
**MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE
SHIRE OF COBAR HELD IN THE COBAR SHIRE COUNCIL
CHAMBERS ON THURSDAY 26 SEPTEMBER 2013 COMMENCING AT
5.00PM**

PRESENT (FILE C13-2)

Councillors Lilliane Brady OAM (Mayor), Tracey Kings, Jarrod Marsden, Peter Maxwell, Bob Sinclair, Pam Smith, and Peter Yench, Messrs Gary Woodman (General Manager), Kym Miller (Director Corporate and Community Services), Peter Graf (Director of Engineering Services), Garry Ryman (Director of Planning & Environmental Services), Mmes Janette Booth (Executive Assistant to the General Manager).

APOLOGIES (C13-2)

200.09.2013 **RESOLVED:** That the apologies received from Councillors Marsha Isbester (Deputy Mayor), John Harrison, Greg Martin, Harley Toomey and Ray Wilson be accepted and a leave of absence granted.
Clr Yench/Clr Smith **CARRIED**

DECLARATIONS OF INTEREST (FILE C12-3)

- Nil.
-

CONDOLENCES (FILE M2-3)

- Nil.
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CONFIRMATION OF MINUTES

ORDINARY MEETING OF COUNCIL (FILE C13-11)

201.09.2013 **RESOLVED:** That the minutes of the Ordinary Meeting of Council held on Thursday 22 August 2013 be confirmed as a true and correct record of the proceedings of that meeting.
Clr Smith/Clr Yench **CARRIED**

CONFIRMATION OF MINUTES

EXTRAORDINARY MEETING OF COUNCIL (FILE C13-11)

202.09.2013 **RESOLVED:** That the minutes of the Extraordinary Meeting of Council held on Thursday 12 September 2013 be adopted by Council be confirmed as a true and correct record of the proceedings of that meeting.
Clr Yench/Clr Smith **CARRIED**

THIS IS PAGE 1 OF THE MINUTES OF THE ORDINARY MEETING OF THE
COUNCIL OF THE SHIRE OF COBAR HELD ON THURSDAY 26 SEPTEMBER 2013

CONFIRMATION OF MINUTES

FINANCE AND POLICY COMMITTEE MEETING (FILE C6-19)

203.09.2013 **RESOLVED:** That the minutes, and the following recommendations contained therein, of the Finance and Policy Committee Meeting held on Thursday 12 September 2013 be adopted by Council.

Clr Sinclair/Clr Maxwell

CARRIED

APOLOGIES (C16-15-6)

67FP.09.2013 **RECOMMENDATION:** *That the apology received from Councillor Tracey Kings be accepted and a leave of absence granted.*

Clr Sinclair/Clr Toomey

CARRIED

PUBLIC ACCESS SESSION

- *Mr Lewis Tyndall, the Director of Legal and Compliance, and James Schultz, the Chief Executive Officer from the GreenCollar Group gave a presentation on the proposed Carbon Farming Initiative.*

DECLARATIONS OF INTEREST (FILE C6-15-7)

Nil.

REPORT 1A – CARBON FARMING INITIATIVE

FILE: *D7-4*

AOP REFERENCE: *5.2*

AUTHOR: *General Manager, Gary Woodman*

68FP.09.2013 **RECOMMENDATION:**

- 1. That the information in relation to the Carbon Farming Initiative be received and noted.*
- 2. That Council thanks Mr Lewis Tyndall and James Schultz from the GreenCollar Group for their time and presentation.*

Clr Yench/Clr Sinclair

CARRIED

REPORT 2A – CHRISTMAS FUNCTIONS 2013

FILE: *S5-27*

AOP REFERENCE: *3.3.2*

AUTHOR: *Angela Shepherd, Special Projects Officer*

69FP.09.2013 **RECOMMENDATION:**

1. That Council provides a lump sum payment of \$3,400 based on the number of staff and Councillors towards the Staff/Councillors Christmas celebrations in 2013.
2. The lump sum payment be divided as follows: \$2,440 for a combined Cobar-based staff/Councillor party, \$800 for Lilliane Brady Village staff and \$160 for Euabalong staff, or a present will be presented to each staff member to the value of \$20 per person.
3. That Council determines that the offices where practical will close from 3pm on Thursday 19 December 2013.

Clr Isbester/Clr Sinclair

CARRIED

REPORT 3A - RATE ABANDONMENTS 2012/2013

FILE: R2-1

AOP REFERENCE: 3.1.1.2

AUTHOR: Rates Officer, Jo Louise Brown

70FP.09.2013

RECOMMENDATION: That Council write-off rates totalling \$172,543.26 for 2012/2013 as follows subject to Auditors approval:

Cancelled Valuations/ Leases	\$1,005.00
Reascertainment	\$614.80
Pension Rebates	\$112,003.62
Category/Service Changes	\$10,753.37
Combined Assessments	\$710.00
Sale of land for non payment of rates	\$47,456.47
Total:	\$172,543.26

Clr Sinclair/Clr Maxwell

CARRIED

REPORT 1B – BANK RECONCILIATION, CASH FLOW & LOAN FACILITY SUMMARIES AS AT 31 AUGUST 2013

FILE: B2-7

AOP REFERENCE: 3.1.1.5

AUTHOR: Manager Finance & Administration, Neil Mitchell

71FP.09.2013

RECOMMENDATION: That Council receive and note the Bank Reconciliation, Cash Flow, Investment and Loan Facility Report for the month of August 2013.

Clr Maxwell/Clr Marsden

CARRIED

REPORT 2B – INVESTMENT REPORT AS AT 31 AUGUST 2013

FILE: B2-7

AOP REFERENCE: 3.1.1.7

AUTHOR: Manager Finance & Administration, Neil Mitchell

72FP.09.2013 **RECOMMENDATION:** *That Council receive and note the Investment Report for the month of August 2013.*
Clr Isbester/Clr Sinclair **CARRIED**

REPORT 3B – RATES RECONCILIATION TO 31 AUGUST 2013

FILE: R2-1 **AOP REFERENCE: 3.1.1.6**

AUTHOR: Rates Officer, Jo-Louise Brown

73FP.09.2013 **RECOMMENDATION:** *That the Rates Reconciliation Report as at the 31 August 2013 be received and noted.*
Clr Sinclair/Clr Marsden **CARRIED**

REPORT 4B– GRANT FUNDING

FILE: G4-17 **AOP REFERENCE: 3.1.1.4**

AUTHOR: Special Projects Officer, Angela Shepherd

73FP.09.2013 **RECOMMENDATION:** *That the Rates Reconciliation Report as at the 31 August 2013 be received and noted.*
Clr Isbester/Clr Toomey **CARRIED**

MATTER OF URGENCY – ECONOMIC DEVELOPMENT IN COBAR SHIRE TASKFORCE/STRATEGY

AUTHOR: Councillor, Peter Yench

The Mayor determined that the matter was a Matter of Urgency.

74FP.09.2013 **RESOLVED:** *That Council hold a Councillor Workshop after the September Council Meeting to finalise the requirements for an Economic Development in Cobar Shire Taskforce/ Strategy.*
Clr Yench/Clr Sinclair **CARRIED**

CONFIRMATION OF MINUTES

WORKS COMMITTEE MEETING (FILE C6-20)

204.09.2013 **RESOLVED:** That the minutes, and the following recommendations contained therein, of the Works Committee Meeting held on Thursday 12 September be adopted by Council.
Clr Sinclair/Clr Yench **CARRIED**

APOLOGIES (C16-15-6)

41WC.09.2013 **RECOMMENDATION:** *That the apology received from Councillor Tracey Kings be accepted and a leave of absence granted.*
Clr Martin/Clr Marsden **CARRIED**

DECLARATIONS OF INTEREST (FILE C6-15-7)

Nil.

MAYORAL MINUTE – SHARPS DISPOSAL

FILE: C13-7, H1-1

AOP REFERENCE: 1.5.1

AUTHOR: Mayor, Lilliane Brady OAM

42WC.09.2013 RECOMMENDATION: *That Council receive and note the information regarding the Mayoral Report.*
Clr Martin/Clr Yench **CARRIED**

NOTICE OF MOTION – LEASE OF CARPARK FROM COBAR MEMORIAL SERVICES CLUB (2+3DP827719)

FILE: L6-2

AOP REFERENCE: 4.3.2

AUTHOR: Councillor, Peter Yench

43WC.09.2013 RECOMMENDATION: *That Council discuss the Notice of Motion concerning the long term action plan for the lease of the back Carpark from Cobar Memorial Services Club (2+3DP827719).*
Clr Yench/Clr Sinclair **CARRIED**

44WC.09.2013 RECOMMENDATION: *That Council consider the Notice of Motion concerning the long term action plan for the lease of the back Carpark from Cobar Memorial Services Club (2+3DP827719) in Committee of the Whole Closed Council with the press and public excluded for the reason as stated in Section 10A (2)(g) of the Local Government Act 1993, as the matter contains advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.*
Clr Sinclair/Clr Marsden **CARRIED**

REPORT 1A – COBAR TRUCK WASH OPTIONS

FILE: A10-30

AOP REFERENCE: 3.1.1.2

AUTHOR: Works Manager, Kingsley Page

46WC.09.2013 RECOMMENDATION: *That the Fort Bourke truck wash options report and recommendations concerning Peak Mines and Broughton Field Services be considered in the Committee of the Whole Closed Council with the press and public excluded for the reason as stated in Section 10A (2) (c) of the Local Government Act 1993, as discussions of this information in Open Council would prejudice the commercial position of the person who supplied it.*
Clr Sinclair/Clr Marsden **CARRIED**

REPORT 1B – ENGINEERING WORKS REPORT

FILE: C6-20-2

AOP REFERENCE: 4.3.2

AUTHOR: Director of Engineering Services, Peter Graf

47WC.09.2013 RECOMMENDATION: *That the Engineering Works Report detailing maintenance on shire and regional roads, state highways and water and sewers mains be discussed*

Clr Yench/Clr Martin

CARRIED

48WC.09.2013 RECOMMENDATION: *That the information contained in the Engineering Works Report detailing maintenance on shire and regional roads, state highways and water and sewers mains be received and noted.*

Clr Yench/Clr Marsden

CARRIED

REPORT 2B – EXPENDITURE FOR ROADS NETWORK

FILE: R5-31

AOP REFERENCE: 4.3.2

AUTHOR: Director of Engineering Services, Peter Graf

49WC.09.2013 RECOMMENDATION: *That the information detailing the Expenditure for Council's Roads Network be received and noted.*

Clr Sinclair/Clr Yench

CARRIED

REPORT 3B – TRAFFIC COUNTS ON SHIRE ROADS AND CLASSIFIED ROADS (HW8, MR410 AND MR421)

FILE: R5-34

AOP REFERENCE: 4.3.2

AUTHOR: Construction Supervisor, Brett Hallcroft

50WC.09.2013 RECOMMENDATION: *That the information in relation to traffic counts on shire roads and classified roads (HW8, MR410, and MR 421) be received and noted.*

Clr Yench/Clr Marsden

CARRIED

REPORT 4B – TRAFFIC COUNTS ON SHIRE ROADS AND CLASSIFIED ROADS (HW8, MR410 AND SR42)

FILE: R5-34

AOP REFERENCE: 4.3.2

AUTHOR: Construction Supervisor, Brett Hallcroft

51WC.09.2013 RECOMMENDATION: *That the information in relation to traffic counts on shire roads and classified roads (HW8, MR410, and SR42) be received and noted.*

Clr Sinclair/Clr Toomey

CARRIED

COMMITTEE OF THE WHOLE (CLOSED COUNCIL) (FILE CI3-11-1)

52WC.09.2013 RESOLVED: *That Council move into the Committee of the Whole (Closed Council) with the press and public excluded at 6:15pm as matters to be discussed are considered to be confidential vide Section 10A (2) (c) and (g) of the Local Government Act 1993, as the matters contains commercial information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business and discussions of this matter in open Council would prejudice the commercial position of the person who supplied it, and it contains advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.*

Clr Yench/Clr Toomey

CARRIED

Council resumed in Open Council at 6:31pm.

RECOMMENDATIONS TO COUNCIL

50WC.09.2013 RESOLVED: *That the following recommendations of the Committee of the Whole Closed Council be adopted by the Council.*

Clr Yench/Clr Isbester

CARRIED

REPORT 1C – COBAR TRUCK WASH OPTIONS

FILE: A10-30

AOP REFERENCE: 3.1.1.2

AUTHOR: Works Manager, Kingsley Page

74COW.09.2013 RESOLVED:

- 1. That Council upholds its decision on 27 June 2013 to close the Fort Bourke Truck Wash.*
- 2. That Council not proceed with the Peak Mines/Broughton Field Services option as there is too much risk in not being EPA compliant.*
- 3. That Council proceeds to investigate the options of developing a new truck wash at the rear of the Council Depot for consideration in the 2014/2015 budget with the options being to cater for construction vehicles only and both construction and stock carrying vehicles.*
- 4. That details of the discussion regarding the Truck Wash remain in the Committee of the Whole (Closed Council).*

Clr Yench/Clr Wilson

CARRIED

**2C -NOTICE OF MOTION – LEASE OF CARPARK FROM
COBAR MEMORIAL SERVICES CLUB (2+3DP827719)**

FILE: L6-2

AOP REFERENCE: 4.3.2

AUTHOR: Councillor, Peter Yench

75COW.09.2013 RESOLVED: That Council discuss the lease of the back carpark from Cobar Memorial Services Club (2+3DP827719).
Clr Yench/Clr Marsden **CARRIED**

76COW.09.2013 RESOLVED:

1. That a letter be written to the Cobar Memorial Services Club further acknowledging their correspondence in regards to the lease of the Carpark (2+3DP827719) and that Council will consider a full report on the matter at a future meeting.
2. That details of the discussion regarding the Lease of the Carpark from Cobar Memorial Services Club remain in the Committee of the Whole (Closed Council).

Clr Yench/Clr Marsden

CARRIED

CLAUSE 1A – MAYORAL REPORT

FILE: C13-1-5

AOP REFERENCE: 3.1

AUTHOR: Mayor, Councillor Lilliane Brady

205.09.2013 RESOLVED:

1. That Council accepts the information contained in the Mayoral Report for the month of August 2013.
2. That Council write to thank Darrel Turner on his efforts at Ward Oval in preparation of the Supreme Australian Sheepdog Championships.
3. That Council write and send congratulations to Mark Coulton MP on his reelection.

Clr Yench/Clr Sinclair

CARRIED

**CLAUSE 2A – NYMAGEE PROGRESS ASSOCIATION
REQUEST FOR COUNCIL CONTRIBUTION TO
ELECTRICITY FOR NYMAGEE LIBRARY**

FILE: A11-3

AOP REFERENCE: 1.6.4.2

AUTHOR: Land Management Officer, Heather Holder

206.09.2013 RESOLVED: That a letter be written back to the Nymagee Progress Association in regards to their commitment for the payment of electricity costs and that they be requested to apply for a donation in the next call for donations for 2014 – 2015 Budget.

Clr Yench/Clr Marsden

CARRIED

THIS IS PAGE 8 OF THE MINUTES OF THE ORDINARY MEETING OF THE
COUNCIL OF THE SHIRE OF COBAR HELD ON THURSDAY 26 SEPTEMBER 2013

.....
GENERAL MANAGER

.....
MAYOR

**CLAUSE 3A – 2013 WOMEN OUT WEST AWARDS – COBAR
SHIRE COUNCIL SUCCESS**

FILE: Personnel, M2-2, C2-1

AOP REFERENCE: 3.3.2

AUTHOR: *General Manager, Gary Woodman*

- 207.09.2013 RESOLVED:** That Council congratulate Mayor Lilliane Brady OAM and Special Projects Officer Angela Shepherd on their success at the 2013 Women Out West Awards.
Clr Yench/ Clr Sinclair **CARRIED**
-

**CLAUSE 4A – LOWER MACQUARIE WATER UTILITIES
ALLIANCE – NATIONAL LOCAL GOVERNMENT AWARD**

FILE: W2-24

AOP REFERENCE: 4.1.4.2

AUTHOR: *Services Manager, Timothy Wark*

- 208.09.2013 RESOLVED:** That Council receive and note the National Local Government Award recently won by the Lower Macquarie Water Utilities Alliance (LMWUA).
Clr Sinclair/Clr Marsden **CARRIED**
-

**CLAUSE 5A – NATIONAL LOCAL ROADS AND TRANSPORT
CONGRESS**

FILE: L5-5-3

AOP REFERENCE: 3.1.5.1, 3.2.2.1

AUTHOR: *Director of Engineering Services, Peter Graf*

- 210.09.2013 RESOLVED:** That the matter in regards to the National Local Roads and Transport Congress be discussed.
Clr Yench/Clr Kings **CARRIED**
- 211.09.2013 RESOLVED:** That Cobar Shire Council do not attend the 2013 National Local Roads and Transport Congress.
Clr Yench/Clr Kings **CARRIED**

Councillors Marsden and Sinclair asked to have their names recorded as voting against the resolution.

**CLAUSE 6A – SWITCH 2013 PUBLIC LIBRARIES
CONFERENCE**

FILE: S1-3-5

AOP REFERENCE: 3.3.2, 1.1

AUTHOR: *Director of Corporate and Community Services, Kym Miller*

- 212.09.2013 RESOLVED:** That Cobar Shire Council does not attend the Switch 2013 Public Libraries Conference.
Clr Yench/Clr Maxwell **CARRIED**
-

Councillors Marsden and Sinclair asked to have their names recorded as voting against the resolution.

**CLAUSE 7A – ACAA 2013 NATIONAL CONFERENCE:
TOWARDS UNIVERSAL DESIGN – THE FUTURE OF
ACCESS**

FILE: S1-5-1

AOP REFERENCE: 1.6.3.1

AUTHOR: *Director of Planning & Environmental Services, Garry Ryman*

213.09.2013 RESOLVED: That Council approve the attendance of the Director of Planning and Environmental Services at the ACAA 2013 – National Conference to be held in Sydney on 18 to 20 November 2013.
Clr Sinclair/Clr Kings **CARRIED**

**CLAUSE 8A – COBAR SHIRE COUNCIL CODE OF MEETING
PRACTICE**

FILE: P5-3

AOP REFERENCE: 3.1

AUTHOR: *General Manager, Gary Woodman*

214.09.2013 RESOLVED: That Council adopt the attached Code of Meeting Practice as Policy of Council.
Clr Kings/Clr Yench **CARRIED**

**CLAUSE 9A – CONDUCT OF ELECTIONS BY COUNCILS -
AMENDMENTS TO THE LOCAL GOVERNMENT ACT 1993**

FILE: E2.3.4

AOP REFERENCE: 3.3.4

AUTHOR: *General Manager, Gary Woodman*

215.09.2013 RESOLVED:

That Cobar Shire Council (“The Council”) resolves:

1. Pursuant to s. 296(2) and (3) of the *Local Government Act 1993* (NSW) (“the Act”) that an election arrangement be entered into by contract for the NSW Electoral Commissioner to administer all elections of the Council.

2. Pursuant to s. 296(2) and (3) of the Act, as applied and modified by s. 18, that a council poll arrangement be entered into by contract for the NSW Electoral Commissioner to administer all council polls of the Council.

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3. Pursuant to s. 296(2) and (3) of the Act, as applied and modified by s. 18, that a constitutional referendum arrangement be entered into by contract for the NSW Electoral Commissioner to administer all constitutional referenda of the Council.

Clr Maxwell/Clr Marsden

CARRIED

CLAUSE 10A – REVIEW OF CURRENT WATER RESTRICTIONS

FILE: W2-21

AOP REFERENCE: 5.1.2.3

AUTHOR: *Services Manager, Timothy Wark*

216.09.2013 RESOLVED:

That Council amends the current water restrictions to as follows commencing on 7 October 2013:

Cobar and Nymagee

- Hand held hoses are permitted anytime;
- All fixed sprinklers, irrigation systems etc, be permitted between 6pm to 9am daily;
- No car washing be permitted on hard surfaces.

Euabalong and Euabalong West

- Hand held hoses are permitted anytime;
- All fixed sprinklers, irrigation systems etc, are banned;
- No car washing permitted on hard surfaces.

Clr Kings/Clr Smith

CARRIED

CLAUSE 11A – PROPOSED ALCOHOL PROHIBITED AREA – COBAR REGIONAL AIRPORT

FILE: H1-9

AOP REFERENCE: 1.6.3.4

AUTHOR: *Works Manager, Kingsley Page*

217.09.2013 RESOLVED:

1. That Council formally declare the Cobar Regional Airport as an Alcohol Prohibited Area.
2. That signage and erection costs be funded out of related budgets in the 2013/2014 financial year.

Clr Sinclair/Clr Kings

CARRIED

CLAUSE 12A – SIDE TIPPER AND ROCK CRUSHER REPORT

FILE: P3-7

AOP REFERENCE: 3.3.2.6

AUTHOR: *Works Manager, Kingsley Page*

THIS IS PAGE 11 OF THE MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE SHIRE OF COBAR HELD ON THURSDAY 26 SEPTEMBER 2013

.....
GENERAL MANAGER

.....
MAYOR

218.09.2013 **RESOLVED:** That the matter in regards to the Side Tipper and Rock Crusher be discussed.
Clr Sinclair/Clr Kings **CARRIED**

219.09.2013 **RESOLVED:**

1. That Council does not purchase the replacement side-tipper at this time.
2. That Council sells the Mack Metroliner prime mover (P1110) at auction.
3. That Council hires a gravel crusher on a trial basis.
4. That an appropriate investigation be undertaken and reported to Council in regards to new water bores and turkey nest dams for road work construction and maintenance.
5. That Council does a complete evaluation of plant and equipment in relation to budget, expected services levels and staff numbers prior to the 2014/2015 budget.

Clr Maxwell/Clr Kings **CARRIED**

CLAUSE 13A – UNAUDITED FINANCIAL STATEMENTS

2012/2013

FILE: A12-2

AOP REFERENCE: 3.1

AUTHOR: *Director of Corporate and Community Services, Kym Miller*

220.09.2013 **RESOLVED:**

1. That Council authorise the Statutory Accounts for the financial year 2012/2013 to be sent to the Auditors, Luka Group.
2. That the statements forming part of the audit package by Councillors and Management be signed.

Clr Kings/Clr Marsden **CARRIED**

CLAUSE 14A – RESTRICTED CASH AS AT 30 JUNE 2013
(UNAUDITED)

FILE: F2-2-19

AOP REFERENCE: 3.1.1.5

AUTHOR: *Director of Corporate and Community Services, Kym Miller*

221.09.2013 **RESOLVED:**

1. That the Restricted Cash as at 30 June 2013 (unaudited) Report be received and noted.

2. That Council reduce its short term loan by \$200,000 from a balance of \$900,000 to \$700,000.

Clr Sinclair/Clr Yench

CARRIED

CLAUSE 15A – PENSIONERS RATE REBATE 2013/2014 – CLAIM 130

FILE: R2-9

AOP REFERENCE: 3.1.1.2

AUTHOR: Rates Officer, Jo-Louise Brown

222.09.2013 RESOLVED:

That Council writes off rates in respect of eligible pensioners in the sum of \$114,376.25 as detailed in the summary listed below, subject to Council's Auditor's approval:

	\$
General Rates	70,495.00
Cobar Water Supply Access Rate	21,437.51
Euabalong Water Supply Access Rate.....	1,312.50
Euabalong West Water Supply Access Rate	525.00
Nymagee Water Supply Access Rate	612.50
Mount Hope Water Supply Access Rate	0.00
Cobar Sewerage Access Rate.....	19,993.74
TOTAL	<u>\$114,376.25</u>

In addition that Council apply for a subsidy of \$61,905.13 summarised below and further that Council undertake that in the event of a subsidy not being paid to Council in respect of the rates written off, then Council will not subsequently take proceedings for recovery thereof:

	\$
General Rates	37,770.44
Cobar Water Supply Local Rate	11,790.63
Euabalong Water Supply Local Rate	721.88
Euabalong West Water Supply Local Rate.....	288.75
Nymagee Water Supply	336.87
Mount Hope Water Supply	0.00
Cobar Sewerage Local Rate.....	10,996.56
TOTAL	<u>\$61,905.13</u>

Clr Sinclair/Clr Yench

CARRIED

CLAUSE 16A – LEASE AGREEMENTS FOR STOCK WATERING PLACES – ELOUERA & NYMAGEE LARGE

FILE: W2-28

AOP REFERENCE: 4.1.4, 4.4.2.4

AUTHOR: Land Management Officer, Heather Holder

223.09.2013 RESOLVED: That Council authorise the Mayor and General Manager to sign the lease documentation under Common Seal of

Council, accepting the terms and conditions of the lease for the Stock Watering Places – Elouera and Nymagee Large.

Clr Sinclair/Clr Yench

CARRIED

**CLAUSE 17A – PROVISION OF EXTERNAL AUDIT
TENDER FOR 1/7/2013 TO 30/6/2019**

FILE: A12-1

AOP REFERENCE: 3.1, 3.3.3

AUTHOR: *Director of Corporate and Community Services, Kym Miller*

- 224.09.2013** **RESOLVED:** That the report on the Provision of External Audit Tender for 1 July 2013 to 30 June 2019 be considered in the Committee of the Whole Closed Council with the press and public excluded for the reasons stated in accordance with Sections 10A (2) (c) and (d)(i) as the information contains information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business and would prejudice the commercial position of the person who supplied it.

Clr Kings/Clr Sinclair

CARRIED

**CLAUSE 18A– TENDER FOR SUPPLY, DELIVERY AND
LEASE OF ONE RUBBER TYRED ROLLER**

FILE: T3-12-7

AOP REFERENCE: 3.3.2.6

AUTHOR: *Director of Engineering Services, Peter Graf and Plant Supervisor, Brad Lennon*

- 225.09.2013** **RESOLVED:** That the negotiated tenders received for the supply and delivery and lease of one Rubber Tyred Roller be considered in Committee of the Whole Closed Council with the press and public excluded for the reason as stated in Section 10A (2) (d) (i) of the Local Government Act 1993, as discussion of this information in Open Council would prejudice the commercial position of the person who supplied it.

Clr Kings/Clr Sinclair

CARRIED

CLAUSE 19A - LEASE OF 53 LINSLEY STREET, COBAR

FILE: L 6-7

AOP REFERENCE: 3.3.4.2

AUTHOR: *Garry Ryman, Director of Planning & Environmental Services*

- 226.09.2013** **RESOLVED:** That a report regarding a new lease for 53 Linsley Street, Cobar be considered in the Committee of the Whole Closed Council with the press and public excluded for the reasons stated in Section 10A (2) (d) (i) of the Local Government Act 1993 as the discussion of the information in Open Council would prejudice the commercial position of the person who supplied it.

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COUNCIL OF THE SHIRE OF COBAR HELD ON THURSDAY 26 SEPTEMBER 2013

.....
GENERAL MANAGER

.....
MAYOR

CLAUSE 20A – QUOTATION FOR THE SUPPLY OF PLANT AND EQUIPMENT HIRE RATES 2012/2015 UPDATE

FILE: P3-19-3

AOP REFERNECE: 3.3.4

AUTHOR: *Works Manager, Kingsley Page*

- 227.09.2013** **RESOLVED:** That the quotation for the supply of plant and equipment hire rates 2012/2015 update report be considered in the Committee of the Whole Closed Council with the press and public excluded for the reason as stated in Section 10A (2) (d) (i) of the Local Government Act 1993, as discussions of this information in Open Council would prejudice the commercial position of the person who supplied it.

Clr Kings/Clr Sinclair

CARRIED

CLAUSE 1B – DEVELOPMENT APPROVALS

FILE: T5-1

AOP REFERENCE: 1.6.3.1

AUTHOR: *Director of Planning & Environmental Services, Garry Ryman*

- 228.09.2013** **RESOLVED:** That the information detailing the Local Development and Construction Certificate approvals for the period 15 August 2013 – 17 September 2013 be received and noted.

Clr Yench/Clr Marsden

CARRIED

CLAUSE 2B – MONTHLY STATUS REPORT

FILE: C13-10

AOP REFERENCE: 3.1

AUTHOR: *General Manager, Gary Woodman*

- 229.09.2013** **RESOLVED:** That the information contained in the monthly status report be received and noted and that items 304, 305, 311, 415, 417, 420, 425 Part 1, 426 Part 1, 427 Part 1, 428 Part 2, 429, 430, 431, 433, 436, 438, 439, 440, 441 and 442 be removed.

Clr Kings/Clr Yench

CARRIED

CLAUSE 3B – MEETING MINUTES

FILE: L5-4-3

AOP REFERENCE: 3.1

AUTHOR: *General Manager, Gary Woodman*

230.09.2013 **RESOLVED:** That the minutes of the meetings of the Cobar Youth Council, Brewarrina and Cobar Shire Council's Joint Internal Audit Committee and Rural Roads Advisory Committee Meetings be received and noted.
Clr Marsden/Clr Maxwell **CARRIED**

CLAUSE 4B– ANALYSIS OF 2013 SURPLUS (UNAUDITED)
FILE: F2-2-19 **AOP REFERENCE: 3.1**
AUTHOR: *Director of Corporate and Community Services, Kym Miller*

231.09.2013 **RESOLVED:** That the Analysis of the 2013 Surplus (unaudited) Report be received and noted.
Clr Sinclair/Clr Smith **CARRIED**

CLAUSE 5B – ASSET REVALUATIONS AT 30 JUNE 2013
FILE: A10-1-4 **AOP REFERENCE: 4.4, 3.3.3.2**
AUTHOR: *Director of Corporate and Community Services, Kym Miller*

232.09.2013 **RESOLVED:** That the Asset Revaluations as at 30 June 2013 Report be received and noted.
Clr Marsden/Clr Sinclair **CARRIED**

CLAUSE 6B – LILLIANE BRADY VILLAGE EXTENSIONS
FILE: A10-14 **AOP REFERENCE: 1.5.4.1**
AUTHOR: *Director of Corporate and Community Services, Kym Miller*

233.09.2013 **RESOLVED:** That Council receive and note the Lilliane Brady Village Extensions Report.
Clr Kings/Clr Marsden **CARRIED**

COMMITTEE OF THE WHOLE (CLOSED COUNCIL) (FILE C13-11-1)

234.09.2013 **RESOLVED:** That Council move into the Committee of the Whole (Closed Council) with the press and public excluded at 5:59pm as matters to be discussed are considered to be confidential vide Section 10A (2) (a) (c) and (d) (i) of the Local Government Act 1993, as the matters are personnel matters concerning particular individuals (other than Councillors), contains commercial information that would, if

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MAYOR

disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business and discussions of this matter in open Council would prejudice the commercial position of the person who supplied it.

Clr Marsden/Clr Yench

CARRIED

Council resumed in Open Council at 6:31pm.

RECOMMENDATIONS TO COUNCIL

235.09.2013 RESOLVED: That the following recommendations of the Committee of the Whole Closed Council be adopted by the Council.
Clr Sinclair/Clr Yench **CARRIED**

CLAUSE 1C – PROVISION OF EXTERNAL AUDIT

TENDER FOR 1/7/2013 TO 30/6/2019

FILE: A12-1

AOP REFERENCE: 3.1, 3.3.3

AUTHOR: *Director of Corporate and Community Services, Kym Miller*

80COW.09.2013 RESOLVED:

1. That Luka Group be appointed External Auditor to Cobarr Shire Council for the period 1st July 2013 to 30th June 2019 on the terms presented in their tender application.
2. That further evaluation of having the same firm acting as External Auditor and Internal Auditor is made prior to further appointments of the Internal Auditor.
3. That details of the unsuccessful tenders remain in the Committee of the Whole Closed Council.

Clr Maxwell/Clr Yench

CARRIED

**CLAUSE 2C – TENDER FOR SUPPLY, DELIVERY OF
AND LEASE OF ONE RUBBER TYRED ROLLER**

FILE: T3-12-7

AOP REFERENCE: 3.3.2.6

**AUTHOR: *Director of Engineering Services, Peter Graf and
Plant Supervisor, Brad Lennon***

81COW.09.2013 RESOLVED:

1. That Council accept the Tender for Supply and Delivery of one Rubber Tyred Roller from Tutt Bryant Equipment for a Bomag roller at a price of \$168, 600 + GST.

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MAYOR

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2. That the Rubber Tyred Roller be financed with the National Australia Bank in terms of 60 monthly payments of \$3,248 per month in advance.
 3. That details of the unsuccessful tenders remain in the Committee of the Whole Closed Council.

Clr Sinclair/Clr Maxwell

CARRIED

CLAUSE 3C - LEASE OF 53 LINSLEY STREET, COBAR

FILE: L6-7

AOP REFERENCE: 3.3.4.2

AUTHOR: *Director of Planning & Environmental Services, Garry Ryman*

82COW.09.2013 RESOLVED:

1. That Council enters into a new lease with Dr Indra Karalasingham in respect of 53 Linsley Street, Cobar in accordance with the terms set out in the letter (dated 19 August 2013) referenced in the report.
2. That discussions relating to the proposed lease for 53 Linsley Street, Cobar remain in the Committee of Whole Closed Council.

Clr Sinclair/Clr Maxwell

CARRIED

CLAUSE 4C – QUOTATION FOR THE SUPPLY OF PLANT AND EQUIPMENT HIRE RATES 2012/2015 UPDATE

FILE: P3-13-3

AOP REFERNECE: 3.3.4

AUTHOR: *Works Manager, Kingsley Page*

83COW.09.2013 RESOLVED:

That Council approve the addition of the following Contractors to the list of approved and preferred contractors for plant and equipment hire 2012/2015:

- RJ & HR Gleeson Earthmoving;
- Phillips Building Company Pty Ltd Building Contractor and Earthworks;
- Lake Pre-Mixed Concrete;
- Country Wide Cranes;
- Killeen Plant Hire Pty Ltd;
- Screen Masters Australia;
- Cobar Cranes;
- Michael Hughes Transport.

Clr Sinclair/Clr Maxwell

CARRIED

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MAYOR

THERE BEING NO FURTHER BUSINESS THE MEETING CLOSED AT 6:32PM

CONFIRMED.....

MINUTE NO.....

MAYOR.....

.....
GENERAL MANAGER

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MAYOR