
**MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE SHIRE
OF COBAR HELD IN THE COUNCIL CHAMBERS ON THURSDAY 11
DECEMBER 2014 COMMENCING AT 5:00PM**

PRESENT (FILE C13-2)

Councillors Lilliane Brady OAM (Mayor), Tracey Kings (Deputy Mayor), Peter Abbott, Marsha Isbester, Greg Martin, Peter Maxwell, Bob Sinclair, Harley Toomey, Ray Wilson and Peter Yench (arrived at 6:09pm). Messrs Gary Woodman (General Manager), Kym Miller (Director of Corporate and Community Services), Errol George (Acting Director of Engineering Services), Stephen Poulter (Acting Director of Planning & Environmental Services) and Mmes Angela Shepherd (Special Projects Officer) and Janette Booth (Executive Assistant to the General Manager and Mayor).

APOLOGIES (C13-2)

236.11.2014 **RESOLVED:** That the apologies received from Councillors John Harrison and Jarrod Marsden be accepted and a leave of absence granted.
Clr Martin/Clr Toomey **CARRIED**

DECLARATIONS OF INTEREST (FILE C12-3)

- Nil.
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CONDOLENCES (FILE M2-3)

- Deon Flavel;
 - Bessie Jean Fitzgerald;
 - Dr John Jeremic;
 - Donald "Ian" Setttee;
 - Margaret Catherine Setttee;
 - Shirley Kershaw (former Councillor).
-

CONFIRMATION OF MINUTES

TRAFFIC COMMITTEE MEETING OF COUNCIL (FILE C6-14)

237.11.2014 **RESOLVED:** That the minutes of the Traffic Committee Meeting held on Tuesday 25 November 2014 be confirmed as a true and correct record of the proceedings of that meeting.
Clr Kings/Clr Toomey **CARRIED**

PRESENT

THIS IS PAGE 1 OF THE MINUTES OF THE ORDINARY MEETING OF THE
COUNCIL OF THE SHIRE OF COBAR HELD ON THURSDAY 11 DECEMBER 2014

.....
GENERAL MANAGER

.....
MAYOR

Joe Sulicich (Senior Network and Safety Officer - RMS), Maurice Bell (Cobar Shire Council), Councillor Tracey Kings (Chair), Ann Crossing (State Member for Barwon Representative), Errol George (Cobar Shire Council), Robyn Goonrey (Cobar Shire Council).

VOTING MEMBERS

Joe Sulicich (Senior Network and Safety Officer - RMS), Ann Crossing (State Member for Barwon Representative), Councillor Tracey Kings.

APOLOGIES

Brett Hallcroft (Cobar Shire Council), John Bennett (NSW Police), Greg Martin (NSW Police).

REPORT 1 - CONFIRMATION OF MINUTES

23TC.11.2014 **RECOMMENDATION:** *That the minutes of the Local Traffic Committee meeting held on Tuesday 26 August 2014 be confirmed as a true and correct record of the proceedings of that meeting.*
Joe Sulicich/Ann Crossing **CARRIED**

MATTERS ARISING FROM THE MINUTES

BACKGROUND: *40km speed zone in Marshall Street, Cobar.*

24TC.11.2014 **OUTCOME:** *Council accepted the Traffic Committee recommendation that no further action be taken in reducing the speed limit on Marshall Street to 40 km/hr.*

BACKGROUND: *Site selection of Lilyvale Rest Area.*

25TC.11.2014 **OUTCOME:** *The August 2014 Traffic Committee Minutes noted the assistance given by Greg Martin in relation to identifying the location of the Lilyvale Rest Area, it was further noted that Greg*

Martin also identified the need for the establishment of the rest area.

BACKGROUND: *The design of the toilets at the Lilyvale Rest Area are an outdated 'long drop' model and pose potential health and safety risks.*

26TC.11.2014 **RECOMMENDATION:** *The Traffic Committee recommended that Council contact RMS to discuss the possibility of changing the design of the Lilyvale Rest Area Toilets.*

REPORT 2 – STATUS REPORT

THIS IS PAGE 2 OF THE MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE SHIRE OF COBAR HELD ON THURSDAY 11 DECEMBER 2014

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GENERAL MANAGER

.....
MAYOR

27TC.11.2014 *RECOMMENDATION: That the information contained in the Status Report be received and noted and item 16 be removed from the Status Report.*

Voting Unanimous

CARRIED

REPORT 3 – HEAVY VEHICLE PARKING KIDMAN WAY NORTH (421)

BACKGROUND: RMS have received a letter of complaint from a local resident in relation to heavy vehicle parking on Kidman Way North (MR421) (Bourke Road). RMS have referred the matter to be address by the Local Traffic Committee. Committee Members have tried to contact Kerrie Chandler, the proponent, after the Local Traffic Committee Meeting however the Members were advised that Mrs Chandler was on vacation in New Zealand.

28TC.11.2014 *RECOMMENDATION: The Traffic Committee agreed to postpone any decision at this time. They recommended that an RMS Officer (Joe Sulicich) and Cobar Shire Council Roads Manager (Maurice Bell) meet with the resident concerned to discuss the following options:*

1. Seal the area in question – this would eliminate the dust problem however it would not have any impact on the noise issue;
2. Discuss relocating the Rest Area a short distance (approximately 900m north) with a view to undertake the work immediately however this work is unlikely to take place for between 3 to 5 years according to RMS.
3. For Council to source funding through the State and Federal Grants process in order to undertake the construction of the Rest Area.

REPORT 4 – VEHICLE TRAFFIC IN BOOROOMUGGA STREET ON THE FRIDAY OF THE COBAR SHOW

BACKGROUND: Council received a letter from the Director of Cobar Pre School expressing concerns with traffic flow and parking arrangements within the vicinity of the Pre-School during the Friday of the annual Cobar Show to be held on 7 and 8 May 2015.

29TC.11.2014 *RECOMMENDATION: The Traffic Committee agreed that before any decision is made Council need to consult with the Cobar Show Committee to gauge their support for any proposed temporary road closures. The outcome of these discussions will be presented to the Traffic Committee meeting to be held on 24 February 2015.*

GENERAL BUSINESS

NIL

CONFIRMATION OF MINUTES

ORDINARY MEETING OF COUNCIL (FILE C13-11)

238.11.2014 RESOLVED: That the minutes of the Ordinary Meeting of Council held on Thursday 27 November 2014 be confirmed as a true and correct record of the proceedings of that meeting.
Clr Abbott/Clr Isbester **CARRIED**

CLAUSE 1A – MAYORAL REPORT

FILE: C13-1-5

AOP REFERENCE: 3.1

AUTHOR: Mayor, Councillor Lilliane Brady OAM

239.11.2014 RESOLVED: That Council accepts the information contained in the Mayoral Report for the month of December 2014.
Clr Brady OAM/Clr Wilson **CARRIED**

**CLAUSE 2A – MAYORAL REPORT – GENERAL MANAGER’S
CONTRACT OF EMPLOYMENT**

FILE: S5-10-7, Personnel

AOP REFERENCE: 3.3.2.1

AUTHOR: Mayor, Lilliane Brady OAM

240.11.2014 RESOLVED: That the General Manager, Gary John Woodman’s Contract of Employment be renewed for a further period of five (5) years from 12 July 2015 to 11 July 2020, on a total commencing Remuneration Package of \$207,500 plus Fringe Benefits Tax (FBT) charges, as set out in the Contract and that authority be given to affix Council’s Seal to the Contract Documents.
Clr Abbott/Clr Martin **CARRIED**

**CLAUSE 3A – COBAR MEMORIAL SERVICES CLUB CAR PARK
LEASE AGREEMENT**

FILE: L6-2

AOP REFERENCE: 4.3.2

AUTHOR: General Manager, Gary Woodman

241.11.2014 RESOLVED:

1. That Council provide a concession for payment of \$2,000 for General Rates of the Cobar Memorial Services and Bowling Club Ltd for the Drummond Park Car Park Land for 2014/2015 with payment to come from Council’s Parks Budget.
 2. That the concession of \$2,000 General Rates plus any subsequent rate increase payment for the Drummond Park Car Park be on an annual application basis by the Cobar Memorial Services and Bowling Club Ltd with any payments to come from Council’s Parks Budget.
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**THIS IS PAGE 4 OF THE MINUTES OF THE ORDINARY MEETING OF THE
COUNCIL OF THE SHIRE OF COBAR HELD ON THURSDAY 11 DECEMBER 2014**

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GENERAL MANAGER

.....
MAYOR

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3. That no changes be made to the Lease 3349663Y – Folio Identifiers 2/214174 and 3/214174 Lots 2 and 3 DP827719 – Encumbrance M884930 Lease Period 01/11/1996 to 31/10/2020 With Option to Renew for 25 Years.

Clr Brady OAM/Clr Kings

CARRIED

**CLAUSE 4A – NSW GOVERNMENT FIT FOR THE FUTURE
PROGRAM FOR LOCAL GOVERNMENT AND OFFICE OF LOCAL
GOVERNMENT (OLG) FAR WEST INITIATIVE FORUM**

FILE: L5-24

AOP REFERENCE: 3.1

AUTHOR: *General Manager, Gary Woodman*

242.11.2014 RESOLVED:

1. That Cobar Shire Council continue to be involved in the discussions and processes in the development of the Far West Initiative to ensure that a model is found that benefits Cobar Shire with improved government and non-government services and to increase the sustainability of Cobar Shire Council.
2. That Cobar Shire Council submit a Fit for the Future Council Improvement Proposal Submission that shows Council working towards being sustainable and Fit for the Future that sees Cobar Shire Council continuing to be an independent local government Council.
3. That Council allocate \$40,000 in 2014/2015 budget year from unallocated working funds determined in the Q2 – December 2014 Quarterly Review to be used if required for expert professional help with Councils Fit for the Future Council Improvement Proposal Submission.
4. That the NSW State Government be asked to bring forward the timetable of targeting financial assistance grants (FAGS) in NSW to communities with the greatest needs.

Clr Sinclair/Clr Isbester

CARRIED

**CLAUSE 5A – 2015 WESTERN DIVISION COUNCILS OF NSW
ANNUAL CONFERENCE**

FILE: L5-4-4

AOP REFERENCE: 3.2.2.2

AUTHOR: *General Manager, Gary Woodman*

243.11.2014 RESOLVED:

1. That Council note the attendance at the 2015 Western Division Councils of NSW Annual Conference of Clr Abbott, Clr Isbester, Clr Sinclair together with the Mayor, Deputy Mayor and General Manager or his delegate.

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2. That Councillors provide advice to the General Manager by Friday 23 January 2015 on matters that should be considered as resolutions to the 2015 Western Division Councils of NSW Annual Conference.

Clr Martin/Clr Isbester

CARRIED

CLAUSE 6A – COBAR HOSPITAL APPEARANCE MANAGEMENT PROJECT (CHAMP) PROJECT – HOSPITAL UPGRADE

FILE: D3-1

AOP REFERENCE: 1.5.2

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

244.11.2014 RESOLVED:

1. That pursuant to Section 356 of the Local Government Act 1993 \$6,000 in-kind be donated to the Cobar Hospital Appearance Management Project (CHAMP Project) – Hospital Upgrade;

2. That Council send a letter of support to Dr Heyns.

Clr Isbester/Clr Abbott

CARRIED

CLAUSE 7A – OFFICE OF LOCAL GOVERNMENT PROMOTING BETTER PRACTICE REVIEW OF COBAR SHIRE COUNCIL – REPORT ACTION PLAN STATUS

FILE: L5-2-3

AOP REFERENCE: 3.1

AUTHOR: *General Manager, Gary Woodman*

245.11.2014 RESOLVED: T

1. That Council note the reviewed Office of Local Government Promoting Better Practice Review of Cobar Shire Council Report Action Plan status.

2. That Staff continue to work towards the completion of any work required by the recommendations contained within the Promoting Better Practice Review of Cobar Shire Council Report and detailed within the reviewed Action Plan.

Clr Abbott/Clr Kings

CARRIED

CLAUSE 8A – STABILISING SERVICES TENDER

FILE: T3-11-10

AOP REFERENCE: 4.3.2

AUTHOR: *Acting Director Engineering Services, Errol George*

246.11.2014 RESOLVED:

1. That Council receive and note the information contained within this Report.

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2. 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 prejudice the commercial position of the person who supplied it.

Clr Sinclair/Clr Kings

CARRIED

CLAUSE 9A - CONTRACT 14/15-1 PROVISION OF IT SUPPORT SERVICES

FILE: T3-14-1

AOP REFERENCE: 3.3.4

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

- 247.11.2014 RESOLVED:** That the responses to the request for tender regarding Contract 14/15 -01 Provision of IT Support Services be considered in the Committee of the Whole Closed Council with the press and public excluded for the reason as stated in Section 10A (2) (d) (i) of the Local Government Act 1993, as discussions of this matter in open Council would prejudice the commercial position of the person who supplied it.

Clr Sinclair/Clr Martin

CARRIED

CLAUSE 10A – EXTENSION OF CRUSHING CONTRACT – BRUCE’S CONTRACTING SERVICES PTY LTD

FILE: T3-11-9

AOP REFERENCE: 4.3.2

AUTHOR: *Acting Director Engineering Services, Errol George*

- 248.11.2014 RESOLVED:** That Council approve a temporary extension of Contract C11/12-05 to 30 April 2015; with Bruce’s Contracting Services Pty Ltd for the Crushing of Gravel for Cobar Shire Council at the rates currently contained within the Contract.

Clr Martin/Clr Sinclair

CARRIED

CLAUSE 11A - BULK FUEL SUPPLIES - CONTRACT C11/12-11

FILE: T3-12-2

AOP REFERENCE: 3.3.4

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

- 249.11.2014 RESOLVED:** That the extension of the contract for the supply and delivery of fuel to Cobar Shire Council be considered in the Committee of a 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 Sinclair/Clr Maxwell

CARRIED

CLAUSE 1B - 2015-2016 BUDGET AND PLANNING TIMETABLE

FILE: L5-22-1

AOP REFERENCE: 3.1

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

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GENERAL MANAGER

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MAYOR

250.11.2014 RESOLVED: That the 2015-2016 Budget and Planning Timetable Report be received and noted.
Clr Sinclair/Clr Kings **CARRIED**

CLAUSE 2B – MONTHLY STATUS REPORT

FILE: C13-10 **AOP REFERENCE: 3.1**
AUTHOR: *General Manager, Gary Woodman*

251.11.2014 RESOLVED: That the information contained in the monthly status report be received and noted and that items 628, 631, 642, 643, 644, 645, 646, 647, 648, 649, 650, 652, 653 and 654 be removed.
Clr Toomey/Clr Isbester **CARRIED**

CLAUSE 3B – MEETING MINUTES

FILE: C6-31 **AOP REFERENCE: 3.1**
AUTHOR: *General Manager, Gary Woodman*

252.11.2014 RESOLVED: That the minutes of the meeting of the OROC Board Committee be received and noted.
Clr Abbott/Clr Toomey **CARRIED**

CLAUSE 4B – DEVELOPMENT APPROVALS 19 NOVEMBER 2014 – 2 DECEMBER 2014

FILE: T5-1 **AOP REFERENCE: 1.6.3.1**
AUTHOR: *Acting Director of Planning & Environmental Services, Stephen Poulter*

253.11.2014 RESOLVED: That the information detailing the Local Development and Construction Certificate approvals for the period 19 November 2014 – 2 December 2014 be received and noted.
Clr Wilson/Clr Abbott **CARRIED**

CLAUSE 5B – BANK RECONCILIATION, CASH FLOW & LOAN FACILITY SUMMARIES AS AT 30 NOVEMBER 2014

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

254.11.2014 RESOLVED: That Council receive and note the Bank Reconciliation, Cash Flow and Loan Facility Report as at 30 November 2014.
Clr Sinclair/Clr Abbott **CARRIED**

CLAUSE 6B – INVESTMENT REPORT AS AT 30 NOVEMBER 2014

FILE: B2-7

AOP REFERENCE: 3.1.1.7

AUTHOR: *Manager Finance & Administration, Neil Mitchell*

255.11.2014 RESOLVED: That Council receive and note the Investment Report as at 30 November 2014.

Clr Abbott/Clr Isbester

CARRIED

CLAUSE 7B – RATES RECONCILIATION TO 30 NOVEMBER 2014

FILE: R2-1

AOP REFERENCE: 3.1.1.6

AUTHOR: *Rates Officer, Jo-Louise Brown*

256.11.2014 RESOLVED: That the Rates Reconciliation Report as at the 30 November 2014 be received and noted.

Clr Abbott/Clr Toomey

CARRIED

CLAUSE 8B – EXPENDITURE FOR ROADS NETWORK

FILE: R5-31

AOP REFERENCE: 4.3.2

AUTHOR: *Acting Director of Engineering Services, Errol George*

257.11.2014 RESOLVED: That the information detailing the Expenditure for Council's Roads Network be received and noted.

Clr Sinclair/Clr Maxwell

CARRIED

CLAUSE 9B – ENGINEERING WORKS REPORT

FILE: C6-20-2

AOP REFERENCE: 4.3.2

AUTHOR: *Acting Director of Engineering Services, Errol George*

258.11.2014 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 Sinclair/Clr Abbott

CARRIED

CLAUSE 10B – COBAR MINERS MEMORIAL

FILE: P1-17

AOP REFERENCE: 1.4

AUTHOR: *Special Projects Officer, Angela Shepherd*

259.11.2014 RESOLVED: That Council receives and notes the information on the development of a Miners Memorial in Cobar's Heritage Park.

Clr Sinclair/Clr Toomey

CARRIED

THIS IS PAGE 9 OF THE MINUTES OF THE ORDINARY MEETING OF THE
COUNCIL OF THE SHIRE OF COBAR HELD ON THURSDAY 11 DECEMBER 2014

.....
GENERAL MANAGER

.....
MAYOR

CLAUSE 11B – SIGNIFICANT VARIATIONS TO THE BUDGET AS AT 30 NOVEMBER 2014

FILE: F2 3 18

AOP REFERENCE: 3.1.1

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

260.11.2014 RESOLVED: That the Significant Variations to the Budget Report as at 30 November 2014 be received and noted.

Clr Abbott/Clr Sinclair

CARRIED

CLAUSE 12B – PLANNED UPGRADE OF LIBRARY FACILITIES

FILE: A10-13

AOP REFERENCE: 1.6.3.1

AUTHOR: *Library Manager, Jane Siermans*

261.11.2014 RESOLVED: That the planned closure of the library and walk-through arcade 9 – 16 February 2015, for upgrading of the library facilities, be received and noted.

Clr Maxwell/Clr Abbott

CARRIED

CLAUSE 13B – GRANT FUNDING

FILE: G4-17

AOP REFERENCE: 3.1.1.4

AUTHOR: *Special Projects Officer, Angela Shepherd*

262.11.2014 RESOLVED: That the information contained in the grant funding report detailing grants applied for, grants announced and grants available be received and noted.

Clr Martin/Clr Toomey

CARRIED

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

263.11.2014 RESOLVED: That Council move into the Committee of the Whole with the press and public excluded at 6:23pm as matters to be discussed are considered to be confidential vide Section 10A (2) (d) (i) of the Local Government Act 1993, as discussions of this information in Open Council would prejudice the commercial position of the person who supplied it

Clr Martin/Clr Toomey

CARRIED

Council resumed in Open Council at 6:32pm.

RECOMMENDATIONS TO COUNCIL

264.11.2014 RESOLVED: That the following recommendations of the Committee of the Whole Closed Council be adopted by the Council.

Clr Martin/Clr Wilson

CARRIED

THIS IS PAGE 10 OF THE MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE SHIRE OF COBAR HELD ON THURSDAY 11 DECEMBER 2014

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GENERAL MANAGER

.....
MAYOR

CLAUSE 1C – CONTRACT 14/15-1 PROVISION OF IT SUPPORT SERVICES

FILE: T3-14-1

AOP REFERENCE: 3.3.4

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

32COW.12.2014 RESOLVED:

1. That the appointment of an IT Support Contractor be deferred until the February 2015 Ordinary Meeting of Council.
2. That if mutually agreeable the existing Contract be extended to 31 March 2015.
3. That the matters discussed remain in Committee of the Whole Closed Council.

Clr Sinclair/ Clr Martin

CARRIED

CLAUSE 2C – BULK FUEL SUPPLIES – CONTRACT 11/12-11

FILE: L5-23

AOP REFERENCE: 3.3.4

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

33COW.12.2014 RESOLVED:

1. That an extension of thirty-six (36) months be entered into for bulk fuel supplies from Inland Petroleum commencing 11 May 2015;
2. That the General Manager be delegated authority to enter into a Deed of Variation to reflect the extension;
3. That the price offered by Inland Petroleum remain within the Committee of the Whole Closed Council.

Clr Martin/ Clr Kings

CARRIED

CLAUSE 3C – STABILISING SERVICES TENDER

FILE: T3-11-10

AOP REFERENCE: 4.3.2

AUTHOR: *Acting Director Engineering Services, Errol George*

34COW.12.2014 RESOLVED:

1. That Council select the following tenderers from the tender panel which whom to engage for Council's future operations:
 - 1.1 Stabilfix Pty Ltd;
 - 1.2 Downer EDI Works Pty Ltd;
 - 1.3 Stabilised Pavements of Australia Pty Ltd;
 - 1.4 Diveva Pty Ltd; and
 - 1.5 FK Gardner and Sons.

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2. That a provision be allowed for a 12 month extension based on satisfactory supplier performance which may take the tender through to 31 December 2017.
 3. That the information contained within this report remains in the Committee of the Whole Closed Council.

Clr Sinclair/ Clr Abbott

CARRIED

THERE BEING NO FURTHER BUSINESS THE MEETING CLOSED AT 6:33PM

CONFIRMED.....

MINUTE NO.....

MAYOR.....