
**MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE SHIRE
OF COBAR HELD IN THE COUNCIL CHAMBERS ON THURSDAY 28 APRIL
2016 COMMENCING AT 5:00PM**

PRESENT (FILE C13-2)

Councillors Lilliane Brady OAM (Mayor), Peter Abbott (Deputy Mayor), Tracey Kings, Jarrod Marsden, Greg Martin, Peter Maxwell, Bob Sinclair, Harley Toomey and Peter Yench. Messrs Stephen Taylor (Acting General Manager), Kym Miller (Director of Corporate and Community Services), Garry Ryman (Director of Planning & Environmental Services) and Ken Wilson (Acting Director of Engineering Services) and Mmes Angela Shepherd (Special Projects Officer) and Janette Booth (Executive Assistant to General Manager & Mayor).

APOLOGIES (C13-2)

- 52.4.2016 RESOLVED:** That the apologies received from Councillors John Harrison and Ray Wilson be accepted and a leave of absence granted.
Clr Sinclair /Clr Toomey **CARRIED**
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DECLARATIONS OF INTEREST (FILE C12-3)

- Clr Jarrod Marsden declared a Pecuniary interest in Clause 6A – Raw Water Supply to Dalton Park Horse Complex.
 - Mr Kym Miller declared a Non-Pecuniary interest in Clause 6A – Raw Water Supply to Dalton Park Horse Complex.
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CONDOLENCES (FILE M2-3)

- William Robinson;
 - Cyril George Townsend;
 - Ellen Weaver Cohen.
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CONFIRMATION OF MINUTES

TRAFFIC COMMITTEE MEETING (FILE C6-14)

- 53.4.2016 RESOLVED:** That the works required on the Booroomugga Road and Barrier Highway intersection at Canbelego be prioritized as high and if funding is required that funding be sought.
Clr Martin/ Clr Yench **CARRIED**
- 54.4.2016 RESOLVED:** That the minutes and status report of the Traffic Committee Meeting held on Tuesday 22 March 2016 be confirmed as a true and correct record of the proceedings of that meeting.
Clr Martin/ Clr Sinclair **CARRIED**
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THIS IS PAGE 1 OF THE MINUTES OF THE ORDINARY MEETING OF THE
COUNCIL OF THE SHIRE OF COBAR HELD ON THURSDAY 28 APRIL 2016

CONFIRMATION OF MINUTES

ORDINARY MEETING OF COUNCIL (FILE C13-11)

- 55.4.2016 RESOLVED:** That the minutes of the Ordinary Meeting of Council held on Thursday 24 March 2016 be confirmed as a true and correct record of the proceedings of that meeting.
Clr Yench/ Clr Toomey **CARRIED**
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CONFIRMATION OF MINUTES

EXTRAORDINARY MEETING OF COUNCIL (FILE C13-11)

- 56.4.2016 RESOLVED:** That the minutes of the Extraordinary Meeting of Council held on Monday 11 April 2016 be confirmed as a true and correct record of the proceedings of that meeting.
Clr Martin/ Clr Abbott **CARRIED**
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CONFIRMATION OF MINUTES

FINANCE AND POLICY COMMITTEE MEETING (FILE C6-19)

- 57.4.2016 RESOLVED:** That the minutes, and the following recommendations contained therein, of the Finance and Policy Committee Meeting held on Thursday 14 April 2016 be adopted by Council.
Clr Maxwell/ Clr Abbott **CARRIED**

APOLOGIES (C16-15-6)

- 13FP.4.2016 RECOMMENDATION:** *That the apologies received from Councillor John Harrison, Harley Toomey and Peter Yench be accepted and a leave of absence granted.*
Clr Sinclair /Clr Martin **CARRIED**

- 14FP.4.2016 RECOMMENDATION:** *That the General Manager write to Local Government and seek advice on Councillor apologies.*
Clr Marsden /Clr Kings **CARRIED**

DECLARATIONS OF INTEREST (FILE C6-15-7)

Nil.

REPORT 1B – UPDATE ON INFRASTRUCTURE PROJECT FINANCES

FILE: G4-29

AOP REFERENCE: 4.1.4.3 & 4.3.2 & 4.4.4

AUTHOR: Project Manager, David Sechtig

Project Executive Officer, Heather Holder

- 15FP.4.2016 RECOMMENDATION:** *That Council receive and note the updated financial information for the two Restart NSW Resources for Regions Program infrastructure projects.*
Clr Abbott /Clr Wilson **CARRIED**
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THIS IS PAGE 2 OF THE MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE SHIRE OF COBAR HELD ON THURSDAY 28 APRIL 2016

Clr Jarrod Marsden asked to have his name recorded as voting against the motion.

REPORT 2B – BANK RECONCILIATION, CASH FLOW & LOAN FACILITY SUMMARIES AS AT 31 MARCH 2016

FILE: B2-7

AOP REFERENCE: 3.1.1.5

AUTHOR: Manager Finance & Administration, Neil Mitchell

16FP.4.2016 **RECOMMENDATION:** *That Council receive and note the Bank Reconciliation, Cash Flow and Loan Facility Report as at 31 March 2016.*
Clr Abbott /Clr Marsden **CARRIED**

REPORT 3B – RATES RECONCILIATION REPORT AS AT 31 MARCH 2016

FILE: R2-1

AOP REFERENCE: 3.1.1.6

AUTHOR: Rates Officer, Jo-Louise Brown

17FP.4.2016 **RECOMMENDATION:** *That the Rates Reconciliation Report as at the 31 March 2016 be received and noted.*
Clr Abbott /Clr Wilson **CARRIED**

REPORT 4B – GRANT FUNDING

FILE: G4-17

AOP REFERENCE: 3.1.1.4

AUTHOR: Special Projects Officer, Angela Shepherd

18FP.4.2016 **RECOMMENDATION:** *That the information contained in the Grant Funding Report detailing grants applied for, grants announced and grants available be received and noted.*
Clr Abbott /Clr Marsden **CARRIED**

CONFIRMATION OF MINUTES

WORKS COMMITTEE MEETING (FILE C6-20)

57.4.2016 **RESOLVED:** *That the minutes, and the following recommendations contained therein, of the Works Committee Meeting held on Thursday 14 April 2016 be adopted by Council.*
Clr Sinclair/ Clr Kings **CARRIED**

APOLOGIES (C13-2)

17WC.4.2016 **RESOLVED:** *That the apologies received from Councillor John Harrison, Harley Toomey and Peter Yench be accepted and a leave of absence granted.*
Clr Sinclair /Clr Martin **CARRIED**

DECLARATIONS OF INTEREST (FILE C6-15-7)

Nil.

REPORT 1A – 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: Acting General Manager, Stephen Taylor

18WC.4.2016 **RECOMMENDATION:** *That a further report on the Analysis of Plant and Equipment Hire and Trades and Miscellaneous Services be considered in the Committee of the Whole Closed Council with the press and public excluded for the reason as stated in Section 10 A (2) (d) (i) of the Local Government Act 1993, as discussions of this matter in open Council may prejudice the commercial position of the person who supplied it.*

Clr Marsden /Clr Martin

CARRIED

REPORT 2A – REVIEW OF CURRENT WATER RESTRICTIONS

FILE: W2-11

AOP REFERENCE: 5.1.3

AUTHOR: Services Manager, Wayne D. Mills

19WC.4.2016 **RECOMMENDATION:** *That Council amends the current Water Restrictions to as follows commencing on 29 April 2016:*

Cobar, Euabalong and Euabalong West:

- *Hand held hoses are permitted at any time;*
- *Fixed sprinklers, irrigation systems etc. are permitted between 4pm and 10am daily;*
- *No car washing be permitted on hard surfaces.*

Nymagee:

- *Total ban on hand held hosing until further notice;*
- *Fixed sprinklers, irrigation systems etc. are banned;*
- *No car washing be permitted on hard surfaces.*

Mount Hope:

- *Hand held hoses be permitted between 5pm and 9am;*
- *Fixed sprinklers, irrigation systems etc. are banned;*
- *No car washing be permitted on hard surfaces.*

Clr Maxwell /Clr Sinclair

CARRIED

REPORT 3A – 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 Davey

20WC.4.2016 **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
Kye O'Neil
Country Mile Constructions

Clr Maxwell /Clr Kings

CARRIED

REPORT 4A – DEED OF VARIATION OF PLANNING AGREEMENT

FILE: M4-13

AOP REFERENCE: 1.6.3.1

AUTHOR: Manager Planning and Environmental Services, Stephen Poulter

- 21WC.4.2016** **RECOMMENDATION:** *That Council resolve to give public notice of the Deed of Variation in accordance with s.93G of the Environmental Planning and Assessment Act 1979.*
Clr Kings /Clr Abbott **CARRIED**

REPORT 1B – ENGINEERING WORKS REPORT

FILE: C6-20-2

AOP REFERENCE: 4.3.2

AUTHOR: Acting Director of Engineering Services , Ken Wilson

- 22WC.4.2016** **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 Martin /Clr Kings **CARRIED**

- 23WC.4.2016** **RECOMMENDATION:** *That the General Manager writes to Council Staff and thank them for their work on Whitbarrow Way.*
Clr Martin /Clr Abbott **CARRIED**

REPORT 2B – EXPENDITURE FOR ROADS NETWORK

FILE: R5-31

AOP REFERENCE: 4.3.2

AUTHOR: Acting General Manager, Stephen Taylor

- 24WC.4.2016** **RECOMMENDATION:** *That the information detailing the Expenditure for Council's Roads Network be received and noted.*
Clr Abbott /Clr Marsden **CARRIED**

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

- 25WC.4.2016** **RESOLVED:** *That Council move into the Committee of the Whole with the press and public excluded at 5:20pm as matters to be discussed are considered to be confidential vide Section 10A (2) (a) (d) (i) of the Local Government Act 1993 as the matters contains commercial information of a confidential nature that would if disclosed would prejudice the commercial position of the person who supplied it.*
Clr Abbott /Clr Wilson **CARRIED**

Council resumed in Open Council at 5:39pm.

RECOMMENDATIONS TO COUNCIL

26WC.4.2016 **RESOLVED:** *That the following recommendations of the Committee of the Whole Closed Council be adopted by the Council.*
Clr Abbott /Clr Kings **CARRIED**

REPORT 1C – 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: *Acting General Manager, Stephen Taylor*

34COW.4.2016 **RESOLVED:** *That Council receive and note the information and that the information remains in Committee of the Whole Closed Council.*
Clr Wilson /Clr Maxwell **CARRIED**

35COW.4.2016 **RESOLVED:** *That any future projects within Cobar Shire that we look at supporting the local businesses (where applicable) to ensure their viability and have a review of the Policy.*
Clr Martin /Clr Abbott **CARRIED**

MATTER OF URGENCY

36COW.4.2016 **RESOLVED:**

1. *That Council undertake a review of the Organisational Structure.*
2. *That as part of an overall organisational restructure that the number of Councillors be reduced to nine (9).*

Clr Brady /Clr Abbott **CARRIED**

PUBLIC ACCESS SESSION – MR MICHAEL BROPHY – FLIGHT SCHOOL - COBAR

FILE: D2-17

AOP REFERENCE: 2.3.1.1

AUTHOR: *Special Projects Officer, Angela Shepherd*

59.4.2016 **RESOLVED:** That Council thanks Mr. Michael Brophy for his presentation.
Clr Sinclair/ Clr Martin **CARRIED**

PUBLIC ACCESS SESSION – MR RODNEY WRIGHT, EXECUTIVE OFFICER, FAR WEST ACADEMY OF SPORT

FILE: S4-5

AOP REFERENCE: 1.2

AUTHOR: *Acting General Manager, Stephen Taylor*

60.4.2016 **RESOLVED:** That Council resolves to thank Executive Officer, Mr Rodney Wright of Far West Academy of Sport for his address and Council looks forward to continuing to work with the FWAS into the future.
Clr Martin/ Clr Sinclair **CARRIED**

CLAUSE 1A – MAYORAL REPORT

FILE: C13-1-5

AOP REFERENCE: 3.1

AUTHOR: *Mayor, Councillor Lilliane Brady OAM*

61.4.2016 RESOLVED: Following the Launch of the Orana Regional Bio-Hub Report that the General Manager investigate the next step to progressing this project and Report back to Council.

Clr Yench/ Clr Martin

CARRIED

62.4.2016 RESOLVED: That Council accepts the information contained in the Mayoral Report for the month of April 2016.

Clr Martin/ Clr Marsden

CARRIED

CLAUSE 2A– DEBTOR PAYMENT REPORT

FILE: C1-2-1

AOP REFERENCE: 2.2.3.1

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

63.4.2016 RESOLVED: That the Debtor Payment Report be considered in Closed Council in the Committee of the Whole 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

CLAUSE 3A – COUNCIL’S INTEGRATED PLANNING AND REPORTING (IP&R) DRAFT DOCUMENTS FOR PUBLIC EXHIBITION

FILE: L5-22

AOP REFERENCE: 3.3

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

64.4.2016 RESOLVED: That a Councillor Workshop be held on Thursday, 12 May 2016 at 4:00pm in the Council Chambers to discuss the Budget.

Clr Sinclair/ Clr Abbott

CARRIED

65.4.2016 RESOLVED: That Council places the attached Draft 2016/2017 Annual Operational Plan including the Revenue Policy, Fees and Charges, Budget and 10 Year Financial Plan, on public exhibition for a minimum of 28 days to seek community feedback prior to adoption.

Clr Maxwell/ Clr Sinclair

CARRIED

CLAUSE 4A – ALCOHOL FREE ZONES WITHIN COBAR TOWNSHIP

FILE: H1-9

AOP REFERENCE: 1.6

AUTHOR: *Land Management Officer, Heather Holder*

66.4.2016 RESOLVED: That Council resolved to publically exhibit the proposal to establish an alcohol-free zone in Cobar.

Clr Marsden/ Clr Kings

CARRIED

THIS IS PAGE 7 OF THE MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE SHIRE OF COBAR HELD ON THURSDAY 28 APRIL 2016

.....
ACTING GENERAL MANAGER

.....
MAYOR

CLAUSE 5A – USE OF EFFLUENT BY COBAR BOWLING AND GOLF CLUB

FILE: S3-5

AOP REFERENCE: 4.1.4

AUTHOR: *Services Manager, Wayne D. Mills*

67.4.2016 RESOLVED: The current fee to the Cobar Bowling and Golf Club is fixed at current at the annual charge of \$15,000.00 and to be reviewed annually.
Clr Abbott/ Clr Marsden **CARRIED**

Clr Jarrod Marsden declared a Pecuniary interest and left the Meeting at 6:00pm.

Mr Kym Miller declared a non-pecuniary interest and left the Meeting at 6:00pm.

CLAUSE 6A – RAW WATER SUPPLY TO DALTON PARK HORSE COMPLEX

FILE: A2.7.7

AOP REFERENCE: 4.1.4.3

AUTHOR: *Services Manager, Wayne D. Mills*

RECOMMENDATION: That Council finalise discussions with all lease holders at the Dalton Park Horse Complex with the following:

- a. Agreement that all costs be recovered by Council over five (5) years;
- b. Estimated Cost of \$92,734.00 with a recoverable component of \$ 64,913.80 for installation of Raw Water to Dalton Park Horse Complex to be recovered from lessee, interest free.
- c. Council will meet 30% of actual costs for the supply and installation of raw water main from Monaghan Street to selected location for landing valve adjacent to grandstand.

Clr Yench/ Clr Toomey

AMENDMENT:

RECOMMENDATION: That the Raw Water Supply to Dalton Park Horse Complex be listed on Councils 10 Year Long Term Financial Plan and that Council seek any available grant funding in the interim.

Clr Sinclair / Clr Abbott

CARRIED

The amendment was put and become the motion.

68.4.2016 RESOLVED: That the Raw Water Supply to Dalton Park Horse Complex be listed on Councils 10 Year Long Term Financial Plan and that Council seek any available grant funding in the interim.
Clr Sinclair / Clr Abbott **CARRIED**

Clr Peter Maxwell and Clr Peter Yench asked to have their names recorded as voting against the motion.

Clr Jarrod Marsden declared a Pecuniary interest and returned to the Meeting at 6:10pm.

Mr Kym Miller declared a non-pecuniary interest and returned to the Meeting at 6:10pm.

CLAUSE 1B – DEVELOPMENT APPROVALS: 16 MARCH 2016 – 19 APRIL 2016

FILE: T5-1

AOP REFERENCE: 1.6.3.1

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

69.4.2016 RESOLVED: That the information detailing the Local Development and Construction Certificate approvals for the period 16 March 2016 – 19 April 2016 be received and noted.
Clr Sinclair/ Clr Abbott **CARRIED**

CLAUSE 2B – MONTHLY STATUS REPORT

FILE: C13-10

AOP REFERENCE: 3.1

AUTHOR: *General Manager, Gary Woodman*

70.4.2016 RESOLVED: That the information contained in the monthly status report be received and noted and that items 838, 845, 853,856, 857, 858, 859, 860 Part 2, 862 Part 1, 863 Part 1 and 864 be removed.
Clr Kings/ Clr Abbott **CARRIED**

CLAUSE 3B – INVESTMENT REPORT AS AT 31 MARCH 2016

FILE: B2-7

AOP REFERENCE: 3.1.1.7

AUTHOR: *Manager Finance & Administration, Neil Mitchell*

71.4.2016 RESOLVED: That Council receive and note the Investment Report as at 31 March 2016.
Clr Sinclair/ Clr Abbott **CARRIED**

CLAUSE 4B – MEETING MINUTES

FILE: C8-6-4 & WB1-22

AOP REFERENCE: 3.1

AUTHOR: *Executive Assistant General Manager/ Mayor, Janette Booth*

72.4.2016 RESOLVED: That the Minutes of the meetings of Western Division Councils of NSW, Cobar Youth Council and Cobar Liquor Accord Committees be received and noted.
Clr Marsden/ Clr Martin **CARRIED**

THIS IS PAGE 9 OF THE MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE SHIRE OF COBAR HELD ON THURSDAY 28 APRIL 2016

**CLAUSE 5B – UPDATE ON INFRASTRUCTURE PROJECT
MANAGEMENT**

FILE: G4-29

AOP REFERENCE: 4.1.4.3, 4.1.6 & 4.4.4

AUTHOR: *Acting General Manager, Stephen Taylor*

- 73.4.2016** **RESOLVED:** That Council receives and notes the updated Project Management Report information for the Restart NSW Resources for Regions Infrastructure Projects.
Clr Abbott /Clr Sinclair **CARRIED**
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CLAUSE 6B – OUTBACK ARTS REPORT

FILE: A8-1

AOP REFERENCE: 1.4.5.1

AUTHOR: *Executive Assistant – General Manager/ Mayor, Janette Booth*

- 74.4.2016** **RESOLVED:** That Council receive and note the Outback Arts Report.
Clr Abbott /Clr Sinclair **CARRIED**
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**CLAUSE 7B - COUNCIL RESOLUTION 51.3.2016 MINING
ACCOMMODATION CAMP**

FILE: 2012/LD-00029

AOP REFERENCE: 1.6.3.1

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

- 75.4.2016** **RESOLVED:** That the information contained in this report be received and noted.
Clr Kings/ Clr Sinclair **CARRIED**
- Clr Jarrod Marsden and Clr Peter Yench asked to have their names recorded as voting against the motion.**
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CLAUSE 8B – 2015 STAFF ATTITUDE SURVEY RESULTS

FILE: S5-35

AOP REFERENCE: 3.3.2.1

AUTHOR: *Human Resources Manager, Michelle Maidens*

- 76.4.2016** **RESOLVED:** That the 2015 Staff Attitude Survey results be received and noted.
Clr Abbott/ Clr Martin **CARRIED**
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MATTER OR URGENCY

RECOMMENDATION: When Council receive a complaint from Residents that they have dirty water, that Council go up and read the meter and until the water is clear the Resident who lodged the complaint is not to pay water rates until the issue is resolved.
Clr Brady/ Clr **LAPSED**

The Motion lapsed for want of a seconder.

**THIS IS PAGE 10 OF THE MINUTES OF THE ORDINARY MEETING OF THE
COUNCIL OF THE SHIRE OF COBAR HELD ON THURSDAY 28 APRIL 2016**

Mayor Cr Leigh Byron of Balranald Shire Council and the President of the Shires Association was invited to present to Council.

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

77.4.2016 RESOLVED: That Council move into the Committee of the Whole with the press and public excluded at 6:29pm as matters to be discussed are considered to be confidential vide Section 10A (2) (c) (d)(i) of the Local Government Act 1993 as the discussion of the information in Open Council would if disclosed confer a commercial advantage on a person with who the council is conducting (or proposes to conduct) business and the commercial information is of a confidential nature that would if disclosed prejudice the commercial position of the person who supplied it.
Clr Marsden/ Clr Abbott **CARRIED**

Council resumed in Open Council at 6:43pm.

RECOMMENDATIONS TO COUNCIL

78.4.2016 RESOLVED: That the following recommendations of the Committee of the Whole Closed Council be adopted by the Council.
Clr Abbott/ Clr Marsden **CARRIED**

CLAUSE 1C – DEBTOR PAYMENT REPORT

FILE: C1-2-1

AOP REFERENCE: 2.2.3.1

AUTHOR: Director Corporate and Community Services, Kym Miller

41COW.4.2016 RESOLVED:

1. That the information regarding the debt of Anvera Pty Ltd t/as Dineen Tourism Management be received and noted.
2. That the information contained within this report remains confidential within the Committee of the Whole Closed Council.

Clr Abbott/ Clr Marsden **CARRIED**

THERE BEING NO FURTHER BUSINESS THE MEETING CLOSED AT 6:43PM

CONFIRMED.....

MINUTE NO.....

MAYOR.....