifting the level of the dam capacity to 120%.

**Carried**  
**240.12.19**

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**REPORTS OF COMMITTEES**

**Sporting Facilities Committee**

**(S21-2.1)**

**MOVED** Taylor/Irving that the Minutes of the Sporting Facilities Committee meeting held on Wednesday, 23rd October 2019 be received and noted.

**Carried**  
**241.12.19**

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**Extra Ordinary Sporting Facilities Committee**

**(S21-2.1)**

**MOVED** Taylor/Derrett that the Minutes of the Extra Ordinary Sporting Facilities Committee meeting held on Wednesday, 20th November 2019 be received and noted with the following recommendations:

**ITEM 5 COMMUNITY ENGAGEMENT PLAN (YOUTH, FUND RAISING AND GARDENS)**

GM-A  
Chk Lst

1. That the Minutes of the Meeting of the Warren Skate Park / Carter Oval Development Sub Committee held on Thursday, 14th November 2019 be received and noted;
2. Council write to the Warren Central School P & C Association and thank them for their support and that the Committee will take up their offer of support and will contact the school to discuss.
3. Council hold the Australia Day Ceremony at the Warren Sporting and Cultural Centre. The Warren Skate Park / Carter Oval Development Sub Committee hold an event at the Warren War Memorial Pool afterwards to raise funds towards the landscaping of the Carter Oval redevelopment. The Warren Skate Park / Carter Oval Development Sub Committee seek grant funding from community-based organisations to support the event.
4. The Warren Skate Park / Carter Oval Development Sub Committee assemble a detailed landscaping and seating plan and report to the Sporting Facilities Committee.
5. The Warren Skate Park / Carter Oval Development Sub Committee develop a proposal as to how fundraising should occur including planned fundraising events and report to the Sporting Facilities Committee.
6. Council invite the Board of Oasis to provide a skate exhibition for the community and hold an event at a suitable time of the year as part of fundraising efforts towards landscaping of the carter oval precinct once construction of the area is complete.

**Carried**  
**242.12.19**

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**WARREN SHIRE COUNCIL**  
Minutes of the Ordinary Meeting of Council  
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**REPORTS OF COMMITTEES**

**CONTINUED**

**Airport Operations Committee**

**(C14-3.12)**

**MOVED** Taylor/Druce that the notes of the Airport Operations Committee on Tuesday, 19th November 2019 be received and noted.

**Carried**  
**243.12.19**

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**MOVED** Taylor/Derrett that the Notice of Motion regarding the Airport Operations Committee be brought forward to be considered with Committee reports.

**Carried**  
**244.12.19**

**NOTICE OF MOTION**

**Item 1            Airport Operations Committee**

**(C4-3.12)**

**MOVED** Quigley/Beach that Councillor Taylor be appointed to the Airport Operations Committee.

**Carried**  
**245.12.19**

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**Water Conservation Committee**

**(C14-3.2)**

**MOVED** Higgins/Brewer that the Minutes of Water Conservation Committee meeting held on Thursday, 21st November 2019 be received and noted with the following recommendations:

**Item 3            Review of Current Water Restrictions**

DMES-N  
MHD-N

That Council adopt the following;

That level 3 water restrictions remain the same with watering to remain from 6am to 9am only, in accordance with the odds and even scheme. This allows for more reliable water pressure of a morning to cope with the quantity of users. Council will be monitoring users to ensure compliance with these restrictions are followed.

**Carried**  
**246.12.19**

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**Manex**

**(C14-3.23)**

**MOVED** Serdity/Druce that the Minutes of the Manex Meeting held on Tuesday, 26th November 2019 be received and noted with the following recommendations:

**Item 5.1            Work Health and Safety Performance Summary**

**(S12-14.1)**

That Work Health and Safety Performance Summary information be reviewed and monitored.

**Item 5.2            Work Health and Safety Corrective Action Reports**

**(S12-14.1)**

That the status of Work Health and Safety Corrective Action Reports be reviewed and monitored.

**WARREN SHIRE COUNCIL**  
Minutes of the Ordinary Meeting of Council  
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**REPORTS OF COMMITTEES**

**CONTINUED**

**Manex**

**Continued**

**Item 5.3 Work Health and Safety Action Plan**

**(S12-14.1)**

That:

1. That the Warren Shire Council Work Health and Safety Action Plan actions are reviewed, and their status monitored, and a report be prepared for the Work Health and Safety Committee each quarter to review the status and compliance; and
2. That the MANEX team note the completion of items contained within with the Warren Shire Council Work Health and Safety Action Plan Objective Update Table.

**Item 5.4 Contractor WHS Management Procedure**

**(S12-14.4)**

That Council formally adopt the Contractor WHS Management Procedure.

**Item 10 Operational Procedures**

**(I2-11.1)**

That:

1. The information be received and noted; and
2. The procedures Hire of facility requests – Sporting and Cultural Centre, Shared use of Victoria Park during restricted access period – Warren Sporting and Cultural Centre Gym membership process – Sporting and Culture Centre and Hire of equipment requests – Warren Sporting and Cultural Centre be adopted.

**Carried  
247.12.19**

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**Internal Audit Committee**

**(A1-3)**

**MOVED** Quigley/Serdity that the Minutes of the Internal Audit Committee meeting held on Wednesday, 27th November 2019 be received and noted with the following recommendations:

**Item 4.1 Drought Grants Expenditure Review - Tendering Processes**

That Council adopt the two (2) recommendations as part of the Internal Audit Review into Tendering Process.

DMES-N

1. Warren Shire Council should ensure that the OLG Tendering Checklist is used and completed and placed on the relevant tendering file for all tendering processes undertaken by Warren Shire Council.
2. The minimal requirements for tendering are controlled by the Part 7 of the Regulation. Amendments have been made altering the tendering threshold amount. Pursuant to the amended Act and Regulation, any contract with an estimated expenditure or receipt **of an amount of \$250,000 or greater** is subject to the regulatory requirements. Council's Policy currently states that amounts up to and including \$150,000 requires only written quotes and further states that a formal tender process in accordance with the Act is only required for amounts greater than \$250,000. Thus, the Policy needs to be updated to reflect the new tendering amount.

**WARREN SHIRE COUNCIL**  
Minutes of the Ordinary Meeting of Council  
held in Council Chambers, 115 Dubbo Street Warren  
on Thursday 5th December 2019 commencing at 8:32 am

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**REPORTS OF COMMITTEES**

**CONTINUED**

**Internal Audit Committee**

**Continued**

**Item 4.2      Audit Office of NSW Management Letter on the Audit for the Year Ended 30 June 2019**

GM-A  
Chk Lst

That the following items from the report was assessed by the Committee and recommendations made.

1. That Council note the recommendations of the NSW Audit Office;
2. That Council is provided with a detailed report from Management to the February 2020 meeting advising Council of the action taken to comply with the recommendations from the Internal Auditor and the NSW Audit Office; and
3. That Council provide a letter to the NSW Audit Office advising of the actions Council has reviewed and enacted.

DMFA-A  
Chk Lst

**Issue 1 Information Technology General Controls**

1. For those users assigned with 'super user'/ administrator IT access privileges, Council should consider the following controls:
  - audit logs maintained for an appropriate period of time;
  - audit logs secured from amendment or deletion; and
  - privileged access audit logs reviewed regularly by a suitably independent and qualified individual, with appropriate action taken when required.
2. Segregation of duties is critical to effective internal control. To reduce the potential risk of fraud, system access levels of users should be reviewed and altered as appropriate.
3. Council should implement relevant policy and plans. Password parameters in place for each audit relevant system should be reviewed and updated to in accordance with best practice guidelines.

**Issue 2 Review of Manual Journals**

All journal entries should be supported by appropriate documentation. Manual journals should be independently reviewed and authorised.

**Issue 3 Procurement - Tendering**

Any departures from normal procurement processes should be documented and approved by Council. Consideration should also be given to budgeted expenditure in the supplier sourcing and selection process.

**Issue 4 Procurement - Credit Card Usage**

All IT related purchases should involve the Council officer responsible for IT. Ideally, such purchases should involve the use of approved purchase orders.

**Issue 5 Tip Remediation Provision**

Council should review its obligation to remediate the site and determine the related costs and timing. The potential obligation should be recognised and measured in accordance with Australian Accounting Standards; bearing in mind the materiality of the potential impact on the financial statements.

**WARREN SHIRE COUNCIL**  
Minutes of the Ordinary Meeting of Council  
held in Council Chambers, 115 Dubbo Street Warren  
on Thursday 5th December 2019 commencing at 8:32 am

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**REPORTS OF COMMITTEES**

**CONTINUED**

**Internal Audit Committee**

**Continued**

**Issue 6 Non-Compliance with Aspects of the GIPA Act**

Council should maintain a GIPA register of all contracts between Council and private sector bodies above \$150,000.

**Issue 7 Improvement Opportunities – Governance and Cyber Security**

Management should assess the risks arising from the observations above and prioritise the implementation of relevant policies and procedures.

**Issue 8 Investment Purchases**

We recommend Council review the process of placing new investments, whereby the transfer of funds requires dual password authorisation. Direct debit arrangements should be in place for low value transactions only.

**Issue 9 Review of Master-File Changes**

The officer carrying out the independent review should indicate which critical changes have been substantiated.

**Issue 10 Review of Termination Pay Calculations**

All termination payments should be reviewed by an officer independent of the payroll function to ensure their accuracy. This review should be evidenced by way of signature.

**Issue 11 Payroll Documentation**

To ensure correct costing of employee expenses and reduce the risk of fraud, leave forms should be completed, signed by both the employee and supervisor and received by the Payroll Department prior to each pay run.

**Issue 12 Rates Reconciliations**

The reconciliations should be formally documented and signed by the preparer and reviewer certifying to their correctness. These reconciliations should be performed on a regular basis.

**Carried**  
**248.12.19**

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**DELEGATES REPORTS**

**Item 1 Association Mining and Energy Related Councils (NSW) Inc. (C14-6.3)**

**MOVED** Irving/Druce that the information be received and noted.

**Carried**  
**249.12.19**

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**Item 2 Warren Christmas Street Party Committee (D3-1.4)**

**MOVED** Taylor/Derrett that the information be received and noted.

**Carried**  
**250.12.19**

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**WARREN SHIRE COUNCIL**  
Minutes of the Ordinary Meeting of Council  
held in Council Chambers, 115 Dubbo Street Warren  
on Thursday 5th December 2019 commencing at 8:32 am

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**GENERAL MANAGER'S REPORTS**

**CONTINUED**

**Item 4 Risk Management and Audit Report (A1-3)**

**MOVED** Serdity/Taylor to suspend standing orders to allow discussion of the report.

**Carried  
257.12.19**

**MOVED** Serdity/Taylor to reinstated standing orders.

**Carried  
258.12.19**

GM-A  
Chk Lst

**MOVED** Serdity/Taylor that Council prepare a submission to the Office of Local Government that supports the audit and risk process, and that:

1. Council raise concern that smaller rural and remote councils may struggle to meet the staffing and committee requirements as proposed under the Prequalification Scheme;
2. The committee should allow for one independent member (Chair) rather than three members in small rural or remote Council areas, that can report directly back to the Minister via the Office of Local Government to help offset the costs of the committee;
3. Council commence discussion with the Councils of Coonamble, Bogan and Lachlan Shires to discuss shared service provision of a Chief Audit Executive and shared committee members; and
4. Council make a provision of \$210,000 in its 2020/21 Financial plan to cover the costs of a Chief Audit Executive, an Internal and external auditor and associated on costs.

DMFA -N

**Carried  
259.12.19**

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**MOVED** Serdity/Druce that at this point in the meeting, the time being 9.51 am that Council be suspended to allow for presentations from Mr Damian Plunkett representing the Warren Chamber of Commerce, Dr John Buke representing the Warren Museum and Gallery Association and morning tea.

**Carried  
260.12.19**

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**MOVED** Serdity/Druce to reinstate Council at 11.00 am with Councillor Taylor being an apology for the remainder of the meeting.

**Carried  
261.12.19**

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**Item 5 Regional Water Line Burrendong Dam to Cobar (W1-1)**

**MOVED** Quigley/Beach to suspend standing orders to allow discussion of the report.

**Carried  
262.12.19**

**MOVED** Quigley/Beach to reinstated standing orders.

**Carried  
263.12.19**

**WARREN SHIRE COUNCIL**  
Minutes of the Ordinary Meeting of Council  
held in Council Chambers, 115 Dubbo Street Warren  
on Thursday 5th December 2019 commencing at 8:32 am

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**GENERAL MANAGER'S REPORTS**

**CONTINUED**

**Item 5 Regional Water Line Burrendong Dam to Cobar Continued**

GM-A  
Chk Lst

**MOVED** Beach/Druce that Council support the project in principle and that further discussion is undertaken to discuss the initial supply of water from Warren to Nyngan and then resizing of the line progressively back east to Burrendong Dam.

**Carried**  
**264.12.19**

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**Item 6 Drought Community Programme – Extension – Second Round of Funding (F2-2)**

GM-A  
Chk Lst

**MOVED** Druce/Derrett that the Council hold a workshop on the 11th December 2019 to plan projects to be applied for under the Drought Community Programme – Extension.

**Carried**  
**265.12.19**

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**DIVISIONAL MANAGER FINANCE AND ADMINISTRATION'S REPORTS**

**Item 1 Reconciliation Certificate – October 2019 (B1-10.16)**

**Item 2 Statement of Rates and Annual Charges (R1-4)**

**MOVED** Irving/Serdity that:

1. The information be received and noted; and
2. The Statements of Bank and Investments Balances as at 31st October 2019 be received and noted.

**Carried**  
**266.12.19**

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**DIVISIONAL MANAGER ENGINEERING SERVICES REPORTS**

**Item 1 Additional Allocation - 2019/20 Roads to Recovery Program (W6-17)**

DMFA -N

**MOVED** Brewer/Beach that:

- a) Council note the additional allocation in the 2019/20 Roads to Recovery Program Funding of \$327,629 and that it be distributed in the following manner;
- b) \$57,000 be allocated to provide for the bitumen reseal of Segment 04 of the Ellengerah Road,
- c) \$81,000 be allocated to provide for the bitumen reseal of Segment 02 of the Tottenham Road, and
- d) The remaining \$179,629, be considered for allocation to a rural local road for upgrade purposes.

**Carried**  
**267.12.19**

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**WARREN SHIRE COUNCIL**  
Minutes of the Ordinary Meeting of Council  
held in Council Chambers, 115 Dubbo Street Warren  
on Thursday 5th December 2019 commencing at 8:32 am

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**DIVISIONAL MANAGER ENGINEERING SERVICES REPORTS**

**CONTINUED**

**Item 2        2019/20 Regional Road Repair Grant**

**(W6-16-23)**

DMFA-N

**MOVED** Brewer/Druce that:

1. Council acknowledge the \$400,000 NSW Road & Maritime Services (RMS) "REPAIR" Grant offer to provide for the ongoing upgrade of Regional Road No.333, the Carinda Road; and
2. Council note that the matching \$400,000 will be funded from the Regional Roads Block Grant that will be adjusted in the December 2019 Budget review.

**Carried  
268.12.19**

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**Item 3        Replacement Bridge over Marthaguy Creek, Wonbobbie Road**

**(B3-1.25)**

DMES-A  
Chk Lst

**MOVED** Brewer/Derrett that the General Manager be authorised to advertise a tender for the establishment of a new bridge over the Marthaguy Creek on the Wonbobbie Road.

**Carried  
269.12.19**

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**Item 4        Mount Foster Quarry Usage Proposal**

**(Q1-1.1)**

DMES-A  
Chk Lst

**MOVED** Beach/Brewer that:

1. The Council acknowledge the proposal to seek expressions of interest and prices providing for the crushing of the available material on the Mount Foster Quarry to a state satisfying 20mm (minus) road base; and
2. The submissions received be considered by the Plant Committee.

**Carried  
270.12.19**

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**DIVISIONAL MANAGER ENGINEERING SERVICES REPORTS**

**CONTINUED**

**Item 5        Tender - Supply & Delivery of a Front-End Loader**

**(P2-5.38/02)**

**Item 6        Tender - Supply & Delivery of Two 4WD Tractors**

**(P2-5.38/03)**

**Item 7        Tender - Supply & Delivery of One 4wd Backhoe**

**(P2-5.38/04)**

DMES-A  
Chk Lst

**MOVED** Beach/Brewer that:

1. The General Manager be authorised to advertise a tender for the supply and delivery of a new front-end loader as per the Plant Replacement Program.
2. The General Manager be authorised to advertise a tender for the supply and delivery of two 4WD tractors as per the Plant Replacement Program.
3. The General Manager be authorised to advertise a tender for the supply and delivery of a backhoe.

**Carried  
271.12.19**

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**WARREN SHIRE COUNCIL**  
Minutes of the Ordinary Meeting of Council  
held in Council Chambers, 115 Dubbo Street Warren  
on Thursday 5th December 2019 commencing at 8:32 am

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**MANAGER HEALTH AND DEVELOPMENT'S REPORTS**

**Item 1            Shade Structures at the Warren War Memorial Swimming Pool            (C14-3.18)**

MHD-A  
Chk Lst

**MOVED** Irving/Serdity that Council include shade structures in future grant applications.

**Carried**  
**272.12.19**

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**Item 2            Warren Youth Foundation Request for Support for a Youth Centre and  
Community Hub            (C3-3.1)**

**MOVED** Irving/Derrett that the information is considered for future grant proposals and that Council provide support to the Warren Youth Foundation with their future grant applications.

**Carried**  
**273.12.19**

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**MATTERS OF URGENCY**

The Mayor deemed these items to be a matter of great urgency and requested that it be dealt with at this meeting.

**Item 1            Ewenmar Waste Depot Opening Times**

**MOVED** Brewer/Beach that:

1. Council provide advice to the Ewenmar Waste Committee its in principle support for the Ewenmar Waste Depot to be open seven (7) days per week; and
2. The Mayor enact the advice of the Ewenmar Waste Depot Committee.

**The MOTION was put and lost.**

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**Item 2            Ewenmar Waste Depot Opening Times**

**Moved** Brewer/Irving that the Ewenmar Waste Depot Committee undertake:

- a review of the timetable of the waste depot development;
- a review of fees and charges overall;
- a review of commercial fees and charges;
- implement a docket system to advise of charges at gate;
- allow load separation before unloading;
- review past fees and charges on users;
- review the ambiguity of load type (tonne/m<sup>3</sup>) and charging;
- residents pass for dumping at waste depot.

**Carried**  
**274.12.19**

**WARREN SHIRE COUNCIL**  
Minutes of the Ordinary Meeting of Council  
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on Thursday 5th December 2019 commencing at 8:32 am

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**MATTERS OF URGENCY**

**CONTINUED**

**Item 3            23rd January 2020 Council Meeting**

**Moved** Quigley/Serdity that the 23rd January 2020 Ordinary Council Meeting be cancelled. A number of Councillors have provided prior leave notice for this meeting and it has been realised that a quorum for this meeting would be unlikely.

**Carried**  
**275.12.19**

There being no further business the meeting closed at 12.20 pm.

**THESE MINUTES WERE CONFIRMED AT THE ORDINARY MEETING OF COUNCIL  
HELD ON THURSDAY, 27TH FEBRUARY 2020 AS BEING  
A TRUE AND CORRECT RECORD.**

**MINUTE No. 1.2.2020**

.....  
**GENERAL MANAGER**

.....  
**MAYOR**