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**MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE  
SHIRE OF COBAR HELD IN THE COBAR SHIRE COUNCIL  
CHAMBERS ON THURSDAY 27 JUNE 2013 COMMENCING AT 5.00PM**

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**PRESENT (FILE C13-2)**

Councillors Lilliane Brady OAM (Mayor), Jarrod Marsden (Deputy Mayor), Marsha Isbester, John Harrison, Tracey Kings, Greg Martin, Peter Maxwell, Bob Sinclair, Pam Smith, Harley Toomey, Ray Wilson and Peter Yench, Messrs Gary Woodman (General Manager), Kym Miller (Director of Corporate and Community Services), Peter Graf (Director of Engineering Services), Garry Ryman (Director of Planning & Environmental Services), Mmes Angela Shepherd (Special Projects Officer) and Janette Booth (Executive Assistant to the General Manager).

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**APOLOGIES (C13-2)**

- Nil.
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**DECLARATIONS OF INTEREST (FILE C12-3)**

- Nil.
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**CONDOLENCES (FILE M2-3)**

- Russell Blacker
  - Stevie Shipman
  - Rebecca Louie
- 

**CONFIRMATION OF MINUTES**

**ORDINARY MEETING OF COUNCIL (FILE C13-11)**

**113.06.2013**     **RESOLVED:** That the minutes of the Ordinary Meeting of Council held on Thursday 23 May 2013 be confirmed as a true and correct record of the proceedings of that meeting.  
*Clr Yench/Clr Wilson* **CARRIED**

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**CONFIRMATION OF MINUTES**

**WORKS COMMITTEE MEETING (FILE C6-20)**

**114.06.2013**     **RESOLVED:** That the minutes, and the following recommendations contained therein, of the Works Committee Meeting held on Thursday 13 June 2013 be adopted by Council.  
*Clr Yench/Clr Toomey* **CARRIED**

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THIS IS PAGE 1 OF THE MINUTES OF THE ORDINARY MEETING OF THE  
COUNCIL OF THE SHIRE OF COBAR HELD ON THURSDAY 27 JUNE 2013

.....  
GENERAL MANAGER

.....  
MAYOR

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**APOLOGIES (C16-15-6)**

- 24WC.06.2013**    **RECOMMENDATION:**    *That the apologies received from Councillors Tracey Kings and Bob Sinclair be accepted and a leave of absence granted.*  
*Clr Martin/Clr Wilson*    **CARRIED**
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**DECLARATIONS OF INTEREST (C6-15-7)**

*Nil.*

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**REPORT 1B – ENGINEERING WORKS REPORT**

**FILE: C6-20-2**

**AOP - REFERENCE: 4.3.2**

**AUTHOR:** *Services Manager, Timothy Wark and Contracts Manager/Acting Works Manager, Maurice Bell.*

- 25WC.06.2013**    **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 Isbester/Clr Marsden*    **CARRIED**
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**REPORT 2B – TRAFFIC COUNTS ON SHIRE ROADS AND CLASSIFIED ROADS - MULYA ROAD (MR407)**

**FILE: R5-34**

**AOP REFERENCE: 4.3.2**

**AUTHOR:** *Contracts Manager, Maurice Bell*

- 26WC.06.2013**    **RECOMMENDATION:** *That the information in relation to traffic counts on Mulya Road (MR407) be received and noted.*  
*Clr Marsden/Clr Wilson*    **CARRIED**
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**REPORT 3B – TRAFFIC COUNTS ON SHIRE ROADS AND CLASSIFIED ROADS – CSA MINE ROAD (SR38)**

**FILE: R5-34**

**AOP REFERENCE: 4.3.2**

**AUTHOR:** *Contracts Manager, Maurice Bell*

- 27WC.06.2013**    **RECOMMENDATION:** *That the information in relation to traffic counts on CSA Mine Road (SR38) be received and noted.*  
*Clr Isbester/Clr Toomey*    **CARRIED**
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**REPORT 4B – EXPENDITURE FOR ROADS NETWORK**

**FILE: R5-31**

**AOP REFERENCE: 4.3.2**

**AUTHOR:** *Director of Engineering Services, Peter Graf*

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THIS IS PAGE 2 OF THE MINUTES OF THE ORDINARY MEETING OF THE  
COUNCIL OF THE SHIRE OF COBAR HELD ON THURSDAY 27 JUNE 2013

.....  
GENERAL MANAGER

.....  
MAYOR

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**28WC.06.2013**    **RECOMMENDATION:**    *That the information detailing the expenditure for Council's roads network be received and noted.*  
*Clr Maxwell/Clr Toomey*    **CARRIED**

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**CONFIRMATION OF MINUTES**

**FINANCE AND POLICY COMMITTEE MEETING (FILE C6-19)**

**115.06.2013**    **RESOLVED:**    That the minutes, and the following recommendations contained therein, of the Finance and Policy Committee Meeting held on Thursday 13 June 2013 be adopted by Council.  
*Clr Isbester/Clr Maxwell*    **CARRIED**

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**APOLOGIES (C16-15-6)**

**42FP.06.2013**    **RECOMMENDATION:**    *That the apologies received from Councillors Tracey Kings and Bob Sinclair be accepted and a leave of absence granted.*  
*Clr Marsden/Clr Harrison*    **CARRIED**

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**DECLARATIONS OF INTEREST (FILE C6-15-7)**

*Nil.*

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**REPORT 1A – CONSIDERATION OF BRINDABELLA AIRLINES DEBT**

**FILE: P8-3 AOP REFERENCE: 3.1.1.6**

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

**43FP.06.2013**    **RECOMMENDATION:** *That the report on the Consideration of Brindabella Airlines Debt be considered in the Committee of the Whole Closed Council with the press and public excluded for the reason stated, in accordance with Section 10A (2) (d) (i) of the Local Government Act 1993 as the information contains information of a confidential nature that if disclosed would prejudice the commercial position of the person who supplied it.*  
*Clr Marsden/Clr Toomey*    **CARRIED**

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

**FILE: B2-7**

**AOP: 3.1.1.5**

**AUTHOR:** *Manager of Finance and Administration, Neil Mitchell*

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THIS IS PAGE 3 OF THE MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE SHIRE OF COBAR HELD ON THURSDAY 27 JUNE 2013

.....  
GENERAL MANAGER

.....  
MAYOR

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**44FP.06.2013**     **RECOMMENDATION:** *That Council receive and note the Bank Reconciliation, Cash Flow, Investment and Loan Facility as at 31 May 2013.*  
*Clr Isbester/Clr Harrison* **CARRIED**

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**REPORT 2B – INVESTMENT REPORT AS AT 31 MAY 2013**

**FILE:** B2-7 **AOP REFERENCE:** 3.1.1.7

**AUTHOR:** *Manager of Finance and Administration, Neil Mitchell*

**45FP.06.2013**     **RECOMMENDATION:** *That Council receive and note the Investment Report as at 31 May 2013.*  
*Clr Isbester/Clr Toomey* **CARRIED**

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**REPORT 3B – RATES RECONCILIATION TO 31 MAY 2013**

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

**AUTHOR:** *Rates Officer, Jo-Louise Brown*

**46FP.06.2013**     **RECOMMENDATION:** *That the Rates Reconciliation Report as at the 31 May 2013 be received and noted*  
*Clr Martin/Clr Isbester* **CARRIED**

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**REPORT 4B– GRANT FUNDING**

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

**AUTHOR:** *Special Projects Officer, Angela Shepherd*

**47FP.06.2013**     **RECOMMENDATION:** *That the information contained in the grant funding report detailing grants applied for, grants announced and grants available be received and noted.*  
*Clr Martin/Clr Toomey* **CARRIED**

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**COMMITTEE OF THE WHOLE CLOSED COUNCIL**  
**(FILE: C13.11.1)**

**48FP.03.2013**     **RECOMMENDATION:** *That the committee move into the Committee of the Whole (Closed Council) with the press and public excluded at 5:17pm as matters to be discussed are consider to be confidential vide section 10A(2)(d)(i) of the Local Government Act 1993, as the information contains information of a confidential nature that if disclosed would prejudice the commercial position of the person who supplied it.*  
*Clr Toomey/Clr Marsden* **CARRIED**

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**RECOMMENDATIONS TO COMMITTEE**

**49FP.06.2013**     **RECOMMENDATION:** *That the following recommendation of the Committee of the Whole Closed Council be adopted by the Council.*  
*Clr Wilson/Clr Martin* **CARRIED**

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**REPORT 1C- BRINDABELLA AIRLINES DEBT**

**FILE: P8-3** **AOP REFERENCE: 3.1.16**

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

**39COW.06.2013**     **RESOLVED:**

1. *That the debt situation of Brindabella Airlines be received and noted.*
2. *That a further report on the Brindabella Airlines debt be presented to the July 2013 Committee Meeting of Council.*
3. *That the report and discussion remain in Committee of the Whole Closed Council.*

*Clr Marsden/ Clr Yench* **CARRIED**

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**CLAUSE 1A – MAYORAL REPORT**

**FILE: C13-1-5** **AOP REFERENCE: 3.1**

**AUTHOR:** *Mayor, Councillor Lilliane Brady*

**116.06.2013**     **RESOLVED:** That Council accepts the information contained in the Mayoral Report for the month of June 2013;  
*Clr Yench/Clr Sinclair* **CARRIED**

**MOTION:** That the sewerage and water upgrade be the main project funded from the RDAF Round 5 allocation.

*Clr Yench/Clr* **LAPSED**

**The MOTION LAPSED for the want of a SECONDER.**

**117.06.2013**     **RESOLVED:**

1. That Council resolves to prioritise the following projects for funding under Council's RDAF Round 5 allocation:
  - Mount Hope Toilets - \$50,000
  - Nymagee Old School Community Centre - \$50,000
  - Cobar Airport Terminal - \$25,000
  - Town Hall Cinema Building - \$60,000
  - Museum Building - \$50,000
  - LBV Bathroom Upgrades – Stage 1 - \$28,328.

- 
2. An alternate project be further extension of the LBV bathroom upgrades.
  3. That the RDAF Round 5 Council allocation of \$263,328 be included in the 2013/2014 Budget, with the appropriate allocations to projects.

*Clr Sinclair/Clr Isbester*

**CARRIED**

Councillor Yench requested that his name be recorded as voting against the resolution.

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**CLAUSE 2A- STATUS OF TRUCK WASH AT FORT BOURKE**

**FILE: A10-30**

**AOP REFERENCE: 3.1.1.2**

**AUTHOR: *Director of Engineering Services, Peter Graf***

**118.06.2013 RESOLVED:** That a discussion be held on Clause 2A – Status of Truck Wash at Fort Bourke.

*Clr Yench/Clr Marsden*

**CARRIED**

**119.06.2013 RESOLVED:** That the report on the Status of Truck Wash at Fort Bourke be considered in the Committee of the Whole Closed Council with the press and public excluded for the reason stated, in accordance with Section 10A (2) (e) of the Local Government Act 1993 as it contains information that would, if disclosed, prejudice the maintenance of law.

*Clr Isbester/Clr Martin*

**CARRIED**

Councillor Kings requested that her name be recorded as voting against the resolution.

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**CLAUSE 3A - POTABLE WATER CHARGING AT DALTON PARK HORSE COMPLEX**

**FILE: P1-4**

**AOP REFERENCE: 3.1.1**

**AUTHOR: *Rates Officer, Jo –Louise Brown***

**120.06.2013 RESOLVED:** That the report on the Potable Water Charging at Dalton Park Horse Complex be considered in the Committee of the Whole with the press and public excluded for the reason stated, in accordance with Section 10A (2) (d) (i) of the Local Government Act 1993 as the information contains information of a confidential nature that if disclosed would prejudice the commercial position of the person who supplied it.

*Clr Maxwell /Clr Martin*

**CARRIED**

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**CLAUSE 4A – INAUGURAL LOCAL GOVERNMENT NSW ANNUAL CONFERENCE**

**FILE: L5-5.2 AOP REFERENCE: 3.1.5.1, 3.2.2.1**

**AUTHOR: *General Manager, Gary Woodman***

**121.06.2013 RESOLVED:**

1. That the Mayor, Deputy Mayor and General Manager be authorised to attend the inaugural Annual Conference of the Local Government NSW to be held in Sydney 1-3 October 2013 and the Seminar of the Western Division Councils of NSW to be held in Sydney also, on the 30 September 2013, and that all costs associated with attendance be met from within the relevant budget allocation.
2. That Councillors detail appropriate advice to the General Manager at the June 2013 Council Meeting on 3-5 issues of importance and appropriate solutions that can be forwarded to the Local Government NSW for inclusion in the business sessions of the 2013 Local Government NSW Annual Conference.

***Clr Yench/Clr Toomey***

**CARRIED**

**Note:** An appropriate resolution will be put to the Conference in regards to requesting the State Government to have a bounty on fox skins similar to the Victorian model.

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**CLAUSE 5A – AGREEMENT ON LIBRARY SERVICES BETWEEN COBAR SHIRE COUNCIL AND TAFE WESTERN INSTITUTE**

**FILE: E1-7**

**AOP REFERENCE: 4.4.2**

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

**122.06.2013 RESOLVED:** That the agreement made April 2013 be received and noted.

***Clr Marsden/Clr Kings***

**CARRIED**

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**CLAUSE 6A– SALE OF LAND FOR OVERDUE RATES REPORT**

**FILE: R2-10**

**AOP REFERENCE: 3.1.1**

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

**123.06.2013 RESOLVED:**

1. That Council authorises the write off of rates and charges totaling \$36, 261.80.

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2. That Council authorises the write off of further amounts up to \$11,119.93 as settlements occur on land sold for overdue rates.
  3. That Council notes that \$8,814.03 is to be held in Trust until the relevant owners can be located or the monies are handed on to the Receiver of Public Monies.

*Clr Kings/Clr Yench*

**CARRIED**

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**CLAUSE 7A – PAYMENT OF EXPENSES AND PROVISION OF FACILITIES TO THE MAYOR AND COUNCILLORS POLICY**

**FILE: C12-2, P5-4**

**AOP REFERENCE: 3.1.5**

**AUTHOR: Human Resources Officer, Karen Walsh**

**124.06.2013 RESOLVED:**

1. That the draft Payment of Expenses and Provision of Facilities to Mayor and Councillors Policy be placed on public exhibition for a minimum of 28 days.
2. That Council consider at the October 2013 Council Meeting, the draft Provision of Facilities to Mayor and Councillors Policy along with any submissions received following the public exhibition period.

*Clr Marsden/Clr Martin*

**CARRIED**

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**CLAUSE 8A – DETERMINATION OF FEES PAID TO MAYOR AND COUNCILLORS**

**FILE: C-12-2**

**AOP REFERENCE: 3.1.5**

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

**125.06.2013 RESOLVED:** That the Councillor's fees are set at \$10,219.25 per annum and the Mayor's fee is set at \$22,314.25 per annum, all paid monthly in arrears for the twelve months commencing 1 July 2013.

*Clr Kings/Clr Marsden*

**CARRIED**

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**CLAUSE 9A – LEGAL ASSISTANCE MID-WESTERN REGIONAL COUNCIL**

**FILE: 1.5-3**

**AOP REFERENCE: 2.1.3.3**

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

**126.06.2013 RESOLVED:** That Cobar Shire Council contribute \$2,151.05 to assist Mid Western Regional Council's legal fees.

*Clr Yench/Clr Marsden*

**CARRIED**

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**CLAUSE 10A – 2012/2013 ANNUAL REPORTING OF CODE OF CONDUCT COMPLAINTS**

**FILE: C12-5**

**AOP REFERENCE: 3.1.5**

**AUTHOR: *General Manager, Gary Woodman***

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

- 127.06.2013**     **RESOLVED:** That the information on the 2012/2013 Code of Conduct Complaints under Council's old Code of Conduct Policy be received and noted.  
***Clr Kings/Clr Isbester***     **CARRIED**

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**CLAUSE 11A – PUBLICATION GUIDE – GOVERNMENT INFORMATION (PUBLIC ACCESS) ACT 2009**

**FILE: A2-6-2**

**AOP: 3.1.5.2**

**AUTHOR: *General Manager, Gary Woodman***

- 128.06.2013**     **RESOLVED:** That Council adopts the Publication Guide dated 27 June 2013 as the current Policy of Council.  
***Clr Yench/Clr Kings***     **CARRIED**

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**CLAUSE 12A – REVIEW OF COUNCIL'S ORGANISATION STRUCTURE**

**FILE: S5-2**

**AOP: 3.3.2.2**

**AUTHOR: *General Manager, Gary Woodman***

- 129.06.2013**     **RESOLVED:** That a discussion be held on Clause 12A – Review of Council's Organisation Structure.  
***Clr Yench/Clr Wilson***     **CARRIED**

Councillor Harrison left the meeting at 5:41pm.  
Councillor Harrison returned to the meeting at 5:41pm.

- 130.06.2013**     **RESOLVED:** That Council's Organisation Structure be reviewed at the next Committee Meeting (being 11 July 2013).  
***Clr Wilson/Clr Isbester***     **CARRIED**

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**CLAUSE 13A – INTEGRATED PLANNING AND REPORTING FRAMEWORK – RESOURCE STRATEGY – WORKFORCE PLAN**

**FILE: L5-22**

**AOP REFERENCE: 3.3.2.1**

**AUTHOR: *Human Resources Officer, Karen Walsh***

- 131.06.2013**     **RESOLVED:** That Council suspend standing orders at 5:52pm.  
***Clr Yench/Clr Isbester***     **CARRIED**

Council resumed standing orders at 5:54pm.

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**132.06.2013**     **RESOLVED:** That Council adopts the revised Workforce Plan as attached with a review to be undertaken in conjunction with the Organisation Structure.  
*Clr Kings/Clr Isbester* **CARRIED**

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**CLAUSE 14A – MAKING OF RATES AND ANNUAL CHARGES REPORT**

**FILE: L5-22**

**AOP REFERENCE: 3.1.1.1**

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

**133.06.2013**     **RESOLVED:**

1. That the Cobar Residential rate of 2.0000 cents in the dollar on all rateable Cobar Residential Land in pursuance of Section 516 Local Government Act 1993, be now made along with a minimum rate of \$470.00 for each assessment of land for financial year 2013/2014.
2. That the Business Ordinary Rate of 1.9000 cents in the dollar on all rateable Cobar Business Land in pursuance of Section 518 Local Government Act 1993, be now made along with a minimum rate of \$495.00 for each assessment of land for the financial year 2013/2014.
3. That the Cobar Business CBD Rate of 3.4000 cents in the dollar on all rateable Cobar Business CBD Land in pursuance of Section 518 Local Government Act 1993, be now made along with a minimum rate of \$495.00 for each assessment of land for the financial year 2013/2014.
4. That the Cobar Farmland Rate of 0.3860 cents in the dollar on all rateable Cobar Farmland in pursuance of Section 515 Local Government Act 1993, be now made along with a base rate of \$301.00 for each assessment of land for the financial year 2013/2014.
5. That the Village Residential Rate of 19.0000cents in the dollar on all rateable Village Residential Land in pursuance of Section 516 Local Government Act 1993, be now made along with a base rate of \$112.00 for each assessment of land for the financial year 2013/2014.
6. That the Village Business Rate of 8.4000 cents in the dollar on all rateable Village Business Land in pursuance of Section 518 Local Government Act 1993, be now made along with a base rate of \$150.00 for each assessment of land for the financial year 2013/2014.

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7. That the Rural Residential Rate of 1.6000cents in the dollar on all rateable Rural Residential Land in pursuance of Section 529 Local Government Act 1993, be now made along with a minimum rate of \$470.00 for each assessment of land for the financial year 2013/2014.
  8. That the Mining - Gold Rate of 4.6500cents in the dollar on all rateable Mining - Gold Land in pursuance of Section 517 and 529 Local Government Act 1993, be now made along with a minimum rate of \$500.00 for each assessment of land for the financial year 2013/2014.
  9. That the Mining - Other Rate of 2.2000cents in the dollar on all rateable Mining - Other Land in pursuance of Section 517 and 529 Local Government Act 1993, be now made along with a minimum rate of \$500.00 for each assessment of land for the financial year 2013/2014.
  10. That the Domestic Waste Management Charge of \$202.50 on all properties within Council's Garbage Collection Area in pursuance of Section 496 of the Local Government Act 1993, be now made along with a charge on vacant land of \$95.00 for each assessment also a charge of \$12.00 per service per single additional Bin be made for the financial year 2013/2014.
  11. That the Waste Disposal Charge will apply to allow rateable assessments in the Cobar Shire during 2013/2014 of \$95.00 in pursuance of Section 501 of the Local Government Act 1993, within 5kms radius of the following locations: Euabalong Post Office, Euabalong West Public School, Nymagee Police Station, Mount Hope Hotel and Canbelego intersection of Edward and Coronga Streets.
  12. That a Cobar Sewerage Access Charge of \$310.00 on all lands rateable to the Cobar Sewerage Residential Area in pursuance to Section 539(1) of the Local Government Act 1993, be now made along with a charge of \$95 for each additional closets (including urinals) in excess of 3 connections and a zero water discharge charge for the financial year 2013/2014.
  13. That a Cobar Sewerage Commercial Access Charge of \$500.00 on all lands rateable to the Cobar Sewerage Commercial Area in pursuance to Section 539 (1) of the Local Government Act 1993, be now made along with a charge of \$95.00 for each additional closets (including urinals) in excess of 3 connections and Liquid Trade Waste Charges as per the Fees and Charges for the financial year 2013/2014.
  14. That a Cobar Water Supply Access Charge of \$227.00 on all connected Filtered Water Residential lands rateable to the Cobar Water Supply Area in pursuance to Section 539(1) of

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the Local Government Act 1993, and that connected Unfiltered Water be \$145.00, be now made along with the following : Unconnected \$227.00 and for the following connections: 32mm \$415.00, 40mm \$725.00, 50mm \$1,140.00, 80mm \$2,275.00, and 100mm \$2,800.00 in pursuance of the Local Government Act 1993, along with a Water Charge of 1kl up to 450kl, \$2.00 per kl, 451kl up to 550kl, \$2.90 per kl and a above 551kl, \$3.80 per kl and Connected Raw Water at \$1.50 per kl be made for the financial year 2013 / 2014.

15. That a Cobar Water Supply Access Charge of \$330.00 on all connected Commercial lands rateable to the Cobar Water Supply Area in pursuance to Section 539(1) of the Local Government Act 1993, be now made along with the following : Unconnected \$330.00 and for the following connections: 32mm \$415.00, 40mm \$725.00, 50mm \$1,140.00, 80mm \$2,275.00, and 100mm \$2,800.00 in pursuance of the Local Government Act 1993, along with a Water Charge of 1kl up to 450kl, \$2.00 per kl, 451kl up to 550kl, \$2.90 per kl and a above 551kl, \$3.80 per kl be made for the financial year 2013 / 2014.

16. That a Nymagee Water Supply Access Charge of \$555.00 be applied to all 25mm connected properties in the Nymagee Water Supply Area and that all properties over 25mm connections be charged at \$1,030.00 per connection and that all unoccupied properties be charged at \$280.00 for each vacant land for the financial year 2013/2014.

*Clr Maxwell/Clr Kings*

**CARRIED**

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**CLAUSE 15A – VARIATION TO BUDGET AS PER CLAUSE 202 OF LOCAL GOVERNMENT REGULATION (GENERAL) 2005**

**FILE: L-5-22**

**AOP REFERENCE: 3.1**

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

**134.06.2013 RESOLVED:**

1. That the material variations to the budget and their impact on the projected operating result be received and noted.
2. That the capital budget for Shire Roads Asset Renewal be restored by \$210,000.
3. That the Budget for Housing Capital Works is reduced by \$15,000 and this amount be made available for office upgrades at the Works Depot.

*Clr Sinclair/Clr Marsden*

**CARRIED**

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**THIS IS PAGE 12 OF THE MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE SHIRE OF COBAR HELD ON THURSDAY 27 JUNE 2013**

.....  
**GENERAL MANAGER**

.....  
**MAYOR**

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**CLAUSE 16A – OROC CHEMICALS TENDER REPORT**

**FILE: T-3-2**

**AOP REFERENCE: 3.3.4.1**

**AUTHOR: *Services Manager, Timothy Wark***

**135.06.2013 RESOLVED:**

1. That Council receive and note the information contained within this report.
2. That a further report be considered in Committee of the Whole Closed Council with the press and public excluded in accordance with Section 10A (2)(d)(i) of the Local Government Act 1993 as it contains commercial information of a confidential nature that would if disclosed prejudice the commercial position of the person who supplied it.

***Clr Martin/Clr Marsden***

**CARRIED**

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**CLAUSE 17A– NETWASTE TENDER FOR THE COLLECTION AND RECYCLING OF SCRAP METAL FOR COUNCILS IN THE NETWASTE REGION**

**FILE: W1-9**

**AOP REFERENCE: 5.1.2.1**

**AUTHOR: *Land Management Officer, Heather Holder***

**136.06.2013 RESOLVED:** That the report on the NetWaste tender for the collection and recycling of scrap metal for Councils in the NetWaste region 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) of the *Local Government Act 1993* as the information would, if disclosed, confer a commercial advantage on a person with whom the Council proposes to conduct business and as the information is of a confidential commercial nature and would if disclosed prejudice the commercial position of the person who supplied it.

***Clr Martin/Clr Kings***

**CARRIED**

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**CLAUSE 18A – INVESTIGATION OF PLANNING CONTROL FOR INTENSIVE AGRICULTURAL RURAL INDUSTRIES**

**FILE: T5-1**

**AOP REFERENCE: 3.3.3.1**

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

**137.06.2013 RESOLVED:** That no action be taken to prepare additional local planning controls relating to intensive agriculture and rural industries development to supplement the current provisions of Cobar Local Environmental Plan 2012.

***Clr Maxwell/Clr Toomey***

**CARRIED**

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**CLAUSE 19A– 2013/2014 ANNUAL OPERATIONAL PLAN  
AND BUDGET INCLUDING REVENUE POLICY AND FEES  
AND CHARGES**

**FILE: L5-22**

**AOP REFERENCE: 3.1**

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

**138.06.2013**     **RESOLVED:** That a discussion be held on Clause 19A – 2013/2014 Annual Operational Plan and Budget including Revenue Policy and Fees and Charges.  
*Clr Yench/Clr Marsden*     **CARRIED**

**139.06.2013**     **RESOLVED:** That Council having considered submissions received and the IPART deliberation:

1. Adopts the 2013/2014 Operational Plan and Budget as exhibited with the reduction of \$1,100,000 in Federal Assistance Grants and the inclusion of \$295,000 external funding for the Skate Park.
2. Adopts the 2013/2014 Capital Expenditure Budget as exhibited with the inclusion of \$315,000 for the Skate Park.
3. Adopts the 2013/2014 Schedule of Fees and Charges as exhibited with Council having the right to vary fees and charges of a commercial nature as circumstances require.
4. Adopts the Revenue Policy as exhibited.

*Clr Sinclair/Clr Marsden*

**CARRIED**

Councillor Harrison left the meeting at 6:15pm.

Councillor Harrison returned to the meeting at 6:17pm.

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**CLAUSE 1B – MEETING MINUTES**

**FILE: C8-16, M4-9, B9-1, N1-1, WB1-22**

**AOP REFERENCE: 3.1, 3.2.2.2**

**AUTHOR: *General Manager, Gary Woodman***

**140.06.2013**     **RESOLVED:** That the minutes of the meetings for the Rural Roads Advisory Committee Meeting, Cobar Youth Council, Cobar Liquor Accord Committee Meeting and the Cobar Water Board Meeting be received and noted.  
*Clr Yench/Clr Maxwell*     **CARRIED**

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**MATTER OF URGENCY – LEASE OF 53 LINSLEY STREET,  
COBAR – DR INDRA’S SURGERY**

**FILE: L6-7**

**AOP REFERENCE: 4.4.2.4**

- 141.06.2013 RESOLVED:** That the matter of the Lease on 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 accordance with Sections 10A (2)(c) and (d)(i) of the *Local Government Act 1993* as the information would, if disclosed, confer a commercial advantage on a person with whom the Council proposes to conduct business and as the information is of a confidential commercial nature and would if disclosed prejudice the commercial position of the person who supplied it  
*Clr Yench/Clr Marsden* **CARRIED**
- 

**CLAUSE 2B – DEVELOPMENT APPROVALS**

**FILE: T5-1**

**AOP REFERENCE: 1.6.3.1**

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

- 142.06.2013 RESOLVED:** That the information detailing the Local Development and Construction Certificate approvals for the period 16 May 2013 – 19 June 2013 be received and noted.  
*Clr Kings/Clr Yench* **CARRIED**
- 

**CLAUSE 3B – MONTHLY STATUS REPORT**

**FILE: C13-10**

**AOP REFERENCE: 3.1**

**AUTHOR:** *General Manager, Gary Woodman*

- 143.06.2013 RESOLVED:** That the information contained in the monthly status report be received and noted and items 3, 69, 237, 263, 296, 351, 354, 355, 366, 375, 385, 386, 387, 388, 389, 390, 391, 392 be removed.  
*Clr Sinclair/Clr Maxwell* **CARRIED**
- 

**CLAUSE 4B - DISCLOSURE OF INTEREST RETURNS –  
COUNCILLORS AND DESIGNATED PERSONS**

**FILE: C12-3-1**

**AOP REFERENCE: 3.1**

**AUTHOR:** *General Manager, Gary Woodman*

- 144.06.2013 RESOLVED:** That Council note the Annual Disclosure of Interest Returns for the following new staff who are Designated Persons:
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- 
- Manager of Finance and Administration, Neil Mitchell;
  - Works Manager, Kingsley Page.

*Clr Marsden/Clr Isbester*

**CARRIED**

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**CLAUSE 5B – ADDITION OF A BUSINESS TO THE PLANT & EQUIPMENT HIRE REGISTER**

**FILE: P3-13-3; N1-1**

**AOP REFERENCE: 5.2.4.1**

**AUTHOR: *Land Management Officer, Heather Holder***

**145.06.2013**

**RESOLVED:** That Council receive and note that Broughton Field Services has been added to Cobar Shire Council's Plant and Equipment Hire Register.

*Clr Isbester/Clr Maxwell*

**CARRIED**

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

**146.06.2013**

**RESOLVED:** That Council move into the Committee of the Whole (Closed Council) with the press and public excluded at 6:38pm as matters to be discussed are considered to be confidential vide Section 10A (2) (a),(c), (d) (i) and (e) of the Local Government Act 1993, as the matters are personnel matters concerning particular individuals (other than Councillors), contains information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business, contains commercial information of a confidential nature, if disclosed prejudice the commercial position of the person who supplied it and contains information that would if disclosed, prejudice the maintenance of law.

*Clr Sinclair/Clr Toomey*

**CARRIED**

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Council resumed in Open Council at 7:32pm.

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**RECOMMENDATIONS TO COUNCIL**

**147.06.2013**

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

*Clr Yench/Clr Isbester*

**CARRIED**

**CLAUSE 1C – POTABLE WATER CHARGING AT DALTON PARK HORSE COMPLEX**

**FILE: P1-4**

**AOP REFERENCE: 3.1.1**

**AUTHOR: Rates Officer, Jo-Louise Brown**

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**THIS IS PAGE 16 OF THE MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE SHIRE OF COBAR HELD ON THURSDAY 27 JUNE 2013**

.....  
GENERAL MANAGER

.....  
MAYOR



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**42COW.06.2013 RESOLVED:**

1. That Council create an assessment for each licence holder at Dalton Park Horse Complex and apply the three tiered Potable Water Usage Charges as per Council's Schedule of Fees and Charges, noting that this is consistent with the Licence Agreement.
2. That the commercial information contained within the report remains in Committee of the Whole Closed Council.

*Clr Sinclair/ Clr Maxwell*

**CARRIED**

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**CLAUSE 2C – OROC CHEMICALS TENDER REPORT**

**FILE: T-3-2**

**AOP REFERENCE: 3.3.4.1**

**AUTHOR: Services Manager, Timothy Wark**

**43COW.06.2013 RESOLVED:**

1. That Council accept the following Schedules under the OROC Bulk Water Treatment Chemicals tender:
  - Redox – Schedule A Chlorine;
  - Redox – Schedule B2 Aluminium Sulphate;
  - Orica – Schedule D Sodium Bicarbonate;
  - Redox – Schedule I Soda Ash;
  - Redox – Schedule K(2) Sodium Fluoride Granular;
  - Redox – Schedule M Activated Carbon;
  - Redox – Schedule O Sodium Chloride;
  - Redox/Orica – Schedule N Chlorine bottle rental (Redox 920 kilo) – (Orica 70 kilo); and
2. That Council approve a provision be allowed for a 12 month extension based on satisfactory supplier performance which may take tender through to 30 June 2016.
3. That the information contained and discussions held remain confidential within the Committee of the Whole Closed Council.

*Clr Martin/Clr Sinclair*

**CARRIED**

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**CLAUSE 3C– NETWASTE TENDER FOR THE  
COLLECTION AND RECYCLING OF SCRAP METAL FOR  
COUNCILS IN THE NETWASTE REGION**

**FILE: W1-9**

**AOP REFERENCE: 5.1.2.1**

**AUTHOR: Land Management Officer, Heather Holder**

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THIS IS PAGE 17 OF THE MINUTES OF THE ORDINARY MEETING OF THE  
COUNCIL OF THE SHIRE OF COBAR HELD ON THURSDAY 27 JUNE 2013

.....  
GENERAL MANAGER

.....  
MAYOR

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**44COW.06.2013 RESOLVED:**

1. That Council accepts the recommendation from the NetWaste Steering Committee that the Contract be awarded to Sims Metal Management (SIMS).
2. That Council confirms its involvement in the contract to the NetWaste Projects Coordinator and execute the contract documents.
3. That Council authorise the General Manager and the Mayor to sign all relevant contract documents.
4. That the information contained and discussions held remain confidential within the Committee of the Whole Closed Council.

*Clr Maxwell/Clr Kings*

**CARRIED**

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**CLAUSE 4C – FORT BOURKE TRUCK WASH**

**FILE: A10-30**

**AOP REFERENCE: 3.1.1.2**

**AUTHOR: *Director of Engineering Services, Peter Graf***

**45COW.06.2013 RESOLVED:**

1. That Council abandon the truck wash and not provide the service (facility).
2. That users are advised of Council's decision and given 3 months to make alternate arrangements.
3. That the information contained and discussions held remain confidential within the Committee of the Whole Closed Council.

*Clr Maxwell/Clr Kings*

**CARRIED**

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**CLAUSE 5C – MATTER OF URGENCY – LEASE OF 53 LINSLEY STREET, COBAR – DR INDRA'S SURGERY**

**FILE: L6-7**

**AOP REFERENCE: 4.4.2.4**

**46COW.06.2013 RESOLVED:**

1. That the rental on 53 Linsley Street, Cobar be set the same as the current for a three year term, subject to indexation (CPI) plus the lessee being responsible for all outgoings.

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2. That the information contained and discussions held remain confidential within the Committee of the Whole Closed Council.

*Clr Yench/Clr Martin*

**CARRIED**

Councillor Kings, Marsden and Maxwell requested that their names be recorded as voting against the resolution.

**THERE BEING NO FURTHER BUSINESS THE MEETING CLOSED AT 7:33PM**

**CONFIRMED.....**

**MINUTE NO.....**

**MAYOR.....**