
**MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE SHIRE
OF COBAR HELD IN THE COUNCIL CHAMBERS ON THURSDAY 25 JUNE
2015 COMMENCING AT 5:00PM**

PRESENT (FILE C13-2)

Councillors Lilliane Brady OAM (Mayor), Peter Abbott (Deputy Mayor), John Harrison, Marsha Isbester, Jarrod Marsden, Greg Martin, Peter Maxwell, Ray Wilson and Peter Yench. Messrs Gary Woodman (General Manager), Kym Miller (Director of Corporate & Community Services), Owen Johns (Acting Director of Engineering Services), Stephen Poulter (Acting Director of Planning & Environmental Services) and Mmes Angela Shepherd (Special Projects Officer) and Karen Warren (Executive Assistant to Director of Planning and Environmental Services).

APOLOGIES (C13-2)

95.06.2015 **RESOLVED:** That the apologies received from Councillor Tracey Kings, Harley Toomey and Bob Sinclair be accepted and a leave of absence granted.
Clr Martin/Clr Yench **CARRIED**

DECLARATIONS OF INTEREST (FILE C12-3)

- Clr Lilliane Brady OAM (Mayor) declared a Non-Pecuniary interest in Confirmation of the Minutes – Finance and Policy Committee Meeting - Report 2A – Dalton Park Horse Complex Licence Agreements;
 - Clr Peter Yench declared a Non-Pecuniary interest in Confirmation of the Minutes – Finance and Policy Committee Meeting - Report 2A – Dalton Park Horse Complex Licence Agreements;
 - Clr Lilliane Brady OAM (Mayor) declared a Non-Pecuniary interest in Confirmation of the Minutes – Finance and Policy Committee Meeting - Report 4A – Dalton Park Horse Complex – Expressions of Interest and New Licence Agreements;
 - Clr Jarrod Marsden declared a Pecuniary interest in Confirmation of the Minutes – Finance and Policy Committee Meeting - Report 4A – Dalton Park Horse Complex – Expressions of Interest and New Licence Agreements;
 - Mr Kym Miller declared a Pecuniary interest in Confirmation of the Minutes - Finance and Policy Committee Meeting - Report 4A – Dalton Park Horse Complex – Expressions of Interest and New Licence Agreements.
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CONDOLENCES (FILE M2-3)

- William Andrew Bartlett;
 - Cecil Howlett;
 - Edna Fay Turton.
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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 25 JUNE 2015**

CONFIRMATION OF MINUTES

TRAFFIC COMMITTEE MEETING (FILE C13-11)

96.06.2015 **RESOLVED:** That the minutes and following recommendations contained therein of the Traffic Committee Meeting held on Tuesday, 26 May 2015 be adopted by Council.
Clr Abbott/Clr Martin **CARRIED**

REPORT 1 - CONFIRMATION OF MINUTES

01TC.05.2015 **RECOMMENDATION:** *That the Minutes of the Local Traffic Committee Meeting held on 5 March 2015 be confirmed as a true and correct record of the proceedings of that Meeting.*
Ann Crossing/ Joe Sulicich **CARRIED**

MATTERS ARISING FROM THE MINUTES

Nil.

REPORT 2 – STATUS REPORT

02TC.05.2015 **RECOMMENDATION:** *That the information contained in the Status Report be received and noted and items 24 and 25 be removed from the Status Report.*
Voting Unanimous **CARRIED**

REPORT 3 – REST AREA (SMOKE AREA) – ENDEAVOR MINE

BACKGROUND: *Endeavor Mine is going ‘smoke free’ for their site and would like to establish an area or areas outside the lease where employees can pull over and have a smoke before entering the mine site.*

It has been explained to Endeavor Mine representatives that it is not something that can be simply put into place. That Roads and Maritime Services (RMS) need to be consulted particularly as Endeavor Mine are proposing a change of speed zoning and that there are parameters for sign posting that need to be considered.

I have attached the design idea submitted by Endeavor Mine and a map showing the location with regard to the mine.

03TC.05.2015 **RECOMMENDATION:** *That the committee note for information - Endeavor mine are constructing a rest area, they have asked Council to provide signs for the rest at Endeavors cost. A speed zone review will be*

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COUNCIL OF THE SHIRE OF COBAR HELD ON THURSDAY 25 JUNE 2015

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GENERAL MANAGER

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MAYOR

undertaken with the view to reduce the speed from 100km to 60km at approx. 600mtr from the mines entrance.

Ann Crossing / Joe Sulicich

CARRIED

REPORT 4 – YANDA CREEK MR421 FLOODWAY SIGHT DISTANCE

BACKGROUND: *Council has had a visit from a lady who lives on a station along MR421 Kidman Way, North of Cobar.*

She was travelling South towards Cobar approx. 30km from town near the Yanda Creek Floodway, when she was overtaken by another vehicle also travelling towards Cobar.

As the vehicle drew level with her, a dark coloured ute travelling North appeared out of the floodway and almost caused a collision.

She stated that the ute simply appeared from the ‘dip’ and was not visible prior to that. She also stated that in 50 years of travelling to Cobar from the property, that she had not realised that the dip into the floodway was steep or deep enough to conceal an oncoming vehicle.

If there is an issue with the road, it has not been identified previously, but I would appreciate someone checking the area to see if it should be barrier lined.

04TC.05.2015 **RECOMMENDATION:** *Maurice Bell and Joe Sulicich visited the site. An investigation of sight distance at the floodway was undertaken. “Intermediate Sight Distance” is available for 120km/hr, ie providing sight distance sufficient to complete OR abort an overtaking maneuver. As a result of the findings no further action is required.*

Ann Crossing / Joe Sulicich

CARRIED

CONFIRMATION OF MINUTES

ORDINARY MEETING OF COUNCIL (FILE C13-11)

97.06.2015 **RESOLVED:** That the minutes of the Ordinary Meeting of Council held on Thursday 28 May 2015 be confirmed as a true and correct record of the proceedings of that meeting.

Clr Isbester/ Clr Harrison

CARRIED

MATTERS ARISING

Clr Martin indicated that he had made an apology for the Ordinary Meeting of Council held 28 May 2015.

CONFIRMATION OF MINUTES

THIS IS PAGE 3 OF THE MINUTES OF THE ORDINARY MEETING OF THE
COUNCIL OF THE SHIRE OF COBAR HELD ON THURSDAY 25 JUNE 2015

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GENERAL MANAGER

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MAYOR

FINANCE AND POLICY COMMITTEE MEETING (FILE C6-19)

98.06.2015 RESOLVED: That the minutes, and the following recommendations contained therein, of the Finance and Policy Committee Meeting held on Thursday 11 June 2015 be adopted by Council except the recommendations concerning Reports 2A and 4A which will be considered separately.
Clr Martin/Clr Maxwell **CARRIED**

APOLOGIES (C16-15-6)

32FP.06.2015 RECOMMENDATION: *That the apology received from Councillor Marsha Isbester be accepted and a leave of absence granted.*
Clr Wilson/ Clr Yench **CARRIED**

DECLARATIONS OF INTEREST (FILE C6-15-7)

- *Clr Lilliane Brady OAM (Mayor) declared a Non-Pecuniary interest in Report 2A – Dalton Park Horse Complex Licence Agreements;*
 - *Clr Tracey Kings declared a Non-Pecuniary interest in Report 2A – Dalton Park Horse Complex Licence Agreements;*
 - *Clr Harley Toomey declared a Non-Pecuniary interest in Report 2A – Dalton Park Horse Complex Licence Agreements;*
 - *Clr Peter Yench declared a Non-Pecuniary interest in Report 2A – Dalton Park Horse Complex Licence Agreements;*
 - *Ms Janette Booth declared a Non-Pecuniary interest in Report 2A – Dalton Park Horse Complex Licence Agreements;*
 - *Clr Lilliane Brady OAM (Mayor) declared a Non-Pecuniary interest in Report 4A – Dalton Park Horse Complex – Expressions of Interest and New Licence Agreements;*
 - *Clr Tracey Kings declared a Non-Pecuniary interest in Report 4A – Dalton Park Horse Complex – Expressions of Interest and New Licence Agreements;*
 - *Clr Jarrod Marsden declared a Pecuniary interest in Report 4A – Dalton Park Horse Complex – Expressions of Interest and New Licence Agreements;*
 - *Mr Kym Miller declared a Pecuniary interest in Report 4A – Dalton Park Horse Complex – Expressions of Interest and New Licence Agreements;*
 - *Ms Janette Booth declared a Non-Pecuniary interest in Report 4A – Dalton Park Horse Complex – Expressions of Interest and New Licence Agreements.*
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REPORT 1A – BATHURST STREET RESERVE LICENCE AGREEMENT

FILE: P1-2-2

AOP REFERENCE: 3.3.4.2

AUTHOR: Land Management Officer, Heather Holder

33FP.06.2015 RECOMMENDATION:

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COUNCIL OF THE SHIRE OF COBAR HELD ON THURSDAY 25 JUNE 2015

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GENERAL MANAGER

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MAYOR

-
1. That Council acting as Trust Manager for the Bathurst Street Reserve Trust, resolve to issue a 12 month temporary licence agreement for the Cobar Tennis Club to cover the period 1 July 2015 to 30 June 2016.
 2. That Council acting as Trust Manager for the Bathurst Street Reserve Trust, resolve to affix the Trusts seal to the 12 month temporary licence agreement for the Cobar Tennis Club to cover the period 1 July 2015 to 30 June 2016.

Clr Sinclair/ Clr Maxwell

CARRIED

REPORT 2A – DALTON PARK HORSE COMPLEX LICENCE AGREEMENTS

FILE: P1-4-3

AOP REFERENCE: 3.3.4.2

AUTHOR: Land Management Officer, Heather Holder

34FP.06.2015 RECOMMENDATION:

1. ~~That Council acting as Trust Manager for the Dalton Park Racecourse (R630019) Reserve Trust, resolve to issue 12 month temporary licence agreements for the following organisations and individuals to cover the period 1 July 2015 to 30 June 2016:~~

- ~~• Mr & Mrs S & C Griffiths;~~
- ~~• Ms Sharon Whitehurst;~~
- ~~• Cobar Pony Club;~~
- ~~• Cobar Miners Race Club.~~

2. ~~That Council acting as Trust Manager for the Dalton Park Racecourse (R630019) Reserve Trust, resolve to affix the Trusts seal to the 12 month temporary licence agreements for the following organisations and individuals to cover the period 1 July 2015 to 30 June 2016:~~

- ~~• Mr S & C Griffiths;~~
- ~~• Ms Sharon Whitehurst;~~
- ~~• Cobar Pony Club;~~
- ~~• Cobar Miners Race Club.~~

Clr Marsden/ Clr Sinclair

CARRIED

Councillor Lilliane Brady OAM (Mayor), Tracey Kings, Harley Toomey, Peter Yench and Ms Janette Booth declared a non-pecuniary interest and left the meeting at 5:06pm and returned to the Meeting at 5:07pm.

Clr Peter Abbott took the Chair due to the absence of Mayor Lilliane Brady OAM.

REPORT 3A – COMMUNITY SERVICES COST REDUCTION

FILE: G1-2

AOP REFERENCE: 4.2.1.2

AUTHOR: Director Corporate and Community Services, Kym Miller

THIS IS PAGE 5 OF THE MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE SHIRE OF COBAR HELD ON THURSDAY 25 JUNE 2015

35FP.06.2015 RECOMMENDATION: *That the report on Community Services Cost Reductions be discussed.*
Clr Yench/ Clr Harrison **CARRIED**

36FP.06.2015 RECOMMENDATION: *That the report investigating potential community services cost reductions be received and noted for no further action.*
Clr Yench/ Clr Harrison **CARRIED**

REPORT 4A – DALTON PARK HORSE COMPLEX – EXPRESSIONS OF INTEREST AND NEW LICENCE AGREEMENT/S

FILE: P1-4-3 **AOP REFERENCE: 3.3.4.2**

AUTHOR: Land Management Officer, Heather Holder

MOTION:

- ~~1. That Council acting as Trust Manager for the Dalton Park Racecourse (R630019) Reserve Trust, resolve to issue a 12 month temporary licence agreement to Mr Wayne Prisk to allow for the stabling and training of racehorses and associated activities to cover the period 1 July 2015 to 30 June 2016.~~
- ~~2. That Council acting as Trust Manager for the Dalton Park Racecourse (R630019) Reserve Trust, resolve to require Mr Prisk to reinstate the stallion exclusion area at a distance of 10m or other such appropriate distance as negotiated between Council, Ms Whitehurst and Mr Prisk. The fence to be reinstated at Mr Prisk's cost and to a standard equal to or better than the new perimeter fence.~~
- ~~3. That Council acting as Trust Manager for the Dalton Park Racecourse (R630019) Reserve Trust, resolve to advise Mr Prisk that as part of his licence he can utilise the racetrack, however decisions about the management of the racetrack, including maintenance are the responsibility of the Cobar Miners Race Club. This is to be listed as a condition on the licence agreement.~~
- ~~4. That Council acting as Trust Manager for the Dalton Park Racecourse (R630019) Reserve Trust, resolve to advise Mr Prisk that he has three (3) months to discontinue the use of the Council pound yards. If Mr & Mrs Wheeler, Ms Wheeler and Mr Turton have not vacated the premises after three (3) months, and Mr Prisk still requires the use of the Council pound yards, a further three (3) months may be granted. No further extension of time will be granted.~~
- ~~5. That Council acting as Trust Manager for the Dalton Park Racecourse (R630019) Reserve Trust, resolve to advise Mr & Mrs Wheeler, Ms Wheeler and Mr Turton that they have three (3) months to remove their belongings and horses from the area. If after three (3) months their belongings and horses have not been removed from the area but~~

~~sufficient effort has been made to complete this, a further three (3) months may be granted. No further extension of time will be granted.~~

~~6. That Council acting as Trust Manager for the Dalton Park Racecourse (R630019) Reserve Trust, resolve to affix the Trusts seal to the 12 month temporary licence agreement for Mr Wayne Prisk to cover the period 1 July 2015 to 30 June 2016.~~

~~7. That Council seek grant funding for additional horse stable facilities at the Dalton Park Horse Complex~~

~~Clr Maxwell/ Clr Sinclair~~

AMENDMENT:

~~1. That a Council subcommittee be formed consisting of the Deputy Mayor, General Manager and Acting Director of Planning and Environmental Services and Services Manager to hold negotiation meetings with the three Expression of Interest applicants to determine if a compromise agreement can be reached for the use of the facilities under the Dalton Park Horse Complex Expression of Interest for 12 months.~~

~~2. That Council seek grant funding for additional horse stable facilities at the Dalton Park Horse Complex.~~

~~Clr Yench/ Clr Toomey~~

~~LOST~~

~~The amendment was put and was lost and then the motion was put and was carried.~~

37FP.06.2015 RECOMMENDATION:

~~1. That Council acting as Trust Manager for the Dalton Park Racecourse (R630019) Reserve Trust, resolve to issue a 12 month temporary licence agreement to Mr Wayne Prisk to allow for the stabling and training of racehorses and associated activities to cover the period 1 July 2015 to 30 June 2016.~~

~~2. That Council acting as Trust Manager for the Dalton Park Racecourse (R630019) Reserve Trust, resolve to require Mr Prisk to reinstate the stallion exclusion area at a distance of 10m or other such appropriate distance as negotiated between Council, Ms Whitehurst and Mr Prisk. The fence to be reinstated at Mr Prisk's cost and to a standard equal to or better than the new perimeter fence.~~

~~3. That Council acting as Trust Manager for the Dalton Park Racecourse (R630019) Reserve Trust, resolve to advise Mr Prisk that as part of his licence he can utilise the racetrack, however decisions about the management of the racetrack, including maintenance are the responsibility of the Cobar Miners Race Club. This is to be listed as a condition on the licence agreement.~~

~~4. That Council acting as Trust Manager for the Dalton Park Racecourse (R630019) Reserve Trust, resolve to advise Mr Prisk that he has three (3) months to discontinue the use of the Council pound yards. If Mr & Mrs Wheeler, Ms Wheeler and Mr Turton have not vacated the premises after three (3) months, and Mr Prisk still requires the use of the Council pound yards, a further three (3) months may be granted. No further extension of time will be granted.~~

~~5. That Council acting as Trust Manager for the Dalton Park Racecourse (R630019) Reserve Trust, resolve to advise Mr & Mrs Wheeler, Ms Wheeler and Mr Turton that they have three (3) months to remove their belongings and horses from the area. If after three (3) months their belongings and horses have not been removed from the area but sufficient effort has been made to complete this, a further three (3) months may be granted. No further extension of time will be granted.~~

~~6. That Council acting as Trust Manager for the Dalton Park Racecourse (R630019) Reserve Trust, resolve to affix the Trusts seal to the 12 month temporary licence agreement for Mr Wayne Prisk to cover the period 1 July 2015 to 30 June 2016.~~

~~7. That Council seek grant funding for additional horse stable facilities at the Dalton Park Horse Complex~~

~~Clr Maxwell/ Clr Sinclair~~ **CARRIED**

~~Councillor Lilliane Brady OAM (Mayor), Tracey Kings, and Ms Janette Booth declared a non-pecuniary interest and Jarrod Marsden and Mr Kym Miller declared a pecuniary interest and left the meeting at 5:27pm and returned to the Meeting at 5:51pm.~~

~~Councillor Peter Abbott took the Chair due to the absence of Mayor Lilliane Brady OAM.~~

~~Councillor Peter Yench asked to have his name recorded as voting against the motion.~~

REPORT 1B – BANK RECONCILIATION, CASH FLOW & LOAN FACILITY SUMMARIES AS AT 31 MAY 2015

FILE: B2-7

AOP REFERENCE: 3.1.1.5

AUTHOR: Manager Finance & Administration, Neil Mitchell

38FP.06.2015 RECOMMENDATION: That Council receive and note the Bank Reconciliation, Cash Flow and Loan Facility Report as at 31 May 2015.

Clr Abbott/ Clr Sinclair

CARRIED

REPORT 2B – RATES RECONCILIATION REPORT AS AT 31 MAY 2015

FILE: R2-1

AOP REFERENCE: 3.1.1.6

AUTHOR: Rates Officer, Jo-Louise Brown

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39FP.06.2015 RECOMMENDATION: *That the Rates Reconciliation Report as at the 31 May 2015 be received and noted.*
Clr Abbott/ Clr Toomey **CARRIED**

REPORT 3B – GRANT FUNDING

FILE: *G4-17*

AOP REFERENCE: *3.1.1.4*

AUTHOR: *Special Projects Officer, Angela Shepherd*

40FP.06.2015 RECOMMENDATION: *That the information contained in the grant funding report detailing grants applied for, grants announced and grants available be received and noted.*
Clr Toomey/ Clr Abbott **CARRIED**

Councillor Lilliane Brady OAM (Mayor) and Peter Yench declared a non-pecuniary interest in Report 2A contained within the Finance and Policy Committee Meeting Minutes of 11 June 2015 and left the Meeting at 5:11pm.

Deputy Mayor Clr Peter Abbott took the Chair due to the absence of Mayor Lilliane Brady OAM.

REPORT 2A – DALTON PARK HORSE COMPLEX LICENCE AGREEMENTS

FILE: *P1-4-3*

AOP REFERENCE: *3.3.4.2*

AUTHOR: *Land Management Officer, Heather Holder*

99.06.2015 RESOLVED: That Council adopts the following recommendation from Report 2A – Dalton Park Horse Complex License Agreements from the Minutes of the Finance and Policy Committee Meeting of 11 June 2015:
Clr Marsden/Clr Maxwell **CARRIED**

34FP.06.2015 RECOMMENDATION:

1. That Council acting as Trust Manager for the Dalton Park Racecourse (R630019) Reserve Trust, resolve to issue 12 month temporary licence agreements for the following organisations and individuals to cover the period 1 July 2015 to 30 June 2016:
 - Mr & Mrs S & C Griffiths;
 - Ms Sharon Whitehurst;
 - Cobar Pony Club;
 - Cobar Miners Race Club.
2. That Council acting as Trust Manager for the Dalton Park Racecourse (R630019) Reserve Trust, resolve to affix the Trusts seal to the 12 month

temporary licence agreements for the following organisations and individuals to cover the period 1 July 2015 to 30 June 2016:

- Mr S & C Griffiths;
- Ms Sharon Whitehurst;
- Cobar Pony Club;
- Cobar Miners Race Club.

Clr Marsden/ Clr Sinclair

CARRIED

Councillor Yench returned to the meeting at 5:17 pm.

Councillor Lilliane Brady OAM (Mayor) also declared a non-pecuniary interest and had left the Meeting at 5:11pm and Councillor Jarrod Marsden and Mr Kym Miller declared a Pecuniary Interest in Report 4A contained within the Finance and Policy Committee Meeting Minutes of 11 June 2015 and left the meeting at 5:18pm.

REPORT 4A – DALTON PARK HORSE COMPLEX – EXPRESSIONS OF INTEREST AND NEW LICENCE AGREEMENT/S

FILE: P1-4-3

AOP REFERENCE: 3.3.4.2

AUTHOR: *Land Management Officer, Heather Holder*

MOTION: That Council resolves as follows in regard to Report 4A – Dalton Park Horse Complex – Expressions of Interest and New Licence Agreement/s from the Minutes of the Finance and Policy Committee Meeting of 11 June 2015:

Clr Isbester/ Clr Harrison

1. That Council acting as Trust Manager for the Dalton Park Racecourse (R630019) Reserve Trust, resolve to issue a 12 month temporary licence agreement for the stabling building comprising 8 stables and the surrounding area as defined on the attached map to Mr Wayne Prisk to allow for the stabling and training of racehorses and associated activities to cover the period 1 July 2015 to 30 June 2016.
2. That Council acting as Trust Manager for the Dalton Park Racecourse (R630019) Reserve Trust, resolve to require Mr Prisk to reinstate the stallion exclusion area at a distance of 10m or other such appropriate distance as negotiated between Council, Ms Whitehurst and Mr Prisk. The fence to be reinstated at Mr Prisk's cost and to a standard equal to or better than the new perimeter fence.
3. That Council acting as Trust Manager for the Dalton Park Racecourse (R630019) Reserve Trust, resolve to offer a 12 month temporary licence agreement for the sharing of the stable building comprising 6 stables and the surrounding area as defined on the attached map to Mr & Mrs Wheeler, Ms Wheeler and Mr Turton for the stabling and training of horses for the period of 1 July 2015 to 30 June 2016.

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4. That Council acting as Trust Manager for the Dalton Park Racecourse (R630019) Reserve Trust, resolve to offer a 12 month temporary licence agreement for the sharing of the stable building comprising 6 stables and the surrounding area as defined on the attached map to Mr and Mrs Miller for the stabling and training of racehorses for the period of 1 July 2015 to 30 June 2016.
 5. That Council acting as Trust Manager for the Dalton Park Racecourse (R630019) Reserve Trust, resolve to advise Mr & Mrs Wheeler, Ms Wheeler and Mr Turton and Mr and Mrs Miller that the fence to be erected between the two stable buildings is to be undertaken at their cost and to a standard equal to or better than the new perimeter fence.
 6. That Council acting as Trust Manager for the Dalton Park Racecourse (R630019) Reserve Trust, resolve to advise Mr Prisk, Mr & Mrs Wheeler, Ms Wheeler and Mr Turton and Mr & Mrs Miller that as part of their licence they can utilise the racetrack, however decisions about the management of the racetrack, including maintenance are the responsibility of the Cobar Miners Race Club. This is to be listed as a condition on the licence agreements.
 7. That Council acting as Trust Manager for the Dalton Park Racecourse (R630019) Reserve Trust, resolve to advise Mr Prisk that he has three (3) months to discontinue the use of the Council pound yards. If after three (3) months Mr Prisk still requires the use of the Council pound yards a further three (3) months may be granted.
 8. That Council acting as Trust Manager for the Dalton Park Racecourse (R630019) Reserve Trust, resolve to place a condition on the licence agreements that allows all parties three (3) months to undertake the necessary fencing, movement of stock and belongings.
 9. That Council acting as Trust Manager for the Dalton Park Racecourse (R630019) Reserve Trust, resolve to install an additional water meter to allow for separate water bills for each of the stable buildings. The installation is to be at the cost to the licensee of the stable building for which it is required to be installed.
 10. That Council acting as Trust Manager for the Dalton Park Racecourse (R630019) Reserve Trust, resolve to affix the Trusts seal to the 12 month temporary licence agreements for Mr Prisk, Mr & Mrs Wheeler, Ms Wheeler and Mr Turton and Mr & Mrs Miller to cover the period 1 July 2015 to 30 June 2016

AMENDMENT: The matter be adjourned to the next Committee Meeting and arrangements be made for a Council inspection of the facility be obtained in the expressions of interest be invited to present to the July 2015 Finance & Policy Committee Meeting.

Clr Martin/ Clr Maxwell

The amendment was carried and became the motion.

100.06.2015 RESOLVED: The matter be adjourned to the next Committee Meeting and arrangements be made for a Council inspection of the facility and persons who provided expressions of interest be invited to present to the July 2015 Finance and Policy Committee Meeting.

Clr Martin/ Clr Maxwell

CARRIED

Councillor Brady OAM returned to the meeting at 5:26pm.

MATTERS ARISING

Clr Martin indicated that he had made an apology for the Finance and Policy Committee Meeting held 11 June 2015.

Clr Ray Wilson left the meeting at 5:30pm and did not return.

CONFIRMATION OF MINUTES

WORKS COMMITTEE MEETING (FILE C6-20)

101.06.2015 RESOLVED: That the minutes, and the following recommendations contained therein, of the Works Committee Meeting held on Thursday 11 June 2015 be adopted by Council.

Clr Martin /Clr Abbott

CARRIED

APOLOGIES (C13-2)

16WC.06.2015 RESOLVED: *That the apology received from Councillor Marsha Isbester be accepted and a leave of absence granted.*

Clr Yench/ Clr Marsden

CARRIED

DECLARATIONS OF INTEREST (FILE C6-15-7)

Nil.

REPORT 1A – QUOTATION FOR THE SUPPLY OF PLANT AND EQUIPMENT HIRE RATES 2015/2018

FILE: P3-19-4

AOP REFERENCE: 3.3.4

AUTHOR: *Executive Assistant Engineering Services, Sandra Finnegan*

17WC.06.2015 RECOMMENDATION: *That the following Contractors be included in the Council's Register of approved Contractors for the Supply of Plant and Equipment 2015/2018:*

<i>Company</i>
<i>Bruces Contracting Services</i>

Clr Marsden/ Clr Abbott

CARRIED

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GENERAL MANAGER

.....
MAYOR

REPORT 2A – QUOTATION FOR THE SUPPLY OF TRADE AND MISCELLANEOUS SERVICES 2015/2018

FILE: T3-15-5

AOP REFERENCE: 3.3.4

AUTHOR: Executive Assistant Engineering Services, Sandra Finnegan

18WC.06.2015 RECOMMENDATION: *That the following Contractors be included in the Council's Register of approved Contractors for the Provision of Trades and Miscellaneous Services 2015/2018:*

Company
<i>Samuel Baker Electrical Solutions P/L</i>
<i>CB Tyres P/L</i>
<i>Lake Machinery Service and Repairs P/L</i>
<i>Look No Further</i>
<i>Bruces Contracting Services</i>

Clr Sinclair/ Clr Marsden

CARRIED

REPORT 3A – ROAD CAPITAL AND MAINTENANCE WORKS PROGRAM 2015/2016

FILE: R5-15, R5-16

AOP REFERENCE: 4.3.1

AUTHOR: Acting Director of Engineering Services, Owen Johns

19WC.06.2015 RECOMMENDATION:

That the following Capital Roads Program be adopted for 2015/2016 subject to final budget confirmation:

Regional Roads

Regional Roads – Operational - Maintenance **\$1,246,800**

Regional Roads - Repair Program MR 416 - Wool Track **\$800,000**

Shire Roads –Operational - Maintenance **\$1,261,807**

Shire Road Gravel Resheeting
SR 12 - Yathong Road **\$100,000**

Shire Roads Resealing
SR13A - Lerida Rd **\$100,000**

Roads to Recovery Capital works
Reseal SR13A - Lerida Rd **\$163,484**

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GENERAL MANAGER

.....
MAYOR

<i>Reseal SR10 - Belarabon Rd</i>	<i>\$35,000</i>
<i>SR1B - Budda Rd - Joe's Crossing - replace armco pipe stabilise and seal crossing</i>	<i>\$150,000</i>
<i>SR4 - Gidgee Road - Stabilise Sandy Creek Crossing and rip, rap and seal 150m</i>	<i>\$150,000</i>
<i>SR7 - Mount Gap Rd – Gravel resheeting</i>	<i>\$150,000</i>
<i>SR20 - Grain Rd – Gravel resheeting</i>	<i>\$150,000</i>
<i>SR23-Booberoi Rd – Gravel resheeting</i>	<i>\$150,000</i>
<i>SR24-Mount Grace Rd – Gravel resheeting</i>	<i>\$200,000</i>
<i>SR25-Wilgaroon Rd - Yanda Creek – Stabilise crossing and seal 150m</i>	<i>\$125,000</i>
<i>SR26 - Wilga Downs Rd - Seal 1.5 km</i>	<i>\$250,000</i>

Special Rate Variation Capital Works

Shire Roads Graveling

<i>SR1A- Buckanbe Rd-stabilise creek crossing, repair headwalls and subsidence</i>	<i>\$75,000</i>
<i>SR 3 – Nelyambo Bridge Rd - gravel resheeting</i>	<i>\$75,000</i>
<i>SR12 - Yathong Rd-gravel resheeting</i>	<i>\$50,000</i>
<i>Reseal Urban Streets</i>	<i>\$125,000</i>
<i>Reseal Rural Roads</i>	<i>\$51,000</i>

Clr Abbott/ Clr Harrison

CARRIED

REPORT 1B – ENGINEERING WORKS REPORT

FILE: C6-20-2

AOP REFERENCE: 4.3.2

AUTHOR: Acting Director of Engineering Services, Owen Johns

20WC.06.2015 **RECOMMENDATION:** *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 Harrison/ Clr Kings

CARRIED

REPORT 2B – EXPENDITURE FOR ROADS NETWORK

FILE: R5-31

AOP REFERENCE: 4.3.2

AUTHOR: Acting Director of Engineering Services, Owen Johns

21WC.06.2015 **RECOMMENDATION:** *That the information detailing the Expenditure for Council's Roads Network be received and noted.*

Clr Marsden/ Clr Abbott

CARRIED

REPORT 3B – 2013/2014 WOOL TRACK GRADING REPORT

FILE: R5-16

AOP REFERENCE: 4.3.1

AUTHOR: Acting Director of Engineering Services, Owen Johns

22WC.06.2015 **RECOMMENDATION:** That the information received in the Wooltrack report be received and noted.
Clr Sinclair/ Clr Maxwell **CARRIED**

MATTERS ARISING

Clr Martin indicated that he had made an apology for the Works Committee Meeting held 11 June 2015.

CLAUSE 1A – MAYORAL REPORT

FILE: C13-1-5

AOP REFERENCE: 3.1

AUTHOR: Mayor, Councillor Lilliane Brady OAM

102.06.2015 **RESOLVED:** That Council accepts the information contained in the Mayoral Report for the month of June 2015.
Clr Isbester/Clr Yench **CARRIED**

CLAUSE 2A – GENERAL MANAGER’S ANNUAL PERFORMANCE APPRAISAL – PRESENTATION TO COUNCIL AND FEEDBACK TO APPRAISAL REVIEW COMMITTEE

FILE: C6-11, PERSONAL

AOP REFERENCE: 3.1

AUTHOR: General Manager, Gary Woodman

103.06.2015 **RESOLVED:** That the 2014/2015 General Manager’s Annual Performance Appraisal/Review presentation to Council and feedback session to the Appraisal/Review Committee be considered in the Committee of the Whole Closed Council with the press and the public except the Appraisal/ Review Facilitation from Local Government NSW be excluded in accordance with Section 10A (2) (a) of the Local Government Act 1993 as the matter and information relates to personnel matters concerning particular individuals (not Councillors).
Clr Marsden /Clr Martin **CARRIED**

CLAUSE 3A – PROVISION FOR DOUBTFUL DEBTS & WRITE-OFF OF DEBTS

FILE: R2-3

AOP REFERENCE: 3.1.1.2

AUTHOR: Manager Finance & Administration, Neil Mitchell

104.06.2015 **RESOLVED:**

-
1. That Council write off the unrecoverable debt in the sum of \$63,973.47 for the NSW Public Works debt;
 2. That Council makes a provision for doubtful debts for the mining lease held by CCR Bundoon Pty Ltd for \$105,608.86;
 3. That Council notes the information concerning the Brindabella Airlines Liquidators purported 'Relation Back Period' refund request.

Clr Maxwell/Clr Isbester

CARRIED

CLAUSE 4A – 2015/2016 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 and Special Projects Officer, Angela Shepherd*

105.06.2015

RESOLVED:

1. That Council adopt the 2015/2016 Operational Plan and Budget as exhibited.
2. That Council adopt the 2015/2016 Capital Expenditure Budget as exhibited.
3. That Council adopt the 2015/2016 Schedule of Fees and Charges as exhibited with the amendments to general admission charges at the swimming pool of Adults \$4.00 and Children \$2.00 per visit and the inclusion of the additional Children's Services fees.
4. That Council adopt the Long Term Financial Plan as exhibited.
5. That Council carry forward its plan to borrow up to \$265,000 to acquire currently licensed land at the Caravan Park site noting that if the matter proceeds a further report is to be received by Council for consideration.

Clr Abbot/Clr Isbester

CARRIED

Clr Marsden requested his name be recorded as voting against the motion.

CLAUSE 5A – 2015/2016 MAKING OF RATES AND ANNUAL CHARGES REPORT

FILE: L5-22

AOP REFERENCE: 3.1.1.1

AUTHOR: *Rates Officer, Jo-Louise Brown*

106.06.2015

RESOLVED:

THIS IS PAGE 16 OF THE MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE SHIRE OF COBAR HELD ON THURSDAY 25 JUNE 2015

.....
GENERAL MANAGER

.....
MAYOR

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1. That the Cobar Residential rate of 2.30 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 \$485.00 for each assessment of land for financial year 2015/2016.
 2. That the Business Ordinary Rate of 2.02 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 \$515.00 for each assessment of land for the financial year 2015/2016.
 3. That the Cobar Business CBD Rate of 3.54 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 \$515.00 for each assessment of land for the financial year 2015/2016.
 4. That the Cobar Farmland Rate of 0.383 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 \$302.00 for each assessment of land for the financial year 2015/2016.
 5. That the Village Residential Rate of 13.90 cents 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 2015/2016.
 6. That the Village Business Rate of 5.80 cents in the dollar on all rateable Village Business Land in pursuance of Section 529 (2) (d) Local Government Act 1993, be now made along with a base rate of \$151.00 for each assessment of land for the financial year 2015/2016.
 7. That the Rural Residential Rate of 2.00 cents in the dollar on all rateable Rural Residential Land in pursuance of Section 529 (2) (b) Local Government Act 1993, be now made along with a minimum rate of \$485.00 for each assessment of land for the financial year 2015/2016.
 8. That the Mining - Gold Rate of 5.78 cents in the dollar on all rateable Mining - Gold Land in pursuance of Section 517 and 529 (2) (c) Local Government Act 1993, be now made along with a minimum rate of \$615.00 for each assessment of land for the financial year 2015/2016.
 9. That the Mining - Other Rate of 5.17 cents in the dollar on all rateable Mining - Other Land in pursuance of Section 517 and 529 (2) (c) Local Government Act 1993, be now made along with a minimum rate of \$615.00 for each assessment of land for the financial year 2015/2016.
 10. That the Domestic Waste Management Charge of \$215.00 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 \$100.00 for each assessment also a charge of \$13.00 per service per single additional bin be made for the financial year 2015/2016.

**THIS IS PAGE 17 OF THE MINUTES OF THE ORDINARY MEETING OF THE
COUNCIL OF THE SHIRE OF COBAR HELD ON THURSDAY 25 JUNE 2015**

.....
GENERAL MANAGER

.....
MAYOR

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11. That the annual charge for waste management services which will apply to allow rateable assessments in the Cobar Shire during 2015/2016 of \$100.00 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 \$330.00 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 \$100.00 for each additional closet (including urinals) in excess of 3 connections and a zero water discharge charge for the financial year 2015/2016.
 13. That a minimum Cobar Sewerage Non- residential Charge of \$540.00 on all lands rateable to the Cobar Sewerage Commercial Area in pursuance to Section 539 (1) of the Local Government Act 1993, and Liquid Trade Waste Charges as per the Fees and Charges for the financial year 2015/2016.
 14. That a Cobar Water Supply Access Charge of \$240.00 on all connected Filtered Water Residential lands rateable to the Cobar Water Supply Area in pursuance to Section 539(1) of the Local Government Act 1993, and that connected Unfiltered Water be \$155.00, be now made along with the following: Unconnected \$240.00 and for the following connections: 32mm \$440.00, 40mm \$770.00, 50mm \$1,210.00, 80mm \$2,410.00, and 100mm \$2,970.00 in pursuance of the Local Government Act 1993, along with a Water Charge of 1kl up to 450kl, \$2.10 per kl, 451kl up to 550kl, \$3.10 per kl and above 550kl, \$4.00 per kl and Connected Raw Water at \$1.60 per kl be made for the financial year 2015/ 2016.
 15. That a Cobar Water Supply Access Charge of \$350.00 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 \$350.00 and for the following connections: 32mm \$440.00, 40mm \$770.00, 50mm \$1,210.00, 80mm \$2,410.00, and 100mm \$2,970.00 in pursuance of the Local Government Act 1993, along with a Water Charge of 1kl up to 450kl, \$2.10 per kl, 451kl up to 550kl, \$3.10 per kl and a above 551kl, \$4.00 per kl be made for the financial year 2015/ 2016.
 16. That a Nymagee Water Supply Access Charge of \$585.00 be applied to all 20mm connected properties in the Nymagee Water Supply Area and that all properties over 20mm connections be charged at \$1,080.00 per connection and that all unconnected properties be charged at \$290.00 for each vacant land for the financial year 2015/2016 in pursuance of Section 539 (1) Local Government Act 1993.
 17. That a Euabalong and Euabalong West Water Supply Access Charge of \$585.00 be applied to all 20mm connected properties in the Euabalong and

Euabalong West Water Supply Area and that all properties over 20mm connections be charged at \$1,080.00 per connection and that all unconnected properties be charged at \$290.00 for each rateable land for the financial year 2015/2016 in pursuance of Section 539 (1) Local Government Act 1993.

18. That a Mount Hope Water Supply Access Charge of \$680.00 be applied to all 20mm connected properties in the Mount Hope Water Supply Area and that all properties over 20mm connections be charged at \$1,080.00 for each rateable land for the financial year 2015/2016 in pursuance of Section 539 (1) Local Government Act 1993.

19. That the interest rate for unpaid rates and charges be made at 8.5%, as advised by the Minister of Local Government, for the financial year 2015/2016.

20. That the interest rate for overdue water usage charges be made at 8.5%, for the financial year 2015/2016.

Clr Maxwell/Clr Marsden

CARRIED

CLAUSE 6A – AUSTRALIAN INSTITUTE OF BUILDING SURVEYORS ANNUAL STATE CONFERENCE

FILE: S1-5-1

AOP REFERENCE: 3.3.2

AUTHOR: *Acting Director Planning and Environmental Services, Stephen Poulter*

107.06.2015 RESOLVED: That approval is given to Council's Acting Director Planning and Environmental Services to attend the 2015 Australian Institute of Building Surveyors Annual State Conference in Sydney on 10 and 11 August 2015.

Clr Martin/ Clr Maxwell

CARRIED

CLAUSE 7A – COBAR SHIRE COUNCIL ASBESTOS POLICY

FILE: B7-6

AOP REFERENCE: 3.1.4.3

AUTHOR: *Acting Director Planning and Environmental Services, Stephen Poulter*

108.06.2015 RESOLVED: That Council resolve to adopt the Cobar Shire Council Asbestos Policy.

Clr Isbester/ Clr Maxwell

CARRIED

CLAUSE 8A – AUSTRALIAN INSTITUTE OF LOCAL GOVERNMENT RANGERS CONFERENCE

FILE: S1-5-8

AOP REFERENCE: 3.3.2

AUTHOR: *Acting Director Planning and Environmental Services, Stephen Poulter*

THIS IS PAGE 19 OF THE MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE SHIRE OF COBAR HELD ON THURSDAY 25 JUNE 2015

109.06.2015 RESOLVED: That approval is given to Council's Ranger to attend the 2015 Australian Institute of Local Government Rangers Conference in Sydney from 28 to 30 July 2015.
Clr Abbott/ Clr Isbester **CARRIED**

CLAUSE 9A – QUOTATION FOR THE SUPPLY OF PLANT AND EQUIPMENT HIRE RATES 2015/2018

FILE: P3-19-4

AOP REFERENCE: 3.3.4

AUTHOR: *Executive Assistant Engineering Services, Sandra Finnegan*

110.06.2015 RESOLVED: That the following Contractors be included in the Council's Register of approved Contractors for the Supply of Plant and Equipment 2015/2018:

Company
THE Mining Pty Ltd
Sparra's Grader Hire
Murtee Pastoral Pty Ltd
Mackays Bobcat and Tipper Hire
Benzmax Pty Ltd

Clr Marsden /Clr Isbester

CARRIED

CLAUSE 10A – TENDER FOR THE SUPPLY OF BACKHOE

FILE: P3-13-3

AOP REFERNECE: 3.3.4

AUTHOR: *Engineering Support Manager, Anil De Silva*

111.06.2015 RESOLVED: 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 would prejudice the commercial position of the person who supplied it.

Clr Marsden /Clr Martin

CARRIED

CLAUSE 1B – DEVELOPMENT APPROVALS FROM 19 MAY 2015 – 15 JUNE 2015

FILE: T5-1

AOP REFERENCE: 1.6.3.1

AUTHOR: *Acting Director of Planning & Environmental Services, Stephen Poulter*

112.06.2015 RESOLVED: That the information detailing the Local Development and Construction Certificate approvals for the period 19 May 2015 - 15 June 2015 be received and noted.

Clr Yench/Clr Abbott

CARRIED

THIS IS PAGE 20 OF THE MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE SHIRE OF COBAR HELD ON THURSDAY 25 JUNE 2015

CLAUSE 2B – MONTHLY STATUS REPORT

FILE: C13-10

AOP REFERENCE: 3.1

AUTHOR: *General Manager, Gary Woodman*

- 113.06.2015 RESOLVED:** That the information contained in the monthly status report be received and noted and that items 606 Part 4, 633, 634, 679, 694, 706, 707, 708, 709, 710, 711 Part 1, 712, 713 Part 1, 714, 715, 716, 717, 718, 719, 720, 721, 722 and 724 be removed.
Clr Martin/Clr Yench **CARRIED**
-

CLAUSE 3B – INVESTMENT REPORT AS AT 31 MAY 2015

FILE: B2-7

AOP REFERENCE: 3.1.1.7

AUTHOR: *Manager Finance & Administration, Neil Mitchell*

- 114.06.2015 RESOLVED:** That Council receives and note the Investment Report as at 31 May 2015.
Clr Maxwell/Clr Abbott **CARRIED**
-

CLAUSE 4B – MEETING MINUTES

FILE: L5-4-4, C8-17, WB1-22

AOP REFERENCE: 3.1

AUTHOR: *General Manager, Gary Woodman*

- 115.06.2015 RESOLVED:** That the minutes of the meetings of the Western Division Councils of NSW, Cobar Liquor Accord and Cobar Water Board Committees be received and noted.
Clr Isbester/Clr Abbott **CARRIED**
-

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

- 116.06.2015 RESOLVED:** That Council move into the Committee of the Whole with the press and public excluded at 6:15pm as matters to be discussed are considered to be confidential vide Section 10A (2) (a) and (d)(i) of the Local Government Act 1993 as the matters and information relates to personnel matters concerning particular individuals (not Councillors) and contains commercial information of a confidential nature that would if disclosed would prejudice the commercial position of the person who supplied it.
Clr Martin/Clr Marsden **CARRIED**

Council resumed in Open Council at 7:55pm.

RECOMMENDATIONS TO COUNCIL

THIS IS PAGE 21 OF THE MINUTES OF THE ORDINARY MEETING OF THE
COUNCIL OF THE SHIRE OF COBAR HELD ON THURSDAY 25 JUNE 2015

.....
GENERAL MANAGER

.....
MAYOR

117.06.2015 RESOLVED: That the following recommendations of the Committee of the Whole Closed Council be adopted by the Council.
Clr Martin/ Clr Abbott **CARRIED**

CLAUSE 1C – TENDER FOR THE SUPPLY OF BACKHOE

FILE: P3-13-3 **AOP REFERENCE: 3.3.4**

AUTHOR: *Engineering Support Manager, Anil De Silva*

25COW.06.2015 RESOLVED:

1. That Council purchases the Backhoe CAT 432F from WesTrac at the cost of \$149,000 excluding GST.
2. That financial information of the unsuccessful tenders remains in the Committee of the Whole Closed Council.

Clr Martin/Clr Maxwell **CARRIED**

CLAUSE 2C – GENERAL MANAGER’S ANNUAL PERFORMANCE APPRAISAL – PRESENTATION TO COUNCIL AND FEEDBACK TO APPRAISAL REVIEW COMMITTEE

FILE: C6-11, PERSONAL **AOP REFERENCE: 3.1**

AUTHOR: *General Manager, Gary Woodman*

26COW.06.2015 RESOLVED: That the information be received.
Clr Martin/Clr Abbott

CARRIED

CLAUSE 3C - URGENT MATTER - SYNTHETIC CANNABIS

FILE: H1-1, P4-1 **AOP REFERENCE: 1.6.1**

AUTHOR: *Councillor, Lilliane Brady OAM*

27COW.06.2015 RESOLVED: That Council write to the Attorney General, Premier, Deputy Premier, Local Member Kevin Humphries MP and Parliamentary Secretary for Regional and Rural Health and Western NSW Sarah Mitchell MLC requesting that the NSW Government take urgent action regarding the making of the production, possession, use and sale of all derivatives of Synthetic Cannabis (Cronic) illegal.

Clr Marsden/ Clr Isbester **CARRIED**

THERE BEING NO FURTHER BUSINESS THE MEETING CLOSED AT 7:56PM

CONFIRMED.....

MINUTE NO.....

MAYOR.....

THIS IS PAGE 22 OF THE MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE SHIRE OF COBAR HELD ON THURSDAY 25 JUNE 2015

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GENERAL MANAGER

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MAYOR