
**MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE
SHIRE OF COBAR HELD IN THE COBAR SHIRE COUNCIL
CHAMBERS ON THURSDAY 12 DECEMBER 2013 COMMENCING AT
5.00PM**

PRESENT (FILE C13-2)

Councillors Lilliane Brady OAM (Mayor), Marsha Isbester, Tracey Kings, Jarrod Marsden, Greg Martin, Peter Maxwell (arrived at 5:09pm), Bob Sinclair, Harley Toomey, Ray Wilson and Peter Yench. Messrs Gary Woodman (General Manager), Kym Miller (Director Corporate and Community Services), Peter Graf (Director of Engineering Services), Garry Ryman (Director of Planning & Environmental Services), Mmes Angela Shepherd (Special Projects Officer) and Janette Booth (Executive Assistant to the General Manager).

APOLOGIES (C13-2)

278.12.2013 **RESOLVED:** That the apologies received from Councillors John Harrison and Pam Smith be accepted and a leave of absence granted.
Clr Yench/Clr Marsden **CARRIED**

DECLARATIONS OF INTEREST (FILE C12-3)

- Nil.
-

CONDOLENCES (FILE M2-3)

- Les Wardman;
 - Patrick John Thomas;
 - Lynn Negfelt;
 - Christine Michelle “Nicki” Tremain;
 - Mrs Marion “Gwennie” Newey;
 - Nelson Mandella.
-

CONFIRMATION OF MINUTES

ORDINARY MEETING OF COUNCIL (FILE C13-11)

279.12.2013 **RESOLVED:** That the minutes of the Ordinary Meeting of Council held on Thursday 28 November 2013 be confirmed as a true and correct record of the proceedings of that meeting.
Clr Kings/Clr Isbester **CARRIED**

THIS IS PAGE 1 OF THE MINUTES OF THE ORDINARY MEETING OF THE
COUNCIL OF THE SHIRE OF COBAR HELD ON THURSDAY 12 DECEMBER 2013

.....
GENERAL MANAGER

.....
MAYOR

CLAUSE 1A – MAYORAL REPORT

FILE: C13-1-5

AOP REFERENCE: 3.1

AUTHOR: *Mayor, Councillor Lilliane Brady*

280.12.2013 RESOLVED:

1. That Council accepts the information contained in the Mayoral Report for the month of December 2013.
2. That Council write to the Department of Primary Industries requesting that the Cobar Shire and Bogan Shire areas be included in the Drought Declared Area of NSW to ensure that fodder transport subsidies, etc are able to be provided to primary producers in the Cobar and Bogan Areas.

Clr Yench/Clr Marsden

CARRIED

AIR SERVICES OUT OF COBAR REGIONAL AIRPORT

FILE: A5-5

AOP REFERENCE: 3.1

AUTHOR: *General Manager, Gary Woodman*

281.12.2013 RESOLVED: That the Air Services Out of Cobar Regional Airport Report be considered in Committee of the Whole Closed Council as the matters are confidential in accordance with sections 10A (2) (c) and (d) (i) (ii) of the Local Government Act 1993, as the matters contain commercial information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business and discussions of this matter in open Council would prejudice the commercial position of the person who supplied it or confer a commercial advantage on a competitor of the Council.

Clr Kings/Clr Marsden

CARRIED

**NOTICE OF MOTION – REGISTRATION FEE FOR COMMON
2014/2015**

FILE: C13-7, C7-1

AOP REFERENCE: 5.2.1.1

AUTHOR: *Councillor, Peter Yench*

282.12.2013 RESOLVED: Registration fees for the 2014/2015 Common be reduced by 50 per cent to help our Local Commoners with a form of drought relief inline with the drought relief announced by the Deputy Premier Hon. Andrew Stoner and Minister for Primary Industries Hon. Katrina Hodgkinson.

Clr Yench/Clr Marsden

CARRIED

NOTICE OF MOTION – MOBILE PHONE COVERAGE

FILE: C13-7, T2-1

AOP REFERENCE: 4.2.1.1

AUTHOR: *Councillor, Peter Yench*

THIS IS PAGE 2 OF THE MINUTES OF THE ORDINARY MEETING OF THE
COUNCIL OF THE SHIRE OF COBAR HELD ON THURSDAY 12 DECEMBER 2013

.....
GENERAL MANAGER

.....
MAYOR

283.12.2013 RESOLVED: That Council write to the Chief Executive Officer of Telstra, Commonwealth Minister for Communications, Member for Parkes Mark Coulton MP, Hon. Kevin Humphries MP Minister for Western NSW and Regional Development Australia - Orana pointing out the inequities of mobile service coverage in the rural areas of NSW and in particularly Western Council Areas such as Cobar Shire, Bourke Shire, Central Darling Shire, Caroothal Shire, Bogan Shire, Brewarrina Shire, Lachlan Shire and Walgett Shire etc and ask for appropriate mobile service coverage in Western NSW as an appropriate community service instead of needing to contract co - contribution funding for tower erections and for emergency situations and that an assessment study be undertaken to determine how the coverage can be practically improved using existing facilities and whether aerial equipment subsidies for external users in rural communities could be included for improved services.

Clr Yench/Clr Martin

CARRIED

**CLAUSE 2A – INTERIM BORE DRILLING REPORT –
LILYVALE REST AREA AND BARNATO – TILPA ROAD**

FILE: MR-19, S12-36

AOP REFERENCE: 4.3.1, 4.3.2

AUTHOR: Works Manager, Kingsley Page

284.12.2013 RESOLVED:

1. That existing bore holes be investigated and if required approval be given to hire a water drilling contractor to sink three water bores in the road reserve at Windara Station, Barnato Station and Jacobs Well Station for an estimated cost of \$40,000.
2. Further investigation of other water bore sites be conducted on an “as needed” basis and reported to Council for approval.

Clr Martin/Clr Wilson

CARRIED

**CLAUSE 3A – 2013 AERODROME SAFETY INSPECTION
REPORT**

FILE: A9-2, A5-6

AOP REFERENCE: 4.3.2.2

AUTHOR: Works Manager, Kingsley Page

285.12.2013 RESOLVED:

1. That the information regarding the 2013 Aerodrome Safety Inspection at Cobar Regional Airport be received and noted.
2. That an estimate is made so that \$20,000 can be allocated in the 2014/2015 budget to address the backlog of outstanding safety recommendations.

3. That the runway and lighting upgrade be evaluated at the conclusion of the Resources for Regions Program deliberations.

Clr Kings/Clr Isbester

CARRIED

CLAUSE 4A – NSW REVENUE PROFESSIONALS CONFERENCE

FILE: S5-1

AOP REFERENCE: 3.3.2.3

AUTHOR: *Rates Officer, Jo-Louise Brown*

286.12.2013 RESOLVED: That one delegated Council employee attend the NSW Revenue Professionals Conference.

Clr Kings/Clr Marsden

CARRIED

CLAUSE 5A - AUSTRALIA DAY AWARDS

FILE: C2-3

AOP REFERENCE: 1.3.4.1

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

287.12.2013 RESOLVED: That the selection panel for the Australia Day Awards comprise the Mayor, Councillors Kings, Marsden and Martin and two community members with one community member to be chosen from within the Tourism Advisory Committee with one community member to be chosen by Council and that the Mayor is authorised to make this selection.

Clr Sinclair/Clr Kings

CARRIED

CLAUSE 6A – 2014 WESTERN DIVISION COUNCILS OF NSW ANNUAL CONFERENCE

FILE: L5-4-4

AOP REFERENCE: 3.2.2.2

AUTHOR: *General Manager, Gary Woodman*

288.12.2013 RESOLVED:

1. That Council note the attendance Councillors Marsden and Sinclair at the 2014 Western Division Councils of NSW Annual Conference who will attend with the Mayor, Deputy Mayor and General Manager or his delegate.
2. That Councillors provide advice to the General Manager by Friday 24 January 2014 on matters that should be considered as resolutions to the 2014 Western Division Councils of NSW Annual Conference.

Clr Marsden/Clr Sinclair

CARRIED

CLAUSE 7A – ADVICE OF EXPENDITURE IN EXCESS OF BUDGET

FILE: L5-22

AOP REFERENCE: 3.1

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

289.12.2013 RESOLVED:

1. That the advice of expenditure on light vehicles and sedans exceeding budget by \$40,000 be received and noted.
2. That the amount is incorporated into the second quarter budget review.

Clr Sinclair/Clr Marsden

CARRIED

CLAUSE 8A – COBAR SHIRE COUNCIL INTERNAL AUDIT COMMITTEE – COMMUNITY REPRESENTATIVES (INDEPENDENT EXTERNAL MEMBERS)

FILE: A12-4

AOP REFERENCE: 3.1.4.2

AUTHOR: *General Manager, Gary Woodman*

290.12.2013 RESOLVED: That Council appoint for a period of three (3) years from the date of appointment, Mr Dan Simmons as a Community Representative (Independent External Member) of Council's Internal Audit Committee, with the appointment being dependent on Mr Simmons continuing in his position as General Manager or other Senior Position at Brewarrina Shire Council.

Clr Sinclair/Clr Isbester

CARRIED

CLAUSE 9A - COMPLIANCE & ENFORCEMENT PROGRAM

FILE: P5-72

AOP REFERENCE: 1.6.2 & 1.6.5

AUTHOR: *Manager Planning and Environmental Services (Compliance & Regulatory Services), Nicholas Mamouzelos*

291.12.2013 RESOLVED:

1. That Council endorses the continuation of the current compliance and enforcement program as having precedence within the resources available and duties undertaken by Planning and Environmental Services.
2. That the attached draft Compliance and Enforcement Policy be placed on public exhibition for a minimum period of twenty eight (28) days (exclusive of the Christmas/New Year period) and a further report be considered by Council at its February 2014 Meeting for the purpose of adopting a policy.

Clr Sinclair/Clr Kings

CARRIED

CLAUSE 10A – ENGAGEMENT OF PROJECT MANAGER

FILE: G4 - 29

AOP REFERENCE: 4.1.4

AUTHOR: *Director of Engineering Services, Peter Graf*

292.12.2013 RESOLVED: That the General Manager be authorised to engage a Project Manager with a salary package including accommodation and vehicle negotiated in the range of existing Engineering Managers (Band 3 Level 4 Grade 4), for the duration of employment being for the life of the Resources for Regions projects currently for a period of three years.

Clr Isbester/Clr Wilson

CARRIED

CLAUSE 11A - LAND ACQUISITION COBAR CARAVAN PARK, LOT 317 DP755649

FILE: A10-1-9

AOP REFERENCE: 2.2.3.1

AUTHOR: *Land Management Officer, Heather Holder*

293.12.2013 RESOLVED: That a report regarding the land acquisition Cobar Caravan Park be considered in the Committee of the Whole Closed Council with the press and public excluded for the reasons stated in Section 10A (2) (c) of the Local Government Act 1993 as it contains information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

Clr Kings /Clr Marsden

CARRIED

CLAUSE 12A – DIVISION OF LOCAL GOVERNMENT PROMOTING BETTER PRACTICE REVIEW OF COBAR SHIRE COUNCIL

FILE: L5-2-3

AOP REFERENCE: 3.1

AUTHOR: *General Manager, Gary Woodman*

294.12.2013 RESOLVED:

1. That Council receive and note the Final Report provided by the Division of Local Government under the Promoting Better Practice Program.
2. That the Division be advised that the Report as been tabled before Council and will be placed on Council's Website.
3. That Staff continue to work towards the completion of any work required by the recommendations contained within in the Report and detailed within the Action Plan.

Clr Isbester/Clr Martin

CARRIED

**CLAUSE 1B– LILLIANE BRADY VILLAGE ANNUAL
AUDITED FINANCIAL REPORTS**

FILE: C8-4-6

AOP REFERENCE: 3.1

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

295.12.2013 RESOLVED: That the Annual Audited Financial Reports for the Lilliane Brady Village for the year ended 30 June 2013 be received and noted.

Clr Marsden/Clr Toomey

CARRIED

CLAUSE 2B – MONTHLY STATUS REPORT

FILE: C13-10

AOP REFERENCE: 3.1

AUTHOR: *General Manager, Gary Woodman*

296.12.2013 RESOLVED: That the information contained in the monthly status report be received and noted and that the following items be removed 444, 478, 479 part 1, 480, 481, 482, 483, 484 part 1 and 2, 485, 486 part 2, 487, 489, 490, 491, 492 part 1, 493 part 1 from the report.

Clr Kings/Clr Sinclair

CARRIED

CLAUSE 3B – MEETING MINUTES

FILE: R5-36

AOP REFERENCE: 3.1

AUTHOR: *General Manager, Gary Woodman*

297.12.2013 RESOLVED: That the minutes of the meeting of the Rural Roads Advisory Committee be received and noted.

Clr Sinclair/Clr Kings

CARRIED

CLAUSE 4B – DEVELOPMENT APPROVALS

FILE: T5-1

AOP: REFERENCE: 1.6.3.1

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

298.12.2013 RESOLVED: That the information detailing the Local Development and Construction Certificate approvals for the period 20 November 2013 – 4 December 2013 be received and noted.

Clr Marsden/Clr Isbester

CARRIED

CLAUSE 5B – BANK RECONCILIATION, CASH FLOW & LOAN FACILITY SUMMARIES AS AT 30 NOVEMBER 2013

FILE: B2-7 AOP REFERENCE: 3.1.1.5

AUTHOR: *Manager Finance & Administration, Neil Mitchell*

299.12.2013 RESOLVED: That Council receive and note the Bank Reconciliation, Cash Flow, Investment and Loan Facilities for the month of November 2013.

Clr Isbester/Clr Sinclair

CARRIED

CLAUSE 6B – INVESTMENT REPORT AS AT 30 NOVEMBER 2013

FILE: B2-7 AOP REFERENCE: 3.1.1.7

AUTHOR: *Manager Finance & Administration, Neil Mitchell*

300.12.2013 RESOLVED: That Council receive and note the Investment Report for the month of November 2013.

Clr Sinclair/Clr Martin

CARRIED

CLAUSE 7B – RATES RECONCILIATION TO 30 NOVEMBER 2013

FILE: R2-1 AOP REFERENCE: 3.1.1.6

AUTHOR: *Rates Officer, Jo-Louise Brown*

301.12.2013 RESOLVED: That the Rates Reconciliation Report as at the 30 November 2013 be received and noted.

Clr Sinclair/Clr Isbester

CARRIED

CLAUSE 8B – EXPENDITURE FOR ROADS NETWORK

FILE: R5-31 AOP REFERENCE: 4.3.2

AUTHOR: *Director of Engineering Services, Peter Graf*

302.12.2013 RESOLVED: That the information detailing the Expenditure for Council's Roads Network be received and noted.

Clr Isbester/Clr Maxwell

CARRIED

CLAUSE 9B – ENGINEERING WORKS REPORT

FILE: C6-20-2 AOP REFERENCE: 4.3.2

AUTHOR: *Director of Engineering Services, Peter Graf*

303.12.2013 RESOLVED: That the information contained in the Engineering Works Report detailing maintenance on shire and regional roads, state highways and water and sewers mains be received and noted.
Clr Marsden/Clr Isbester **CARRIED**

CLAUSE 10B – TRAFFIC COUNTS ON SHIRE ROADS AND CLASSIFIED ROADS (RR7518– MR461)

FILE: R5-34 **AOP REFERENCE: 4.3.2**
AUTHOR: Construction Supervisor, Brett Hallcroft

304.12.2013 RESOLVED: That the information in relation to traffic counts on Shire roads and classified roads (RR7518), (MR461) be received and noted.
Clr Isbester/Clr Sinclair **CARRIED**

CLAUSE 11B – GRANT FUNDING

FILE: G4-17 **AOP REFERENCE: 3.1.1.4**
AUTHOR: Special Projects Officer, Angela Shepherd

305.12.2013 RESOLVED: 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**

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

306.12.2013 RESOLVED: That Council move into the Committee of the Whole (Closed Council) with the press and public excluded at 6:03pm as matters to be discussed are considered to be confidential vide Section 10A (2) (c) and (d) (i) and (ii) of the Local Government Act 1993, as the matters contain commercial information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business and discussions of this matter in open Council would prejudice the commercial position of the person who supplied it or would confer a commercial advantage on a competitor of the Council.
Clr Isbester/Clr Kings **CARRIED**

Council resumed in Open Council at 6:19pm.

RECOMMENDATIONS TO COUNCIL

307.12.2013 RESOLVED: That the following recommendations of the Committee of the Whole Closed Council be adopted by the Council.
Clr Yench/Clr Kings **CARRIED**

CLAUSE 1C – LAND ACQUISITION COBAR CARAVAN PARK, LOT 317 DP755649

FILE: A10-1-9

AOP REFERENCE: 2.2.3.1

AUTHOR: *Land Management Officer, Heather Holder*

96COW.12.2013 RESOLVED:

1. That Council confirm its support for the compulsory acquisition of the crown land by allocating a budget for the 2014/2015 financial year for the amount as outlined in the report.
2. That the matter and discussion held remain in the Committee of the Whole Closed Council until finalisation of the draft budget documents for 2014/2015.

Clr Kings/Clr Martin

CARRIED

AIR SERVICES OUT OF COBAR REGIONAL AIRPORT

FILE: A5-5

AOP REFERENCE: 3.1

AUTHOR: *General Manager, Gary Woodman*

97COW.12.2013 RESOLVED:

1. That the verbal update by the Mayor concerning Air Services out of Cobar Regional Airport be received and noted.
2. That the Air Services Out of Cobar Regional Airport matter and discussions held remain in the Committee of the Whole Closed Council.

Clr Yench/Clr Kings

CARRIED

MATTER OF URGENCY – ECONOMIC TASKFORCE

1. That the first Economic Taskforce Meeting be set for the morning of Friday, 14 February 2014.
2. That Council write to the NSW Government requesting an Economic Stimulus package similar to the Cobbora Transition Fund to be provided to the Cobar Shire due to the current downturn in the mining industry with the retrenchments by the local mines and contractors.

THERE BEING NO FURTHER BUSINESS THE MEETING CLOSED AT 6:38PM

CONFIRMED.....

MINUTE NO.....

MAYOR.....

**THIS IS PAGE 11 OF THE MINUTES OF THE ORDINARY MEETING OF THE
COUNCIL OF THE SHIRE OF COBAR HELD ON THURSDAY 12 DECEMBER 2013**

.....
GENERAL MANAGER

.....
MAYOR