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**MINUTES OF THE EXTRAORDINARY MEETING OF THE COUNCIL  
OF THE SHIRE OF COBAR HELD IN THE COUNCIL CHAMBERS ON  
MONDAY 20 JANUARY 2014 COMMENCING AT 6:00PM**

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**PRESENT (FILE C13-2)**

Councillors Lilliane Brady (Mayor), John Harrison, Tracey Kings, Jarrod Marsden, Greg Martin, Bob Sinclair, Harley Toomey, Peter Yench, Messrs Gary Woodman (General Manager), Kym Miller (Director of Corporate and Community Services), Peter Graf (Director of Engineering Services), Garry Ryman (Director of Planning & Environmental Services), Mesdame Janette Booth (Executive Assistant to the General Manager).

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**APOLOGIES (C13-2)**

That the apologies received from Councillors Marsha Isbester, Peter Maxwell, Pam Smith and Ray Wilson be excepted and a leave of absence granted.

*Clr Sinclair/Clr Martin*

**CARRIED**

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**PUBLIC ACCESS SESSION**

- Rex Group Representatives – David Rooksby and Maurice Gain.
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**DECLARATIONS OF INTEREST (FILE C12-3)**

Nil.

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**CLAUSE 1A – THE REX GROUP APPLICATION FOR RPT  
SERVICES, COBAR - SYDNEY**

**FILE: A5-6**

**AOP REFERENCE: 4.3.2.2**

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

**01.1.2014      RESOLVED:**

1. That the representative from ‘The Rex Group’ be invited to speak and answer questions.
  2. That Council make a determination on ‘The Rex Group’s’ request to enter into a partnership agreement.
  3. That Council thank the representative from ‘The Rex Group’ for their attendance.
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**THIS IS PAGE 1 OF THE MINUTES OF THE EXTRAORDINARY MEETING OF THE  
COUNCIL OF THE SHIRE OF COBAR HELD ON MONDAY 20 JANUARY 2014**

.....  
GENERAL MANAGER

.....  
MAYOR

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4. That Council seek further community comment on their views regarding the licensing of the Cobar – Sydney Air route.
  5. That the report regarding the Rex Group Application for RPT Services, Cobar – Sydney be considered in Committee of the Whole Closed Council with the press and public excluded for the reasons stated in accordance with Section 10A (2)(c) and (d) (i) of the Local Government Act 1993 as the matter contains information that would if disclosed confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business and such commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

*Clr Yench/Clr Sinclair*

**CARRIED**

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**CLAUSE 2A – MATERIAL DIFFERENCES TO OPERATING BUDGET, 20 JANUARY 2014**

**FILE: F2-3-20**

**AOP REFERENCE: 3.1**

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

- 02.1.2014**     **RESOLVED:** That the report Material Differences to Operating Budget, 20 January 2014 be moved for discussion.  
*Clr Sinclair/Clr Kings*     **CARRIED**
- 03.1.2014**     **RESOLVED:** That the report Material differences to Operating Budget, 20 January 2014 discussions continue after the presentation from the Rex Group.  
*Clr Yench/Clr Kings*     **CARRIED**
- 04.1.2014**     **RESOLVED:** That the report regarding Material Differences to Operating Budget, 20 January 2014 be considered in Committee of the Whole Closed Council with the press and public excluded for the reasons stated in accordance with Section 10A (2)(c) and (d) (i) of the Local Government Act 1993 as the matter contains information that would if disclosed confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business and such commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.  
*Clr Sinclair/Clr Marsden*     **CARRIED**
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**CLAUSE 3A – INCREASED WATER RESTRICTIONS TO NYMAGEE**

**FILE: W2-11**

**AOP REFERENCE: 5.1.3**

**AUTHOR: *Services Manager, Ken Wright***

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**05.1.2014 RESOLVED:**

1. That Council approve the following immediate water restrictions for the village of Nymagee until the water supply crisis is addressed:
  - Hand held hoses, all fixed systems, irrigation systems are banned;
  - No car washing;
  - Water should be used for domestic and emergency fire fighting purposes only.
2. If these restrictions are not followed then water usage be furthered restricted with the Mayor and General Manager delegated the authority to impose those restrictions.
3. That Council apply for urgent financial assistance from the NSW Government for Drought Proofing of Nymagee with appropriate advice also through the Local Member.

*Clr Kings/Clr Marsden*

**CARRIED**

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

- 06.1.2014 RESOLVED:** That Council move into the Committee of the Whole with the press and public excluded at 7:46pm as matters to be discussed are considered to be confidential for the reasons stated in accordance with Section 10A (2)(c) and (d)(i) of the Local Government Act 1993 as the matter contains information that would if disclosed confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business and such commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

*Clr Sinclair/Clr Marsden*

**CARRIED**

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Council resumed in Open Council at 8:51pm.

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**RECOMMENDATIONS TO COUNCIL**

- 07.1.2014 RESOLVED:** That the following recommendations of the Committee of the Whole Closed Council be adopted by the Council.

*Clr Martin/ Clr Sinclair*

**CARRIED**

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**CLAUSE 1C – THE REX GROUP APPLICATION FOR RPT SERVICE, COBAR - SYDNEY**

**FILE: A5-6**

**AOP REFERENCE: 4.3.2.2**

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

**02COW.1.2014 RESOLVED:**

1. That the information provided in regards to the Rex Group Application for RPT Services, Cobar to Sydney be noted.
2. That Council agree to a commercial agreement with the Rex Group if they are successful in being awarded the regulated route Cobar to Sydney by Transport NSW on the basis of:
  - Total Head Tax Revenue of \$22.00 per head inclusive of GST per passenger;
  - Passenger numbers cap to be minimum 11,500 before the Rex Group is eligible for collection of the RPT Payment with a 50% share arrangement between the Rex Group and Council for passenger numbers over the 11,500;
  - A 3 year agreement commencing 1 July 2014;
  - Allowance for an annual CPI increase;
  - Waiver on any terminal rental charges.
3. That the General Manager of Cobar Shire Council be the Cobar Community Representative in regards to the Transport NSW consultation process.
4. That Council delegate to the Finance and Policy Committee if required to make a final recommendation to Transport NSW and decisions on any commercial arrangements in relation to the most advantageous airline and air service for the regulated route Cobar to Sydney.
5. That commercial matter discussions in regards to the Rex Group Application for RPT Services remains in the Committee of the Whole Closed Council.

*Clr Sinclair/Clr Martin*

**CARRIED**

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**CLAUSE 2C – MATERIAL DIFFERENCES TO OPERATING BUDGET, 20 JANUARY 2014**

**FILE: F2-3-20**

**AOP REFERENCE: 3.1**

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

**3COW.2.2014 RESOLVED:**

1. That the Report Material Differences to Operating Budget, 20 January 2014 be considered.

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2. That the Report Material Differences to Operating Budget be received and noted by Council.
  3. That the matter in regards to Material Differences to Operating Budget remains in the Committee of the Whole Closed Council

*Clr Sinclair/Clr Kings*

**CARRIED**

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**THERE BEING NO FURTHER BUSINESS THE MEETING CLOSED AT 9:01PM**

**CONFIRMED**.....

**MINUTE NO**.....

**MAYOR**.....