
**MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE SHIRE
OF COBAR HELD IN THE COUNCIL CHAMBERS ON THURSDAY 23 APRIL
2015 COMMENCING AT 5:00PM**

PRESENT (FILE C13-2)

Councillors Lilliane Brady OAM (Mayor), Peter Abbott (Deputy Mayor), Marsha Isbester, Tracey Kings, Jarrod Marsden, Greg Martin, Peter Maxwell, Bob Sinclair, Harley Toomey, Ray Wilson and Peter Yench. Messrs Gary Woodman (General Manager), Neil Mitchell (Manager Finance and Administration), Wayne Mills (Services Manager), Stephen Poulter (Acting Director of Planning & Environmental Services) and Mmes Angela Shepherd (Special Projects Officer) and Janette Booth (Executive Assistant to General Manager & Mayor).

APOLOGIES (C13-2)

48.04.2015 **RESOLVED:** That the apology received from Councillor John Harrison be accepted and a leave of absence granted.
Clr Yench/Clr Toomey **CARRIED**

DECLARATIONS OF INTEREST (FILE C12-3)

- Nil.
-

CONDOLENCES (FILE M2-3)

- Kenneth Joseph King;
 - Lily Mitchell;
 - David Donald.
-

CONFIRMATION OF MINUTES

ORDINARY MEETING OF COUNCIL (FILE C13-11)

49.04.2015 **RESOLVED:** That the minutes of the Ordinary Meeting of Council held on Thursday 26 March 2015 be confirmed as a true and correct record of the proceedings of that meeting.
Clr Abbott/ Clr Isbester **CARRIED**

CONFIRMATION OF MINUTES

FINANCE AND POLICY COMMITTEE MEETING (FILE C6-19)

THIS IS PAGE 1 OF THE MINUTES OF THE ORDINARY MEETING OF THE
COUNCIL OF THE SHIRE OF COBAR HELD ON THURSDAY 23 APRIL 2015

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GENERAL MANAGER

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MAYOR

50.04.2015 RESOLVED: That the minutes, and the following recommendations contained therein, of the Finance and Policy Committee Meeting held on Thursday 9 April 2015 be adopted by Council.
Clr Maxwell/ Clr Abbott **CARRIED**

APOLOGIES (C16-15-6)

15FP.04.2015 RECOMMENDATION: *That the apologies received from Councillors Greg Martin, Harley Toomey and Ray Wilson be accepted and a leave of absence granted.*
Clr Marsden/ Clr Sinclair **CARRIED**

DECLARATIONS OF INTEREST (FILE C6-15-7)

Nil.

REPORT 1A – GAS PIPELINE FUNDING AND INVESTIGATION REPORT

FILE: G1-2

AOP REFERENCE: 2.1.5

AUTHOR: Special Projects Officer, Angela Shepherd

16FP.04.2015 RECOMMENDATION: *Considering the high cost of bringing gas into Cobar and any subsequent power station project, and the lack of funding and business partners, Council resolves to not investigate this project any further until circumstances change.*
Clr Maxwell/ Clr Abbott **CARRIED**

REPORT 2A – CHANGE TO ORGANISATION STRUCTURE

FILE: S5-2

AOP REFERENCE: 3.3.2.2

AUTHOR: Human Resources Manager, Michelle Maidens

17FP.04.2015 RECOMMENDATION: *It is recommended that Council resolve to re-determine the Organisation Structure so that the Human Resources Manager reports directly to the General Manager.*
Clr Isbester/ Clr Kings **CARRIED**

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

REPORT 1B – COBAR SWIMMING POOL/ YOUTH AND FITNESS CENTRE CO-LOCATION HIGH LEVEL FEASIBILITY STATEMENT REPORT

FILE: G4-19, A9-16, A10-22

AOP REFERENCE: 1.5.3

AUTHOR: Special Projects Officer, Angela Shepherd and Director Corporate and Community Services, Kym Miller

THIS IS PAGE 2 OF THE MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE SHIRE OF COBAR HELD ON THURSDAY 23 APRIL 2015

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GENERAL MANAGER

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MAYOR

18FP.04.2015 RECOMMENDATION: *That the Finance and Policy Meeting proceedings be suspended for discussions on the Cobar Swimming Pool/ Youth and Fitness Centre Co-Location High Level Feasibility Statement Report matter.*
Clr Yench/ Clr Sinclair **CARRIED**

*The Meeting was suspended for discussion of the matter at 5:03pm.
The Meeting was resumed for normal proceedings at 5:16pm.*

19FP.04.2015 RECOMMENDATION: *That further development and investigation goes into the consolidation of the Cobar Youth and Fitness Centre and the Cobar Memorial Swimming Pool proposal and that it goes to the Economic Taskforce for discussion.*
Clr Yench/ Clr Sinclair **CARRIED**

REPORT 2B – GRANT FUNDING

FILE: G4-17

AOP REFERENCE: 3.1.1.4

AUTHOR: Special Projects Officer, Angela Shepherd

20FP.04.2015 RECOMMENDATION: *That the information contained in the grant funding report detailing grants applied for, grants announced and grants available be received and noted.*
Clr Sinclair/ Clr Kings **CARRIED**

REPORT 3B – BANK RECONCILIATION, CASH FLOW & LOAN FACILITY SUMMARIES AS AT 31 MARCH 2015

FILE: B2-7

AOP REFERENCE: 3.1.1.7

AUTHOR: Manager Finance & Administration, Neil Mitchell

21FP.04.2015 RECOMMENDATION: *That Council receive and note the Bank Reconciliation, Cash Flow and Loan Facility Report as at 31 March 2015.*
Clr Abbott/ Clr Sinclair **CARRIED**

REPORT 4B – RATES RECONCILIATION REPORT AS AT 31 MARCH 2015

FILE: R2-1

AOP REFERENCE: 3.1.1.6

AUTHOR: Rates Officer, Jo-Louise Brown

22FP.04.2015 RECOMMENDATION: *That the Rates Reconciliation Report as at the 31 March 2015 be received and noted.*
Clr Abbott/ Clr Kings **CARRIED**

CONFIRMATION OF MINUTES

WORKS COMMITTEE MEETING (FILE C6-20)

THIS IS PAGE 3 OF THE MINUTES OF THE ORDINARY MEETING OF THE
COUNCIL OF THE SHIRE OF COBAR HELD ON THURSDAY 23 APRIL 2015

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GENERAL MANAGER

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MAYOR

51.04.2015 **RESOLVED:** That the minutes, and the following recommendations contained therein, of the Finance and Policy Committee Meeting held on Thursday 9 April 2015 be adopted by Council.
Clr Marsden/ Clr Sinclair **CARRIED**

APOLOGIES (C13-2)

9WC.04.2015 **RESOLVED:** *That the apologies received from Councillors Greg Martin, Harley Toomey and Ray Wilson be accepted and a leave of absence granted.*
Clr Sinclair/ Clr Isbester **CARRIED**

DECLARATIONS OF INTEREST (FILE C6-15-7)

Nil.

REPORT 1B – ENGINEERING WORKS REPORT

FILE: C6-20-2

AOP REFERENCE: 4.3.2

AUTHOR: *Director of Engineering Services, Errol George*

10WC.04.2015 **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 Isbester/ Clr Yench **CARRIED**

REPORT 2B – EXPENDITURE FOR ROADS NETWORK

FILE: R5-31

AOP REFERENCE: 4.3.2

AUTHOR: *Director of Engineering Services, Errol George*

11WC.04.2015 **RECOMMENDATION:** *That the information detailing the Expenditure for Council's Roads Network be received and noted.*
Clr Sinclair/ Clr Maxwell **CARRIED**

NOTICE OF MOTION (MATTER OF URGENCY) – SENIOR STAFFING EMPLOYMENT CONTRACT TENURE ARRANGEMENTS

FILE: S5-1

AOP REFERENCE: 3.3.2.1

AUTHOR: *Councillor, Peter Yench*

52.04.2015 **RESOLVED:** That a request be made to the Minister for Local Government and Office of Local Government that the new Local Government Act considers staff employment where both parties are being treated equally particularly in relation to early termination of employment contracts by either parties.
Clr Yench/Clr Abbott **CARRIED**

THIS IS PAGE 4 OF THE MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE SHIRE OF COBAR HELD ON THURSDAY 23 APRIL 2015

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GENERAL MANAGER

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MAYOR

CLAUSE 1A – MAYORAL REPORT

FILE: C13-1-5

AOP REFERENCE: 3.1

AUTHOR: *Mayor, Councillor Lilliane Brady OAM*

53.04.2015 RESOLVED: That Council accepts the information contained in the Mayoral Report for the month of April 2015.
Clr Marsden/ Clr Martin

CARRIED

CLAUSE 2A – FIT FOR THE FUTURE AND JOINT ORGANISATION OF COUNCILS CONSIDERATION REPORT

FILE: L5-22

AOP REFERENCE: 3.1

AUTHOR: *General Manager, Gary Woodman*

54.04.2015 RESOLVED:

1. That Cobar Shire Council not make a Fit for the Future Council Improvement Proposal Submission unless the need arises in the future.
2. 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.
3. That no decision be made yet on whether Cobar Shire Council is to be part of the OROC Joint Organisation or proposed Western NSW Joint Organisation as proposed by the Western Division Councils of NSW.

Clr Abbott/ Clr Marsden

CARRIED

CLAUSE 3A – THIRD QUARTERLY REVIEW OF THE ANNUAL OPERATIONAL PLAN 2014/2015

FILE: L5-22

AOP REFERENCE: 3.1

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

55.04.2015 RESOLVED: That Council receives and endorses the third quarterly review of the 2014/2015 Annual Operational Plan, covering the period January to March 2015.

Clr Abbott /Clr Kings

CARRIED

CLAUSE 4A – 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*

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GENERAL MANAGER

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MAYOR

56.04.2015 RESOLVED: That Council places the attached Draft 2015/2016 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 Sinclair /Clr Martin **CARRIED**

CLAUSE 5A – QUOTATION FOR THE SUPPLY OF TRADES AND MISCELLANEOUS SERVICES 2012/2015 UPDATE

FILE: T3-12-5 **AOP REFERENCE:** 3.3.4.1
AUTHOR: *Director of Engineering Services, Errol George*

57.04.2015 RESOLVED: That JC Aus Plumbing Pty Ltd be included in Council's Register of Approved Contractors for the Supply of Trades and Miscellaneous Services 2012/2015.
Clr Sinclair /Clr Yench **CARRIED**

CLAUSE 6A – COBAR TRUCK WASH STATUS REPORT

FILE: A10-30 **AOP REFERENCE:** 3.1.1.2
AUTHOR: *Director of Engineering Services, Errol George*

58.04.2015 RESOLVED: In view of not receiving any advice on the success or not of Council's Heavy Vehicle Safety and Productivity Program Submission that Council maintain funding within the 2014/2015 and 2015/2016 budgets with a view to reconstruction of the Cobar Truck Wash and that should the current submission not be approved further submissions are made under the same criteria.
Clr Yench /Clr Sinclair **CARRIED**

CLAUSE 7A – EOI – LEASE, MANAGEMENT AND MAINTENANCE OF COBAR REGIONAL AIRPORT

FILE: A5-1 **AOP REFERENCE:** 4.3.2
AUTHOR: *Director of Engineering Services, Errol George*

59.04.2015 RESOLVED:

1. That no immediate future action is taken in regard to leasing of the Cobar Regional Airport nor private management and maintenance and that all of these activities remain with Council until decided otherwise;
2. That on completion of all requirements for certification of Cobar Regional Airport master planning be commenced, in conjunction with preparation of a business plan exploring potential commercial development of the Airport.

Clr Yench /Clr Sinclair **CARRIED**

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CLAUSE 8A – MAINTENANCE OF STOCK CONTROL STRUCTURES

FILE: P5-29, R5-9

AOP REFERENCE: 4.3.1.2

AUTHOR: *Director of Engineering Services, Errol George*

60.04.2015 RESOLVED:

1. That Council recompile a comprehensive Grid Register which is expected to take approximately 6 to 12 months to complete depending on resources available and location of grids with the Register including GPS coordinates, photos of the grid, an assessment on the condition of the grid and its associated infrastructure.
2. That Council's Approval, Installation and Maintenance of Stock Control Structures in Public Road (Public Gates, Grids, RAMPS and Stock Races) remain unchanged at this time pending the recompilation of a Grid Register at which time the matter will be revisited.

Clr Yench /Clr Isbester

CARRIED

CLAUSE 9A – GRAVEL CRUSHING TENDER REPORT

FILE: T3-11-9

AOP REFERENCE: 4.3.2

AUTHOR: *Owen Johns and Associates on behalf of Director of Engineering Services, Errol George (Errol George is in concurrence with this report)*

61.04.2015 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 prejudice the commercial position of the person who supplied it

Clr Marsden /Clr Kings

CARRIED

CLAUSE 1B – DEVELOPMENT APPROVALS FROM 18 MARCH 2015 – 14 APRIL 2015

FILE: T5-1

AOP REFERENCE: 1.6.3.1

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

62.04.2015 RESOLVED: That the information detailing the Local Development and Construction Certificate approvals for the period 18 March 2015 – 14 April 2015 be received and noted.

Clr Kings /Clr Abbott

CARRIED

CLAUSE 2B – MONTHLY STATUS REPORT

FILE: C13-10

AOP REFERENCE: 3.1

AUTHOR: *General Manager, Gary Woodman*

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GENERAL MANAGER

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MAYOR

63.04.2015 RESOLVED: That the information contained in the monthly status report be received and noted and that items 677, 678, 680, 681, 682, 683, 684, 685, 686 Part 1, 687, 688, 689, 690 and 691 be removed.
Clr Isbester /Clr Martin **CARRIED**

CLAUSE 3B – INVESTMENT REPORT AS AT 31 MARCH 2015

FILE: B2-7

AOP REFERENCE: 3.1.1.7

AUTHOR: *Manager Finance & Administration, Neil Mitchell*

64.04.2015 RESOLVED: That Council receive and note the Investment Report as at 31 March 2015.
Clr Isbester /Clr Abbott **CARRIED**

CLAUSE 4B – MEETING MINUTES

FILE: C8-17

AOP REFERENCE: 3.1

AUTHOR: *General Manager, Gary Woodman*

65.04.2015 RESOLVED: That the minutes of the meeting of the Cobar Liquor Accord Committee be received and noted.
Clr Yench /Clr Abbott **CARRIED**

CLAUSE 5B – YATHONG RESERVE GRAVEL DEPOSITS - STATUS REPORT

FILE: Q1-1

AOP REFERENCE: 4.3.1.3

AUTHOR: *Director of Engineering Services, Errol George*

66.04.2015 RESOLVED: That the Yathong Reserve Gravel Deposits Status Report be noted by Council and that the matter be taken up with the Local Member and relevant NSW Government Ministers together with the proposal to fill in tanks and dams in nature reserves and National Parks that could be used for firefighting purposes.
Clr Sinclair /Clr Kings **CARRIED**

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

67.04.2015 RESOLVED: That Council move into the Committee of the Whole with the press and public excluded at 6:25pm 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 Yench /Clr Marsden **CARRIED**

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GENERAL MANAGER

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MAYOR

Council resumed in Open Council at 6:30pm.

RECOMMENDATIONS TO COUNCIL

68.04.2015 RESOLVED: That the following recommendations of the Committee of the Whole Closed Council be adopted by the Council.
Clr Kings /Clr Marsden **CARRIED**

CLAUSE 1C – GRAVEL CRUSHING TENDER

FILE: T3-13-3

AOP REFERENCE: 4.3.1

AUTHOR: *Owen Johns and Associates on behalf of Director of Engineering Services, Errol George (Errol George is in concurrence with this report)*

13COW.04.2015 RESOLVED:

1. That Council approve the following list of tenderers from which it can engage for Council's future operations with preference being given to Milbrae Quarries depending on the quantity of gravel to be crushed and availability:

- Milbrae Quarries;
- J Prisk Contractors;
- All Gravel Plant Hire;
- Calvani Crushing.

2. That the information contained within this report remains confidential within the Committee of the Whole Closed Council.

Clr Yench/ Clr Martin

CARRIED

THERE BEING NO FURTHER BUSINESS THE MEETING CLOSED AT 6:31PM

CONFIRMED.....

MINUTE NO.....

MAYOR.....