
**MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF
THE SHIRE OF COBAR HELD IN THE COUNCIL CHAMBERS ON
THURSDAY 22 FEBRUARY 2018 COMMENCING AT 5:00PM**

PRESENT (FILE C13-2)

Councillors Lilliane Brady OAM (Mayor), Peter Abbott (Deputy Mayor), Tracey Kings, Janine Lea-Barrett, Jarrod Marsden, Peter Maxwell, Julie Payne, Bob Sinclair, Harley Toomey and Peter Yench.

OBSERVERS

Messrs Peter Vlatko (General Manager), Kym Miller (Director of Finance and Community Services), Garry Ryman (Director of Planning and Environmental Services), Stephen Taylor (Director of Engineering Services) and Mmes Angela Shepherd (Director of Corporate and Economic Development), Janette Booth (Executive Assistant – General Manager/Mayor) and Brytt Moore (Administration Officer).

APOLOGIES (FILE C13-2)

01.2.2018 **RESOLVED:** That the apologies received from Councillors Chris Lehmann and Greg Martin be accepted and that Councillor Chris Lehmann's leave of absence be granted.
Clr Maxwell/ Clr Kings **CARRIED**

DECLARATIONS OF INTEREST (FILE C12-3)

- Councillor Jarrod Marsden declared a Non-Pecuniary interest in Clause 1B – Development Approvals: 8 December 2017 – 13 February 2018.

CONDOLENCES (FILE M2-3)

- Pamela Jean Webster;
- Marjorie (Peg) Joyce Coughlin;
- Janice Eileen Wilson;
- Jane Duncan Hyde;
- Gregory John Smith "Mook".

A minutes silence was observed by those in attendance.

PRESENTATIONS TO COUNCIL

- Cobar Health Council – Mr Gordon Hill - Chair;
- APA Group, Mr Jim Fjeldsoe.

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COUNCIL OF THE SHIRE OF COBAR HELD ON THURSDAY 22 FEBRUARY 2018

.....
GENERAL MANAGER

.....
MAYOR

PUBLIC ACCESS FORUM

- Nil.
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CONFIRMATION OF MINUTES

ORDINARY MEETING OF COUNCIL (FILE C13-11)

- 02.2.2018** **RESOLVED:** That the minutes of the Ordinary Meeting of Council held on Thursday, 10 December 2017 be confirmed as a true and correct record of the proceedings of that meeting.
Clr Payne/ Clr Toomey **CARRIED**
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NOTICE OF MOTION – FORMATION OF A JOINT ORGANISATION

FILE: L5-24 & C13-7 **AOP REFERENCE: 3.2.1.2**
AUTHOR: *Councillor Peter Yench*

- 03.2.2018** **RESOLVED:** That the Notice of Motion – Formation of Joint Organisation matter be differed until Clause 2A.
Clr Sinclair / Clr Kings **CARRIED**
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NOTICE OF MOTION – WESTERN LAND LEASES

FILE: C10-3 & C13-7 **AOP REFERENCE: 5.2.1**
AUTHOR: *Councillor Peter Yench*

- 04.2.2018** **RESOLVED:** That the matter on Western Land Leases be differed to the next Ordinary Council Meeting.
Clr Yench / Clr Kings **CARRIED**
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NOTICE OF MOTION – RE-LOCATION OF WESTERN DIVISION OFFICE

FILE: C13-7
AUTHOR: *Councillor Peter Yench*

- 05.2.2018** **RESOLVED:** That Cobar Shire Council request the NSW Government to re-locate the Western Division Office from Dubbo to Cobar.
Clr Kings / Clr Payne **CARRIED**
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CLAUSE 1A – MAYORAL REPORT

FILE: C13-1-5 **AOP REFERENCE: 3.1**
AUTHOR: *Mayor, Councillor Lilliane Brady OAM*

06.2.2018 RESOLVED: That Council accepts the information contained in the Mayoral Report for the month of February 2018.
Clr Abbott / Clr Toomey **CARRIED**

NOTICE OF MOTION – FORMATION OF A JOINT ORGANISATION

FILE: L5-24 & C13-7 **AOP REFERENCE: 3.2.1.2**
AUTHOR: *Councillor Peter Yench*

MOTION: That Cobar Shire Council form a Joint Organisation consisting of Bourke Shire Council, Brewarrina Shire Council, Central Darling Shire Council and Cobar Shire Council.

Clr Lea-Barrett/ Clr Kings **LOST**

CLAUSE 2A – PROPOSED (JO) JOINT ORGANISATION

FILE: L5-4-4 **AOP REFERENCE: 3.2.1.2**
AUTHOR: *General Manager, Peter Vlatko*

07.02.2018 RESOLVED: That the matter on Proposed (JO) Joint Organisations be differed in order to provide Councillors with a further workshop.
Clr Marsden/Clr Payne **CARRIED**

CLAUSE 3A – QUARTER 2 2017/2018 BUDGET REVIEW

FILE: L5-22 **AOP REFERENCE: 3.3**
AUTHOR: *Director of Finance and Community Services, Kym Miller*

08.02.2018 RESOLVED:

1. That the capital budget for 2017/2018 is revised by the amount detailed in the attachment to this report which is shown as attachment 1.
2. That the operating budget for 2017/2018 is revised by the amount detailed in the attachment to this report which is shown as attachment 2.
3. That the actions for budget repair beyond 2017/2018 be received and noted.

Clr Lea-Barrett/ Clr Sinclair **CARRIED**

CLAUSE 4A – SECTION 356 DONATIONS 2018/2019

FILE: D3-1 **AOP REFERENCE: 1.4.5**
AUTHOR: *Director of Finance and Community Services, Kym Miller*

MOTION: That a cash donation be awarded to Cobar Sheep Dog Trials for relief of Ward Oval Hire fees of \$625.00, for the 2018/2019 Financial year.

Clr Payne/ Clr Lea-Barrett **LOST**

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COUNCIL OF THE SHIRE OF COBAR HELD ON THURSDAY 22 FEBRUARY 2018

09.02.2018 RESOLVED: That donations be awarded to community bodies for the 2018/2019 Financial year, as follows:

- a) Cobar Netball Association to receive a cash donation of \$750.00 for relief of Court Fees;
- b) Kubby House Child Care Centre - That a decision be deferred until further information can be obtained.
- c) Auto Club of Cobar Inc to receive a cash donation of \$4,000.00 for relief of Water Rates;
- d) Cobar Primary Health Care Centre to receive an inkind donation of \$405.00 for a twelve month gym membership for patient;
- e) Cobar Amateur Pistol Club to receive a cash donation for relief of General Rates for \$3,000.00;
- f) Cobar Arts Council to receive a cash donation for relief of General Rates for \$2,200.00.

Clr Lea-Barrett/ Clr Sinclair

CARRIED

10.2.2018 RESOLVED: That the Cobar Sheep Dog Trials be moved to the category of Ward Oval User.

Clr Marsden/Clr Sinclair

CARRIED

11.2.2018 RESOLVED: That the water allocation for Tom Knight Oval be a Council expense and that the allocation be capped at \$25,000 per annum.

Clr Sinclair/ Clr Abbott

CARRIED

CLAUSE 5A – DEVELOPMENT APPLICATION 2018/LD-00004

FILE: 2018/LD-00004

AOP REFERENCE: 1.6.3.1

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

12.2.2018 RESOLVED:

1. The Council considers the assessment report prepared in respect of Development Application 2018/LD-00004.
2. That the Development Application 2018/LD-00004 be approved unconditionally.
3. That voting on this matter be recorded on the basis of an automatic division as required by legislation.

Clr Yench/ Clr Lea-Barrett

CARRIED

A Division was called:

For:

Clr Lilliane Brady OAM

Clr Peter Abbott

Clr Tracey Kings

Clr Jarrod Marsden

Against:

Clr Janine Lea-Barrett

Clr Peter Maxwell
Clr Julie Payne
Clr Bob Sinclair
Clr Harley Toomey
Clr Peter Yench

- 13.2.2018** **RESOLVED:** That Council establishes a Policy for Fencing in Urban Areas in Cobar.
Clr Lea-Barrett/ Clr Sinclair **CARRIED**
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CLAUSE 6A – CLASSIFICATION OF LAND PURCHASED FROM PUBLIC WORKS FOR THE SITE OF THE NEW WATER TREATMENT PLANT

FILE: A10-1-16 **AOP REFERENCE: 2.2.2.2**
AUTHOR: *Director of Planning & Environmental Services, Garry Ryman*

- 14.2.2018** **RESOLVED:** In accordance with section 31 of the *Local Government Act 1993*, Council resolves to classify Lot 287 DP914515 as Operational Land.
Clr Sinclair/ Clr Abbott **CARRIED**
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CLAUSE 7A – SECOND QUARTERLY REVIEW OF THE ANNUAL OPERATIONAL PLAN 2017/2018

FILE: L5-22 **AOP REFERENCE: 3.1**
AUTHOR: *Director Corporate and Economic Development, Angela Shepherd*

- 15.2.2018** **RESOLVED:** That Council receives and endorses the second quarterly review of the 2017/2018 Annual Operational Plan, covering the period October to December 2017.
Clr Lea-Barrett / Clr Yench **CARRIED**
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CLAUSE 8A – STAFF ATTITUDE SURVEY OCTOBER 2017 REPORT

FILE: S5-35 **AOP REFERENCE: 3.3.2**
AUTHOR: *Human Resources Manager, Summer Patterson*

- 16.2.2018** **RESOLVED:** That the Staff Attitude Survey October 2017 Report be considered in the Committee of the Whole Closed Council with the press and public excluded for the reasons stated in accordance with *Section 10A(2) (a) of the Local Government Act 1993*, as the information relates to personnel matters concerning particular individuals (other than councillors).
Clr Abbott/ Clr Payne **CARRIED**
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CLAUSE 9A – COBAR MINERS MEMORIAL

FILE: P1-17

AOP REFERENCE: 1.5.2.3

AUTHOR: *General Manager, Peter Vlatko*

- 17.2.2018** **RESOLVED:** That Council consider the matter Clause 9A – Cobar Miners Memorial as a matter of urgency.
Clr Yench/ Clr Maxwell **CARRIED**
- 18.2.2018** **RESOLVED:** That Council goes into Committee at 7:12pm to discuss item Clause 9A – Cobar Miners Memorial.
Clr Sinclair/ Clr Marsden **CARRIED**
- 19.2.2018** **RESOLVED:** That Council moves out of Committee and resumes meeting proceedings at 7:24pm.
Clr Sinclair/ Clr Lea-Barrett **CARRIED**
- 20.2.2018** **RESOLVED:**
1. That Council agrees to apply for \$200,000 grant funding for the Cobar Miners Memorial and contribute \$85,000 of Council funds with the balance to be provided by the Cobar Miners Memorial Committee;
 2. That Council form a Committee with relevant members of Council and the community for this project and the General Manager provide a structure of the Committee including Terms of Reference;
 3. That Council approach the mining companies and ask that they provide a greater contribution to the Miners Memorial.
- Clr Sinclair/ Clr Marsden* **CARRIED**

CLAUSE 10A – STRONGER COUNTRY COMMUNITIES FUNDING DEED – AFFIXATION OF COUNCIL SEAL

FILE: G4-34, P1-5 & A9-16

AOP REFERENCE: 4.4.1

AUTHOR: *Director of Corporate and Economic Development, Angela Shepherd*

- 21.2.2018** **RESOLVED:** That Council consider the matter Clause 10A – Stronger Country Communities Funding Deed – Affixation of Council Seal as a matter of urgency.
Clr Marsden/ Clr Maxwell **CARRIED**
- 22.2.2018** **RESOLVED:** That the General Manager be authorised to sign and execute the Stronger Country Communities Funding Deed under the Common Seal of Council for the projects: new Adventure Playground – Drummond Park and Creation of Family BBQ and Picnic Area – Cobar Memorial Swimming Pool.
Clr Marsden/ Clr Maxwell **CARRIED**

Clr Jarrod Marsden declared a Non-Pecuniary interest as his employer Peak Gold Mines has in a Development Application for approval and left the meeting at 7:30pm.

CLAUSE 1B – DEVELOPMENT APPROVALS: 8 DECEMBER 2017 – 13 FEBRUARY 2018

FILE: T5-1

AOP REFERENCE: 1.6.3.1

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

- 23.2.2018** **RESOLVED:** That the information detailing the Local Development and Construction Certificate approvals for the period 8 December 2017 – 13 February 2018 be received and noted.
Clr Yench/ Clr Maxwell **CARRIED**

Clr Jarrod Marsden returned to the meeting at 7:35pm.

CLAUSE 2B – MONTHLY STATUS REPORT

FILE: C13-10

AOP REFERENCE: 3.1

AUTHOR: *General Manager, Peter Vlatko*

- 24.2.2018** **RESOLVED:** Further to Status Report Action Item 1082 being removed, that a new report be completed on the creation of a Regional Rehabilitation and Health Centre at Cobar Memorial Swimming Pool.
Clr Yench/ Clr Sinclair **CARRIED**

- 25.2.2018** **RESOLVED:** That the information contained in the monthly status report be received and noted, with the following items to be removed: 997, 1009, 1052, 1082, 1109, 1115, 1117, 1118, 1119 and 1120.
Clr Lea-Barrett/ Clr Abbott **CARRIED**
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CLAUSE 3B – INVESTMENT REPORT AS AT 31 JANUARY 2018

FILE: B2-7

AOP REFERENCE: 3.1.1.7

AUTHOR: *Finance Manager, Neil Mitchell*

- 26.2.2018** **RESOLVED:** That Council receive and note the Investment Report as at 31 December 2017 and 31 January 2018.
Clr Abbott/ Clr Toomey **CARRIED**
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CLAUSE 4B – BANK RECONCILIATION, CASH FLOW & LOAN FACILITY SUMMARIES AS AT 31 JANUARY 2018

FILE: B2-7

AOP REFERENCE: 3.1.1.5

AUTHOR: *Finance Manager, Neil Mitchell*

32.2.2018 **RESOLVED:** That the information contained in the Engineering Works Report detailing maintenance on Shire and Regional Roads, State Highways and Water Sewer Mains, Resources for Regions Projects and other Major Grant Works be received and noted.
Clr Maxwell/ Clr Lea-Barrett **CARRIED**

**CLAUSE 9B – ANALYSIS OF PLANT AND EQUIPMENT HIRE
AND TRADES AND MISCELLANEOUS SERVICES
REGISTERS**

FILE: T3-15-6, P3-19-4 **AOP REFERENCE: 3.3.4**
AUTHOR: *Director of Engineering Services, Stephen Taylor*

33.2.2018 **RESOLVED:** That Council receive and note the information contained within this report.
Clr Sinclair/ Clr Payne **CARRIED**

**CLAUSE 10B – PROPOSED COUNCILLOR INDUCTION AND
PROFESSIONAL DEVELOPMENT GUIDELINES**

FILE: C12-7 **AOP REFERENCE: 3.1.5**
AUTHOR: *General Manager, Peter Vlatko*

34.2.2018 **RESOLVED:** That Council receive and note the information contained within this report.
Clr Payne/ Clr Abbott **CARRIED**

**CLAUSE 11B – CONSULTATION DRAFT MODEL CODE OF
MEETING PRACTICE FOR LOCAL COUNCILS IN NSW**

FILE: P5-8 **AOP REFERENCE: 3.1.4**
AUTHOR: *General Manager, Peter Vlatko*

35.2.2018 **RESOLVED:** That the information in relation to the Consultation Draft Model Code of Conduct for Local Councils in NSW be received and noted.
Clr Lea-Barrett/ Clr Payne **CARRIED**

CLAUSE 12B – NSW CONTAINER DEPOSIT SCHEME

FILE: W1-6 **AOP REFERENCE: 5.1.2**
AUTHOR: *Manager Planning and Environment, Stephen Poulter*

36.2.2018 **RESOLVED:** That Council receive and note the information relating to the container deposit scheme.
Clr Abbott/ Clr Kings **CARRIED**

37.2.2018 **RESOLVED:** That Council writes to the NSW Government to take on the SA model for Container Deposit Schemes.
Clr Maxwell/ Clr Lea-Barrett **CARRIED**

CLAUSE 13B – GRANT FUNDING

FILE: G4-17

AOP REFERENCE: G4-17

**AUTHOR: *Director Corporate and Economic Development,
Angela Shepherd***

- 38.2.2018** **RESOLVED:** That the information contained in the grant funding report detailing grants applied for, grants announced and grants available be received and noted.
Clr Sinclair/ Clr Toomey **CARRIED**
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**CLAUSE 14B – RATES RECONCILIATION REPORT AS AT
31 DECEMBER 2017**

FILE: R2-1

AOP REFERENCE: 3.1.1.6

AUTHOR: *Office Coordinator, Jo-Louise Brown*

- 39.2.2018** **RESOLVED:** That the Rates Reconciliation Report as at the 31 December 2017 be received and noted.
Clr Abbott/ Clr Lea-Barrett **CARRIED**
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**CLAUSE 15B – RATES RECONCILIATION REPORT AS AT
31 JANUARY 2018**

FILE: R2-1

AOP REFERENCE: 3.1.1.6

AUTHOR: *Office Coordinator, Jo-Louise Brown*

- 40.2.2018** **RESOLVED:** That the Rates Reconciliation Report as at the 31 January 2018 be received and noted.
Clr Payne/ Clr Abbott **CARRIED**
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COMMITTEE OF THE WHOLE (CLOSED COUNCIL)

- 41.2.2018** **RESOLVED:** That Council move into the Committee of the Whole with the press and public excluded at 8:18pm as matters to be discussed are considered to be confidential vide *Section 10A(2) (a) of the Local Government Act 1993*, as the information relates to personnel matters concerning particular individuals (other than councillors).
Clr Sinclair/ Clr Abbott **CARRIED**
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Council resumed in Open Council at 8:39pm

**RECOMMENDATIONS TO COUNCIL FROM COMMITTEE
OF THE WHOLE (CLOSED COUNCIL)**

- 42.2.2018** **RESOLVED:** That the recommendations of the Committee of the Whole be adopted.
Clr Kings/ Clr Abbott **CARRIED**
-

THIS IS PAGE 10 OF THE MINUTES OF THE ORDINARY MEETING OF THE
COUNCIL OF THE SHIRE OF COBAR HELD ON THURSDAY 22 FEBRUARY 2018

**CLAUSE 1C – STAFF SATISFACTION SURVEY
NOVEMBER 2017 REPORT**

FILE: S5-35

AOP REFERENCE: 3.3.2

AUTHOR: *Human Resources Manager, Summer Patterson*

04COW.2.2018 RESOLVED:

1. That the Staff Satisfaction Survey Report November 2017 be received and noted.
2. That the information contained within this report remain confidential within the Committee of the Whole Closed Council.

Clr Lea-Barrett/Clr Payne

CARRIED

MATTER OF URGENCY – LBV UPDATE

05COW.2.2018 RESOLVED: That Council further confirms that the General Manager or his nominee has been approved to further negotiate with unsuccessful tenderers for the Lilliane Brady Village and that Council extend this authority to other interested parties.

Clr Lea-Barrett/Clr Sinclair

CARRIED

THERE BEING NO FURTHER BUSINESS THE MEETING CLOSED AT 8:40PM

CONFIRMED.....

MINUTE NO.....

MAYOR.....