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

PRESENT (FILE C13-2)

Councillors Peter Abbott (Deputy Mayor), Janine Lea-Barrett, Jarrod Marsden, Greg Martin, 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 Ms Janette Booth (Executive Assistant – General Manager/Mayor).

APOLOGIES (FILE C13-2)

43.3.2018 **RESOLVED:** That the apologies received from Councillors Lilliane Brady OAM (Mayor), Chris Lehmann and Tracey Kings be accepted and that leave of absence be granted.
Clr Lea-Barrett/ Clr Martin **CARRIED**

DECLARATIONS OF INTEREST (FILE C12-3)

- Nil.

CONDOLENCES (FILE M2-3)

- Jack William Haines.

A minutes silence was observed by those in attendance.

PRESENTATIONS TO COUNCIL

- Audit Office of NSW – Mr James Sugumar.

PUBLIC ACCESS FORUM

- Nil.

CONFIRMATION OF MINUTES

ORDINARY MEETING OF COUNCIL (FILE C13-11)

THIS IS PAGE 1 OF THE MINUTES OF THE ORDINARY MEETING OF THE
COUNCIL OF THE SHIRE OF COBAR HELD ON THURSDAY 22 MARCH 2018

.....
GENERAL MANAGER

.....
DEPUTY MAYOR

44.3.2018 **RESOLVED:** That the minutes of the Ordinary Meeting of Council held on Thursday, 22 February 2018 be confirmed as a true and correct record of the proceedings of that meeting.
Clr Sinclair/ Clr Yench **CARRIED**

NOTICE OF MOTION – WESTERN LAND LEASES

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

MOTION: That Cobar Shire Council seek support from OROC for a delegations to the appropriate NSW Government Ministers to seek their support for the change of use of Western Land Leases to alternative opportunities which may assist regional/ local growth as a priority.
Clr Yench/ Clr Payne

AMENDMENT: That Cobar Shire Council write to the Minister and seek clarification on the Western Land Leases become freeholds in regards to change of use as a matter of urgency.
Clr Lea-Barrett/ Clr Martin

The **Amendment** was put and became the **Motion**.

45.3.2018 **RESOLVED:** That Cobar Shire Council write to the Minister and seek clarification on the Western Land Leases become freeholds in regards to change of use as a matter of urgency.
Clr Lea-Barrett/ Clr Martin **CARRIED**

NOTICE OF MOTION – GOVERNMENT INCENTIVE PROGRAMS FOR ATTRACTING HEALTH CARE PROFESSIONALS TO THE REGION

FILE: H1-1 **AOP REFERENCE: 1.5.1**
AUTHOR: *Councillor, Peter Yench*

MOTION:

1. That Council seek an urgent meeting with the Deputy Premier and the Minister for Health to seek a commitment from the NSW Government to establish and provide incentives and programs for the attraction and delivering Doctors, Specialists and other staff to rural communities such as Cobar and in particular the Western Area of NSW.
2. That Council seek a Letter of Support from our neighbouring Councils representatives of OROC, RDA, the President of the LGA to support our representation to the Government on the matter.

Clr Yench/ Clr Lea-Barrett

THIS IS PAGE 2 OF THE MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE SHIRE OF COBAR HELD ON THURSDAY 22 MARCH 2018

AMENDMENT:

1. That Council seek an urgent meeting with the Deputy Premier and the Minister for Health to seek a commitment from the NSW Government to establish and provide incentives and programs for the attraction and delivering Doctors, Specialists and other staff to rural communities such as Cobar and in particular the Western Area of NSW.
2. That Council seek a Letter of Support from our neighbouring Councils representatives of OROC, RDA, the President of the LGA to support our representation to the Government on the matter.
3. That Council approach the Western Area Health with the number of statistics of people being sent from Cobar for treatment and the nature of treatment and whether the numbers equate to having the service out here.

Clr Marsden/ Clr Sinclair

The **Amendment** was put and became the **Motion**.

46.3.2018

RESOLVED:

1. That Council seek an urgent meeting with the Deputy Premier and the Minister for Health to seek a commitment from the NSW Government to establish and provide incentives and programs for the attraction and delivering Doctors, Specialists and other staff to rural communities such as Cobar and in particular the Western Area of NSW.
2. That Council seek a Letter of Support from our neighbouring Councils representatives of OROC, RDA, the President of the LGA to support our representation to the Government on the matter.
3. That Council approach the Western Area Health with the number of statistics of people being sent from Cobar for treatment and the nature of treatment and whether the numbers equate to having the service out here.

Clr Marsden/ Clr Sinclair

CARRIED

**NOTICE OF MOTION – INSTALLATION OF AN
INDEPENDENT PEDESTRIAN CROSSING**

FILE: R1-2

AOP REFERENCE: 4.3.3.1

AUTHOR: *Councillor, Janine-Lea Barrett*

A Division was called:

For:

Clr Peter Yenck

Against:

*Clr Peter Abbott
Clr Janine Lea-Barrett
Clr Jarrod Marsden
Clr Greg Martin
Clr Peter Maxwell
Clr Julie Payne
Clr Bob Sinclair
Clr Harley Toomey*

51.3.2018 RESOLVED:

1. That Council note the report on the formation of Joint Organisations of Councils.
2. That Council maintain its membership of the Orana Regional Organisation of Councils and the membership be reviewed once the JO process has been completed.
3. That Council inform the Minister for Local Government of Councils endorsement of the Minister recommending to the Governor the establishment of a Joint Organisation in accordance with the resolution.
4. To approve the inclusion of the Councils area in the Joint Organisations area.
5. That the Joint Organisation be established to cover the Councils area and any one or more of the following council areas:
 - a. Bogan Shire Council;
 - b. Brewarrina Shire Council;
 - c. Bourke Shire Council;
 - d. Gilgandra Shire Council;
 - e. Dubbo Regional Council;
 - f. Warren Shire Council;
 - g. Walgett Shire Council;
 - h. Warrumbungle Shire Council;
 - i. Narromine Shire Council;
 - j. Coonamble Shire Council;
 - k. Mid-Western Regional Council;
 - l. Cobar Shire Council.
6. That before 26 April 2018, the General Manager provide the Minister with a copy of this resolution including the date on which Council made this resolution.
7. That on expiry of a period of 28 days from the making of this resolution, the General Manager inform the Minister that this resolution has not been rescinded.

Clr Sinclair/Clr Maxwell

CARRIED

THIS IS PAGE 5 OF THE MINUTES OF THE ORDINARY MEETING OF THE
COUNCIL OF THE SHIRE OF COBAR HELD ON THURSDAY 22 MARCH 2018

GENERAL MANAGER

DEPUTY MAYOR

A Division was called:

For:

*Clr Peter Abbott
Clr Janine Lea-Barrett
Clr Greg Martin
Clr Peter Maxwell
Clr Julie Payne
Clr Bob Sinclair
Clr Harley Toomey*

Against:

*Clr Jarrod Marsden
Clr Peter Yench*

CLAUSE 3A – COBAR MEMORIAL SERVICES AND BOWLING CLUB – LETTER OF REQUEST FOR RATE REDUCTION

FILE: L6-2

AOP REFERENCE: 3.1.1.1

AUTHOR: *General Manager, Peter Vlatko*

52.3.2018 **RESOLVED:** That a further report on the Cobar Memorial Services and Bowling Club – Letter of Request for Rate Reduction 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 discussions of this matter in open Council would prejudice the commercial position of the person who supplied it.

Clr Martin/ Clr Sinclair

CARRIED

CLAUSE 4A – COBAR TRUCK WASH FUNDING DEED – AFFIXATION OF COMMON SEAL

FILE: A10-30

AOP REFERENCE: 1.2.1

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

53.3.2018 **RESOLVED:** That Council approve the affixation of Council's seal on the Funding Deed between Cobar Shire Council and Infrastructure NSW.

Clr Maxwell/ Clr Lea-Barrett

CARRIED

CLAUSE 5A – RESULTS OF REQUEST FOR TENDER FOR A PROVIDER FOR LILLIANE BRADY VILLAGE

FILE: T2-17

AOP REFERENCE: 1.5.3

AUTHOR: *Director Finance and Community Services, Kym Miller*

54.3.2018 **RESOLVED:** That the tenders received for the Lilliane Brady Village 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 discussions of this matter in open Council would prejudice the commercial position of the person who supplied it.

Clr Marsden/ Clr Sinclair

CARRIED

THIS IS PAGE 6 OF THE MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE SHIRE OF COBAR HELD ON THURSDAY 22 MARCH 2018

.....
GENERAL MANAGER

.....
DEPUTY MAYOR

**CLAUSE 6A – UPDATE ON PROVIDER FOR LILLIANE
BRADY VILLAGE**

FILE: M 6-3 /T2-17-11

AOP REFERENCE: 1.5.3

AUTHOR: *Director Finance and Community Services, Kym Miller*

MOTION:

1. That Cobar Shire Council commits to providing Hotel Services to the new Cobar Health services through a mutually agreeable Shared Services Agreement.
2. That should Cobar Shire Council enter into any negotiations with third-parties relating to the transfer of the operation of the Lilliane Brady Village ,the Cobar Shire Council does so with the best interest of the Multipurpose Health Facility in respect to the delivery of Hotel Services.
3. That should the Cobar Shire Council transfer the operation of the Lilliane Brady Village to a third party any agreement with that third party includes a requirement to provide Hotel Services to the Multipurpose Health Facility through a mutually agreeable Shared Services Agreement with the Local Health District
4. That Cobar Shire Council seeks the NSW Government to fund and undertake the renovations of bathrooms which are currently not compliant.

Clr Sinclair/ Clr Lea-Barrett

55.3.2018 RESOLVED: That the matter on the Update on Provider for Lilliane Brady Village 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 discussions of this matter in open Council would prejudice the commercial position of the person who supplied it.

Clr Martin/ Clr Payne

CARRIED

**CLAUSE 7A – FINALISATION OF SECTION 356 DONATIONS
2018/2019**

FILE: D3-1

AOP REFERENCE: 1.4.5

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

56.3.2018 RESOLVED: That a donation of \$4,000.00 be awarded to Kubby House in the financial year 2018/2019.

Clr Yench/ Clr Sinclair

CARRIED

CLAUSE 8A – ACRES BILLABONG CULVERT REPLACEMENT

FILE: G4-30, MR1-9

AOP REFERENCE: 4.3.1.1

AUTHOR: *Director of Engineering Services, Stephen Taylor*

- 57.3.2018 RESOLVED:** That the tenders received for the Acres Billabong Culvert replacement 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 discussions of this matter in open Council would prejudice the commercial position of the person who supplied it.
- Clr Marsden/ Clr Lea-Barrett* **CARRIED**

CLAUSE 9A – SIGNIFICANT VARIATIONS TO BUDGET REPORTED UNDER REGULATION 202 OF THE GENERAL REGULATIONS 2005 OF THE LOCAL GOVERNMENT ACT 1993

FILE: L5-22-4, R2-12

AOP REFERENCE: 3.1

AUTHOR: *Office Coordinator, Jo-Louise Brown*

- 58.3.2018 RESOLVED:**
1. That the significant variations to the 2017/2018 Budget are received and noted.
 2. That the reduced income of \$86,100.00 is incorporated into the Quarter 3 2017/2018 Budget Review.
- Clr Maxwell/ Clr Lea-Barrett* **CARRIED**

CLAUSE 1B – DEVELOPMENT APPROVALS: 14 FEBRUARY 2018 – 13 MARCH 2018

FILE: T5-1

AOP REFERENCE: 1.6.3.1

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

- 59.3.2018 RESOLVED:** That the information detailing the Local Development and Construction Certificate approvals for the period 14 February 2018 – 13 March 2018 be received and noted.
- Clr Martin/ Clr Sinclair* **CARRIED**

CLAUSE 2B – MONTHLY STATUS REPORT

FILE: C13-10

AOP REFERENCE: 3.1

AUTHOR: *General Manager, Peter Vlatko*

60.3.2018 **RESOLVED:** That the information contained in the monthly status report be received and noted, with the following items to be removed: 162, 817, 865, 1061, 1065, 1077, 1121, 1123, 1125, 1126, 1127, 1128, 1129, 1130, 1132, 1135, 1136 and 1137.
Clr Lea-Barrett/ Clr Payne **CARRIED**

CLAUSE 3B – INVESTMENT REPORT AS AT 28 FEBRUARY 2018

FILE: B2-7 **AOP REFERENCE: 3.1.1.7**
AUTHOR: Finance Manager, Neil Mitchell

61.3.2018 **RESOLVED:** That Council receive and note the Investment Report as at 28 February 2018.
Clr Payne/ Clr Marsden **CARRIED**

CLAUSE 4B – BANK RECONCILIATION, CASH FLOW & LOAN FACILITY SUMMARIES AS AT 28 FEBRUARY 2018

FILE: B2-7 **AOP REFERENCE: 3.1.1.5**
AUTHOR: Finance Manager, Neil Mitchell

62.3.2018 **RESOLVED:** That Council receive and note the Bank Reconciliation, Cash Flow and Loan Facility Report as at 28 February 2018.
Clr Lea-Barrett/ Clr Sinclair **CARRIED**

CLAUSE 5B – MEETING MINUTES

FILE: D2-17, C8-17 **AOP REFERENCE: 3.1**
AUTHOR: Executive Assistant General Manager/ Mayor, Janette Booth

63.3.2018 **RESOLVED:** That the Minutes of the Economic Taskforce Committee Meeting be received and noted.
Clr Lea-Barrett/ Clr Sinclair **CARRIED**

CLAUSE 6B – UPDATE ON INFRASTRUCTURE PROJECT FINANCES

FILE: G4-29 **AOP REFERENCE: 4.1.4.2**
AUTHOR: Director of Engineering Services, Stephen Taylor

64.3.2018 **RESOLVED:** That Council receive and note the updated financial information for the two Restart NSW Resources for Regions infrastructure projects.
Clr Toomey/ Clr Lea-Barrett **CARRIED**

CLAUSE 7B – EXPENDITURE FOR ROADS NETWORK

FILE: R5-31

AOP REFERENCE: 4.3.2

AUTHOR: *Director of Engineering Services, Stephen Taylor*

65.3.2018 **RESOLVED:** That the information detailing the Expenditure for Council's Roads Network be received and noted.
Clr Payne/ Clr Lea-Barrett **CARRIED**

CLAUSE 8B – ENGINEERING WORKS REPORT

FILE: C6-20-2

AOP REFERENCE: 4.3.2

AUTHOR: *Director of Engineering Services, Stephen Taylor*

66.3.2018 **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 Lea-Barrett/ Clr Payne **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*

67.3.2018 **RESOLVED:** That Council receive and note the information contained within this report.
Clr Marsden/ Clr Payne **CARRIED**

CLAUSE 10B – GRANT FUNDING

FILE: G4-17

AOP REFERENCE: G4-17

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

68.3.2018 **RESOLVED:** That the information contained in the grant funding report detailing grants applied for, grants announced and grants available be received and noted.
Clr Lea-Barrett/ Clr Sinclair **CARRIED**

**CLAUSE 11B – RATES RECONCILIATION REPORT AS AT
28 FEBRUARY 2018**

FILE: R2-1

AOP REFERENCE: 3.1.1.6

AUTHOR: *Office Coordinator, Jo-Louise Brown*

**CLAUSE 2C – RESULTS OF REQUEST FOR TENDER FOR
A PROVIDER FOR LILLIANE BRADY VILLAGE**

FILE: T2-17

AOP REFERENCE: 1.5.3

**AUTHOR: *Director Finance and Community Services, Kym
Miller***

10COW.3.2018 RESOLVED:

1. That the results of the Tender Evaluation Committee be received and noted.
2. That Council is further advised as negotiations continue.
3. That the information contained within this report remain confidential within the Committee of the Whole Closed Council.

Clr Sinclair/ Clr Martin

CARRIED

**CLAUSE 6A – UPDATE ON PROVIDER FOR LILLIANE
BRADY VILLAGE**

FILE: M 6-3 /T2-17-11

AOP REFERENCE: 1.5.3

**AUTHOR: *Director Finance and Community Services, Kym
Miller***

11COW.3.2018 RESOLVED:

1. That Cobar Shire Council commits to providing Hotel Services to the new Cobar Health services through a mutually agreeable Shared Services Agreement.
2. That should Cobar Shire Council enter into any negotiations with third-parties relating to the transfer of the operation of the Lilliane Brady Village, the Cobar Shire Council does so with the best interest of the Multipurpose Health Facility in respect to the delivery of Hotel Services.
3. That should the Cobar Shire Council transfer the operation of the Lilliane Brady Village to a third party any agreement with that third party includes a requirement to provide Hotel Services to the Multipurpose Health Facility through a mutually agreeable Shared Services Agreement with the Local Health District.
4. That Cobar Shire Council seeks the NSW Government to fund and undertake the renovations of bathrooms which are currently not compliant.

Clr Sinclair/ Clr Lea-Barrett

CARRIED

**CLAUSE 3C – ACRES BILLABONG CULVERT
REPLACEMENT**

FILE: G4-30, MR1-9

AOP REFERENCE: 4.3.1.1

AUTHOR: *Director of Engineering Services, Stephen Taylor*

MOTION:

1. That the results of the Tender Evaluation Committee be received and noted.
2. That Council is further advised as negotiations continue.
3. That the information contained within this report remain confidential within the Committee of the Whole Closed Council.

Clr / Clr

WITHDRAWN

THERE BEING NO FURTHER BUSINESS THE MEETING CLOSED AT 7:42PM

CONFIRMED.....

MINUTE NO.....

DEPUTY MAYOR.....