
**MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE
SHIRE OF COBAR HELD IN COUNCIL CHAMBERS ON THURSDAY 8
DECEMBER 2022 COMMENCING AT 5:00PM**

PRESENT (FILE C13-2)

Councillors Peter Abbott (Mayor), Robert Sinclair, Lillian Simpson, Harley Toomey, Peter Maxwell, Michael Prince, Tony Chaplain, Julie Payne and Kate Winders.

OBSERVERS

Messrs Peter Vlatko (General Manager), Kym Miller (Director of Finance and Community Services), Garry Ryman (Director of Planning and Environmental Services), Charles Taveira (Director of Engineering) and Miss Kelly Fairbank (Executive Assistant - General Manager/ Mayor).

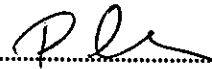
MESSAGE FROM THE CHAIR:

In the spirit of open, accessible and transparent government, Cobar Shire Council Ordinary and Committee Meetings are video recorded and webcast. By speaking at a Council or Committee Meeting, members of the public agree to being recorded and webcast. Cobar Shire Council accepts no liability for any defamatory, discriminatory or offensive remarks or gestures that are made during the course of the Council or Committee Meeting. Opinions expressed or statements made by individuals are the opinions or statements of those individuals and do not imply any form of endorsement by Cobar Shire Council.

THIS IS PAGE 1 OF THE MINUTES OF THE ORDINARY MEETING OF THE
COUNCIL OF THE SHIRE OF COBAR HELD ON THURSDAY 24 NOVEMBER 2022



GENERAL MANAGER



MAYOR

APOLOGIES (FILE C13-2)

202.12.2022 **RESOLVED:** 1. That the apologies received from Councillor Janine Lea-Barrett be accepted.

2. That Councillor Janine Lea- Barrett be granted a leave of absence.

Clr Payne/ Clr Maxwell

CARRIED

DECLARATIONS OF INTEREST (FILE C12-3)

- Nil.

CONDOLENCES (FILE M2-3)

- Charlene Louise Mulvay
- Rodney Maxwell Lumber
- Mary Patricia Hooker

PUBLIC ACCESS SESSION

- Nil.

CONFIRMATION OF MINUTES

ORDINARY MEETING OF COUNCIL (FILE C13-11)

203.12.2022 **RESOLVED:** That the Minutes of the Ordinary Meeting of Council held on Thursday, 24 November 2022 be confirmed as a true and correct record of the proceedings of that meeting.

Clr Payne / Clr Winders

CARRIED

THIS IS PAGE 2 OF THE MINUTES OF THE ORDINARY MEETING OF THE
COUNCIL OF THE SHIRE OF COBAR HELD ON THURSDAY 8 DECEMBER 2022


.....
GENERAL MANAGER


.....
MAYOR

CLAUSE 1 – DELEGATIONS OF AUTHORITY TO GENERAL MANAGER

FILE: A2-5, Personnel AOP REFERENCE: 3.1.5 ATTACHMENT: NO

AUTHOR: *General Manager, Peter Vlatko*

204.12.2022 RESOLVED: That the General Manager be granted authority to act on all matters within the Local Government Act 1993 other than those as detailed above which are specifically excluded in section 377.
Clr Maxwell /Clr Toomey **CARRIED**

CLAUSE 2– 2021/2022 ANNUAL REPORT

**FILE: A2-2 AOP REFERENCE: 3.3.3 ATTACHMENT: YES
(TO BE TABLED)**

AUTHOR: *General Manager, Peter Vlatko*

205.12.2022 RESOLVED: 1. That the information contained in the 2021/2022 Annual Report be received and noted.
2. That a copy of Council's Annual Report be provided to the Minister and such other persons and bodies as the regulations may require.
Clr Payne / Clr Chaplain **CARRIED**

CLAUSE 3- MONTHLY STATUS REPORT

FILE: C13-10 ATTACHMENT: NO

AUTHOR: *General Manager, Peter Vlatko*

206.12.2022 RESOLVED: That the information contained in the monthly status report be received and noted, with the following items to be removed: 1452 & 1453.
Clr Payne / Clr Simpson **CARRIED**

THIS IS PAGE 3 OF THE MINUTES OF THE ORDINARY MEETING OF THE
COUNCIL OF THE SHIRE OF COBAR HELD ON THURSDAY 8 DECEMBER 2022


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GENERAL MANAGER


.....
MAYOR

CLAUSE 4 –ROOM PRICES AT LILLIANE BRADY VILLAGE
FILE: C8-4-5 AOP REFERENCE: 1.5.4 ATTACHMENT: NO
AUTHOR: *Director of Finance and Community Services, Kym Miller*

207.12.2022 RESOLVED: That Council place on public exhibition as per the Local Government Act 1993 the proposed room price schedule to become effective for the financial year ended June 30, 2024, as follows

1. Single room with ensuite \$237,000
2. Single room with shared ensuite \$230,000
3. Two bed shared room with shared ensuite \$201,000

Clr Sinclair / Clr Maxwell

CARRIED

CLAUSE 5 - GENERAL PURPOSE FINANCIAL STATEMENTS, SPECIAL SCHEDULES, AND AUDITOR'S REPORTS FOR 2021/2022

FILE: A12-2 & F2-2-17

AOP REFERENCE: 3.3.3.3

ATTACHMENT: YES (PAGE 41-132)

208.12.2022 RESOLVED: 1. That the Audited Financial Statements and Auditor's Reports for the year ended 30 June 2022 be received and noted.

2. That copies of Council's Annual Audited Financial Statements be provided to such persons and bodies as the regulations require.

Clr Payne / Clr Sinclair

CARRIED

CLAUSE 6 – INVESTMENT REPORT AS AT NOVEMBER 2022

FILE: B2-7 AOP REFERENCE: 3.1.1.7

ATTACHMENT: NO

AUTHOR: *Financial Accountant, Sandra Davey*

209.12.2022 RESOLVED: That Council receive and note the Investment Report as of November 2022.

Clr Sinclair / Clr Payne

CARRIED

THIS IS PAGE 4 OF THE MINUTES OF THE ORDINARY MEETING OF THE
COUNCIL OF THE SHIRE OF COBAR HELD ON THURSDAY 8 DECEMBER 2022


.....
GENERAL MANAGER


.....
MAYOR

CLAUSE 7- BANK RECONCILIATION, CASH FLOW & LOAN FACILITY SUMMARIES AS AT NOVEMBER 2022

FILE: B2-7 AOP REFERENCE: 3.1.1.5 ATTACHMENT: NO

AUTHOR: *Financial Accountant, Sandra Davey*

- 210.12.2022 RESOLVED:** That Council receive and note the Bank Reconciliation, Monthly Total Funds Available, Cash Flow and Loan Facility Report as of November 2022.
Clr Payne / Clr Winders **CARRIED**
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CLAUSE 8 – RATES RECONCILIATION -30 NOVEMBER 2022

FILE: R2-1 AOP REFERENCE: 3.1.1.6 ATTACHMENT: YES (PAGE 133-134)

AUTHOR: *Customer Service Manager, Jo-Louise Brown*

- 211.12.2022 RESOLVED:** That the information contained in the rates reconciliation as at 30 November 2022 be received and noted.
Clr Maxwell / Clr Payne **CARRIED**
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CLAUSE 9- GRANT FUNDING

FILE: G4-17 AOP REFERENCE: 3.1.1.3 ATTACHMENT: NO

AUTHOR: *Grants Officer, Bethany Smith*

- 212.12.2022 RESOLVED:** That the information contained in the grant funding report detailing grants applied for, grants announced and grants available be received and noted.
Clr Payne / Clr Simpson **CARRIED**
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CLAUSE 10 – PURCHASING ANALYSIS OF CONTRACTORS

FILE: T3-15-6 AOP REFERENCE:3.3.4 ATTACHMENT: NO

AUTHOR: *Financial Accountant, Sandra Davey*

- 213.12.2022 RESOLVED:** That Council receive and note the information contained in this report.
Clr Payne / Clr Simpson **CARRIED**
-

THIS IS PAGE 5 OF THE MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE SHIRE OF COBAR HELD ON THURSDAY 8 DECEMBER 2022


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GENERAL MANAGER


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MAYOR

CLAUSE 11 – ENGINEERING WORKS REPORT

**FILE: C6-20-2 AOP REFERENCE: 4.3.2 ATTACHMENT: YES
(PAGE 135-145)**

AUTHOR: *Director Engineering Services - Charles Taveira*

- 214.12.2022 RESOLVED:** That the information contained in the Engineering Works Report detailing construction and maintenance activities on Shire and Regional Roads, State Highways, Water and Sewer Mains, Parks and Gardens, and other Council assets be received and noted.
Clr Simpson/ Clr Payne **CARRIED**
-

CLAUSE 12 – EXPENDITURE FOR ROADS NETWORK

**FILE: R5-31 AOP REFERENCE:4.3.2ATTACHMENT: YES (PAGE
146-153)**

AUTHOR: *Director of Engineering, Charles Taveira*

- 215.12.2022 RESOLVED:** That the information detailing the Expenditure for Council's Roads Network be received and noted.
Clr Simpson / Clr Winders **CARRIED**
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**CLAUSE 13 – DEVELOPMENT APPROVALS: 16 NOVEMBER 2022
–29 NOVEMBER 2022**

FILE: T5-1 AOP REFERENCE: 1.6.3.1 ATTACHMENT: NO

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

- 216.12.2022 RESOLVED:** That the information detailing the Local Development and Construction Certificate approvals for the period 16 November 2022 - 29 November 2022 be received and noted.
Clr Sinclair / Clr Payne **CARRIED**

THIS IS PAGE 6 OF THE MINUTES OF THE ORDINARY MEETING OF THE
COUNCIL OF THE SHIRE OF COBAR HELD ON THURSDAY 8 DECEMBER 2022


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GENERAL MANAGER


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MAYOR

CLAUSE 1C - SUPPLY OF FRONT-END LOADERS (T3-22-13)

FILE: T3-22-13AOP

REFERENCE:

4.3.1 ATTACHMENT: NO

AUTHOR: *Director of Engineering, Charles Taveira*

217.12.2022 RESOLVED: That a further report regarding the Supply of Front End Loaders (T3-22-13) 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 it contains commercial information of a confidential nature that would, if disclosed in open Council, prejudice the commercial position of the person who supplied it.

Clr Sinclair / Clr Payne

CARRIED

CLAUSE 2C- SUPPLY AND DELIVERY OF BULK FUEL (T3-22-10)

FILE: T3-22-10 AOP REFERENCE: 3.3.4 ATTACHMENT: NO

AUTHOR: *Director of Engineering, Charles Taveira*

218.12.2022 RESOLVED: That a further report regarding the Regional Procurement contract T481920OROC for the Supply and Delivery of Bulk Fuel 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 it contains commercial information of a confidential nature that would, if disclosed in open Council, prejudice the commercial position of the person who supplied it.

Clr Sinclair / Clr Payne

CARRIED

THIS IS PAGE 7 OF THE MINUTES OF THE ORDINARY MEETING OF THE
COUNCIL OF THE SHIRE OF COBAR HELD ON THURSDAY 8 DECEMBER 2022


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GENERAL MANAGER


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MAYOR

CLAUSE 3C- SUPPLY OF ROLLERS (T3-22-14)
FILE: T3-22-14 AOP REFERENCE: 4.3.1 ATTACHMENT: NO
AUTHOR: Charles Taveira, Director of Engineering Services

219.12.2022 RESOLVED: That a further report regarding the Supply of two (2) Rollers tender (T3-22-14) 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 it contains commercial information of a confidential nature that would, if disclosed in open Council, prejudice the commercial position of the person who supplied it.
Clr Sinclair / Clr Payne

CARRIED

CLAUSE 4C- WARD OVAL EARLY LEARNING CENTRE AND MULTIPURPOSE HALL TENDER

FILE: T3-22-9 AOP REFERENCE: 4.4.2.2 ATTACHMENT: YES (UNDER SEPARATE COVER)

AUTHOR: General Manager, Peter Vlatko

220.12.2022 RESOLVED: That a further report regarding the Ward Oval Early Learning Centre and Multipurpose Hall tender (T3-22-9) 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 it contains commercial information of a confidential nature that would, if disclosed in open Council, prejudice the commercial position of the person who supplied it.
Clr Sinclair / Clr Payne

CARRIED

COMMITTEE OF THE WHOLE

221.12.2022 RESOLVED: That Council move into the Committee of the Whole with the press and public excluded at 5.16 pm as matters to be discussed are considered to be confidential vide Section 10A (2)(d)(i) of the *Local Government Act 1993* as it contains commercial information of a confidential nature that would, if disclosed in open Council, prejudice the commercial position of the person who supplied it.
Clr Sinclair / Clr Payne

CARRIED

THIS IS PAGE 8 OF THE MINUTES OF THE ORDINARY MEETING OF THE
COUNCIL OF THE SHIRE OF COBAR HELD ON THURSDAY 8 DECEMBER 2022


GENERAL MANAGER


MAYOR

CLAUSE 1C- SUPPLY OF FRONT-END LOADERS (T3-22-13)

FILE: T3-22-13 AOP REFERENCE:4.3.1 ATTACHMENT: NO

AUTHOR: *Director of Engineering, Charles Taveira*

10.COW.2022 RESOLVED: 1. That Council award the contract for the Supply of 1x (one) Front-End Loader to Solution Plant Hire Pty Ltd (Pacific Machinery Group) for \$208,950.00 plus GST (\$20,895) & 1x (one) Westrac Pty Ltd for a total of \$309,407.22 plus GST (\$30,940) and 1x (one) Front-End Loader to Westrac Pty for a total of \$355,900.87 plus GST (\$35,590) and authorise the General Manager and Mayor to sign the contract.

2. That the information contained within this report remains confidential within the Committee of the Whole Closed Council.

Clr Maxwell / Clr Sinclair

CARRIED

CLAUSE 2C- SUPPLY AND DELIVERY OF BULK FUEL (T3-22-10)

FILE: T3-22-10 AOP REFERENCE:3.3.4 ATTACHMENT: NO

AUTHOR: *Director of Engineering, Charles Taveira*

11.COW.2022 RESOLVED: 1. That Council participate in Regional Procurement's contract T481920OROC for the Supply and Delivery of Bulk Fuel, nominating Woodham Petroleum as the preferred supplier until the end date of 30 June 2023, and authorise the General Manager and Mayor to sign the contract.

2. Formally notify and cease procuring bulk fuel deliveries from Castlyn (Inland Petroleum).

3. That the information contained within this report remains confidential within the Committee of the Whole Closed Council.

Clr Payne/ Clr Maxwell

CARRIED

CLAUSE 3C- SUPPLY OF ROLLERS (T3-22-14)

FILE: T3-22-14 AOP REFERENCE:4.3.1 ATTACHMENT: NO

AUTHOR: *Charles Taveira, Director of Engineering Services*

12.COW.2022 RESOLVED: 1. That Council award the contract for the Supply of Two (2) Rollers to Westrac Pty Ltd for a total of \$428,282.76 plus GST (\$42,828.28) and authorise the General Manager and Mayor to sign the contract.

2. That the information contained within this report remains confidential within the Committee of the Whole Closed Council.

Clr Payne/ Clr Sinclair

CARRIED

THIS IS PAGE 9 OF THE MINUTES OF THE ORDINARY MEETING OF THE
COUNCIL OF THE SHIRE OF COBAR HELD ON THURSDAY 8 DECEMBER 2022


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GENERAL MANAGER


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MAYOR

**CLAUSE 4C- WARD OVAL EARLY LEARNING CENTRE AND
MULTIPURPOSE HALL TENDER**

FILE: T3-22-9

AOP REFERENCE:

4.4.2.2 ATTACHMENT: YES (UNDER SEPARATE COVER)

AUTHOR: *General Manager, Peter Vlatko*

Report Withdrawn

The meeting resumed in open council at 5.57pm

THERE BEING NO FURTHER BUSINESS THE MEETING CLOSED AT 5.58 PM

CONFIRMED.....

MINUTE NO

MAYOR..... *P. Vlatko*.....

THIS IS PAGE 10 OF THE MINUTES OF THE ORDINARY MEETING OF THE
COUNCIL OF THE SHIRE OF COBAR HELD ON THURSDAY 8 DECEMBER 2022

[Signature]
.....
GENERAL MANAGER

[Signature]
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MAYOR