
**MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE
SHIRE OF COBAR HELD IN THE COBAR SHIRE COUNCIL
CHAMBERS ON THURSDAY 27 FEBRUARY 2014 COMMENCING AT
5.00PM**

PRESENT (FILE C13-2)

Councillors Marsha Isbester (Deputy Mayor), Tracey Kings, Jarrod Marsden, Peter Maxwell, Harley Toomey, Bob Sinclair and 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), Mmes Angela Shepherd (Special Projects Officer) and Janette Booth (Executive Assistant to the General Manager).

APOLOGIES (C13-2)

08.2.2014 **RESOLVED:** That the apologies received from Councillors Lilliane Brady OAM (Mayor), Pam Smith and Ray Wilson be accepted and a leave of absence granted.
Clr Marsden/Clr Toomey **CARRIED**

DECLARATIONS OF INTEREST (FILE C12-3)

- Clr Jarrod Marsden – Clause 17A – Cobar Truck Wash Options - Non – Pecuniary – President Union Club.
-

CONDOLENCES (FILE M2-3)

- Eva Attwater;
 - John “Graff” Graffin;
 - Dorothy May Flynn;
 - Catherine Gordon;
 - Jonathan Bambrick.
-

CONFIRMATION OF MINUTES

ORDINARY MEETING OF COUNCIL (FILE C13-11)

09.2.2014 **RESOLVED:** That the minutes of the Ordinary Meeting of Council held on Thursday 12 December 2013 be adopted by Council be confirmed as a true and correct record of the proceedings of that meeting.
Clr Yench/Clr Martin **CARRIED**

THIS IS PAGE 1 OF THE MINUTES OF THE ORDINARY MEETING OF THE
COUNCIL OF THE SHIRE OF COBAR HELD ON THURSDAY 27 FEBRUARY 2014

.....
GENERAL MANAGER


.....
DEPUTY MAYOR

CONFIRMATION OF MINUTES

EXTRAORDINARY MEETING OF COUNCIL (FILE C13-11)

- 10.2.2014** **RESOLVED:** That the minutes of the Extraordinary Meeting of Council held on Thursday 20 January 2014 be confirmed as a true and correct record of the proceedings of that meeting.
Clr Toomey/Clr Kings **CARRIED**
-

CONFIRMATION OF MINUTES

WORKS COMMITTEE MEETING (FILE C6-20)

- 11.2.2014** **RESOLVED:** That the minutes, and the following recommendations contained therein, of the Works Committee Meeting held on Thursday 13 February 2014 be adopted by Council.
Clr Yench/Clr Kings **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, Peter Graf

- 01WC.2.2014** **RECOMMENDATION:** 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 Martin/Clr Sinclair **CARRIED**
-

REPORT 2B – EXPENDITURE FOR ROADS NETWORK

FILE: R5-31

AOP REFERENCE: 4.3.2

AUTHOR: Director of Engineering Services, Peter Graf

- 02WC.2.2014** **RECOMMENDATION:** That the information detailing the Expenditure for Council's Roads Network be received and noted.
Clr Toomey/Clr Sinclair **CARRIED**
-

REPORT 3B – TRAFFIC COUNTS ON SHIRE ROADS AND CLASSIFIED ROADS (RR7518 AND HW8)

FILE: R5-34

AOP REFERENCE: 4.3.2

AUTHOR: Construction Supervisor, Brett Hallcroft

THIS IS PAGE 2 OF THE MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE SHIRE OF COBAR HELD ON THURSDAY 27 FEBRUARY 2014

.....
GENERAL MANAGER

Marsha M. Webster
.....
DEPUTY MAYOR

03WC.2.2014 **RECOMMENDATION:** *That the information in relation to traffic counts on classified roads (RR7518) and (HW8) be received and noted.*
Clr Sinclair/Clr Marsden **CARRIED**

CONFIRMATION OF MINUTES

FINANCE AND POLICY COMMITTEE MEETING (FILE C6-19)

12.2.2014 **RESOLVED:** That the minutes, and the following recommendations contained therein, of the Finance and Policy Committee Meeting held on Thursday 12 February 2014 be adopted by Council.
Clr Yench/Clr Toomey **CARRIED**

DECLARATIONS OF INTEREST (FILE C6-15-7)

- *Clr Jarrod Marsden – Notion of Motion - Seed funding for truck wash for livestock and heavy vehicles in Cobar Shire – Non – Pecuniary – President Union Club.*
 - *Clr Tracey Kings – Report 2A - Funding For Dalton Park Horse Complex - Non – Pecuniary – President Cobar Miners Race Club.*
-

NOTICE OF MOTION – SEED FUNDING FOR TRUCK WASH FOR LIVESTOCK AND HEAVY VEHICLES IN COBAR SHIRE

FILE: A10-30

AOP REFERENCE: 3.1.1.2

AUTHOR: Councillor Peter Yench

01FP.2.2014 **RECOMMENDATION:** *That Council allocates the \$113K received from GST Recovery as a seed fund to establish a Truck Wash for Livestock and Heavy Transport Vehicles in the Cobar Shire.*
Clr Yench/Clr Maxwell **CARRIED**

Councillor Marsden declared a Non Pecuniary interest and left the Meeting at 5:19pm and returned at 5:27pm.

REPORT 1A – COMPARATIVE INFORMATION ON NSW COUNCILS 2011/2012

FILE: F2-5

AOP REFERENCE: 3.3

AUTHOR: Special Projects Officer, Angela Shepherd

02FP.2.2014 **RECOMMENDATION:** *That Council receives and notes the information contained in the report on the comparison of NSW Councils for 2011/2012.*
Clr Yench/Clr Kings **CARRIED**

THIS IS PAGE 3 OF THE MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE SHIRE OF COBAR HELD ON THURSDAY 27 FEBRUARY 2014

.....
GENERAL MANAGER

Marsden M Shepherd
.....
DEPUTY MAYOR

**REPORT 2A– FUNDING FOR DALTON PARK HORSE
COMPLEX**

FILE: G4-17

AOP REFERENCE: 1.5.3.4 & 3.1.1.4

AUTHORS: Acting Services Manager, Ken Wright

Land Management Officer, Heather Holder

03FP.2.2014 RECOMMENDATION:

1. That Council, acting as Trust Manager for the Dalton Park Racecourse (D630019) Reserve Trust, accepts the grant 2013/14 Public Reserves Management Fund Program.
2. That Council, acting as Trust Manager for the Dalton Park Racecourse (D630019) Reserve Trust, authorise the Mayor and the General Manager to sign all relevant documentation.
3. That Council, acting as Trust Manager for the Dalton Park Racecourse (D630019) Reserve Trust, resolve to affix the Trusts seal to the funding agreement.

Clr Martin/Clr Wilson

CARRIED

Councillor Kings declared a Non Pecuniary interest and left the Meeting at 5:28pm and returned at 5:29pm.

REPORT 3A – RPT SERVICES, COBAR REGIONAL AIRPORT

FILE: A5-6

AOP REFERENCE: 4.3.2.2

AUTHOR: General Manager, Gary Woodman

04FP.2.2014 RECOMMENDATION:

1. That the RPT Services, Cobar Regional Airport Report be received and noted.
2. That a further report regarding the RPT Services, Cobar Regional Airport 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 Isbester/Clr Maxwell

CARRIED

REPORT 1B – BANK RECONCILIATION, CASH FLOW & LOAN FACILITY SUMMARIES AS AT 31 DECEMBER 2013

FILE: B2-7

AOP REFERENCE: 3.1.1.7

AUTHOR: Manager Finance & Administration, Neil Mitchell

- 05FP.2.2014** **RECOMMENDATION:** *That Council receive and note the Bank Reconciliation, Cash Flow and Loan Facility Report for the month of December 2013.*
Clr Isbester/Clr Toomey **CARRIED**
-

REPORT 2B – INVESTMENT REPORT AS AT 31 DECEMBER 2013

FILE: B2-7

AOP REFERENCE: 3.1.1.7

AUTHOR: Manager Finance & Administration, Neil Mitchell

- 06FP.2.2014** **RECOMMENDATION:** *That Council receive and note the Investment Report as at 31 December 2013.*
Clr Martin/Clr Toomey **CARRIED**
-

REPORT 3B – BANK RECONCILIATION, CASH FLOW & LOAN FACILITY SUMMARIES AS AT 31 JANUARY 2014

FILE: B2-7

AOP REFERENCE: 3.1.1.5

AUTHOR: Manager Finance & Administration, Neil Mitchell

- 07FP.2.2014** **RECOMMENDATION:** *That Council receive and note the Bank Reconciliation, Cash Flow and Loan Facility Report for the month of January 2014.*
Clr Marsden/Clr Isbester **CARRIED**
-

REPORT 4B – INVESTMENT REPORT AS AT 31 JANUARY 2014

FILE: B2-7

AOP REFERENCE: 3.1.1.7

AUTHOR: Manager Finance & Administration, Neil Mitchell

- 08FP.2.2014** **RECOMMENDATION:** *That Council receive and note the Investment Report for the month of January 2014.*
Clr Martin/Clr Kings **CARRIED**
-

REPORT 5B – RATES RECONCILIATION TO 31 JANUARY 2014

FILE: R2-1

AOP REFERENCE: 3.1.1.6

AUTHOR: Rates Officer, Jo-Louise Brown

09FP.2.2014 **RECOMMENDATION:** *That the Rates Reconciliation Report as at the 31 January 2014 be received and noted.*
Clr Toomey/Clr Yench **CARRIED**

REPORT 6B – GRANT FUNDING

FILE: G4-17

AOP REFERENCE: 3.1.1.4

AUTHOR: *Special Projects Officer, Angela Shepherd*

10FP.2.2014 **RECOMMENDATION:** *That the information contained in the grant funding report detailing grants applied for, grants announced and grants available be received and noted.*
Clr Yench/Clr Marsden **CARRIED**

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

11FP.2.2014 **RESOLVED:** *That Council move into the Committee of the Whole Closed Council with the press and public excluded at 5:34pm as matters to be discussed are considered to be confidential vide 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 Marsden/Clr Kings **CARRIED**

Council resumed in Open Council at 6:03pm.

RECOMMENDATIONS TO COUNCIL

12FP.2.2014 **RESOLVED:** *That the following recommendations of the Committee of the Whole Closed Council be adopted by the Council.*
Clr Marsden/Clr Kings **CARRIED**

REPORT 1C – RPT SERVICES, COBAR REGIONAL AIRPORT

FILE: A5-6

AOP REFERENCE: 4.3.2.2

AUTHOR: *General Manager, Gary Woodman*

07COW.2.2014 **RESOLVED:**

-
1. That Council receive and note the RPT Services, Cobar Regional Airport Report.
 2. That The Rex Group's counter offer in regard to the proposed landing fee sharing above the 11,500 threshold be 80% rebated to "Rex" if and when the 11,500 passenger limit is exceeded be accepted.
 3. That the information and discussions held remain in the Committee of the Whole Closed Council.

Clr Marsden/Clr Harrison

CARRIED

CLAUSE 1A – MAYORAL REPORT

FILE: C13-1-5

AOP REFERENCE: 3.1

AUTHOR: Mayor, Councillor Lilliane Brady OAM

13.2.2014 RESOLVED:

1. That Council accepts the information contained in the Mayoral Report for the month of February 2014.
2. That Council accepts the role of Trustee for the SeXI Proposal and that Council writes to advise Matt Parmeter of Council's decision.
3. That Council write a letter of support for the nomination of the Mayor as a representative to Western Lands Advisory Council through the Western Division Councils of NSW.

Clr Yench/Clr Martin

CARRIED

CLAUSE 2A – REVIEW OF CURRENT WATER RESTRICTIONS

FILE: W2-21

AOP REFERENCE: 5.1.2.3

AUTHOR: Director of Engineering Services, Peter Graf

14.2.2014 RESOLVED:

1. That Council amends the current water restrictions to as follows commencing on Wednesday 5 March 2014:

Cobar:

- Hand held hoses are permitted anytime;
- All fixed sprinklers and irrigation systems be permitted between 6pm to 9pm and 6am to 9am daily;
- No car washing permitted on hard surfaces.

Euabalong and Euabalong West:

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COUNCIL OF THE SHIRE OF COBAR HELD ON THURSDAY 27 FEBRUARY 2014

.....
GENERAL MANAGER

Marsden M. Roberts
.....
DEPUTY MAYOR

- Hand held hoses are permitted anytime;
- All fixed sprinklers and irrigation systems are banned;
- No car washing permitted on hard surfaces.

Nymagee:

- Hand held hoses are banned;
 - All fixed sprinklers and irrigation systems are banned;
 - No car washing permitted.
2. That following finalisation of the current water supply emergency at Nymagee the Mayor and General Manager be authorised to amend the water restrictions at Nymagee to similar restrictions as those for Euabalong and Euabalong West.
 3. That a further report be provided to Council on the water flows under the new regime with a comparison to the previous restrictions.

Clr Kings/Clr Sinclair

CARRIED

**CLAUSE 3A– NSW INDEPENDENT LOCAL GOVERNMENT
REVIEW PANEL REPORT – REVITALISING LOCAL
GOVERNMENT – COBAR SHIRE COUNCIL SUBMISSION**

FILE: L5-2

AOP REFERENCE: 3.1

AUTHOR: *General Manager, Gary Woodman*

15.2.2014 **RESOLVED:** That Council adopt the final draft Cobar Shire Council Submission on the Final Report of the NSW Independent Local Government Review Panel, October 2013 – Revitalising Local Government determined at the Councillor Workshop on 27 February 2014.

Clr Sinclair/ Clr Maxwell

CARRIED

MOTION: That the submission be appropriately adjusted to disagree with any proposal to remove rate pegging.

Clr Yench/Clr

LAPSED

The Motion lapsed for want of a seconder.

MOTION: That the submission be appropriately adjusted to detail that the Local Government Act ensures that General Managers are appropriately qualified with Local Government certification in a similar fashion to the pre 1993 Legislation.

Clr Yench/Clr

LAPSED

The Motion lapsed for want of a seconder.

Councillor Yench asked to be recorded as voting against the Motion.

**CLAUSE 4A – STAFF ATTITUDE SURVEY OCTOBER 2013
REPORT**

FILE: S5-35

AOP REFERENCE: 3.3.2

AUTHOR: *General Manager, Gary Woodman*

- 16.2.2014** **RESOLVED:** That the report on the Staff Attitude Survey October 2013 be considered in the Committee of the Whole Closed Council with the press and public excluded for the reasons stated in accordance with Section 10A(2) (a) of the Local Government Act 1993, as the information relates to personnel matters concerning particular individuals (other than councillors).
Clr Sinclair/Clr Martin **CARRIED**

**CLAUSE 5A – 2014 NATIONAL GENERAL ASSEMBLY OF
LOCAL GOVERNMENT – AUSTRALIAN LOCAL
GOVERNMENT ASSOCIATION**

FILE: L5-6

AOP REFERENCE: 3.1, 3.1.5

AUTHOR: *General Manager, Gary Woodman*

- 17.2.2014** **RESOLVED:**
1. That Council approve the attendance of the Mayor and General Manager to the 2014 National General Assembly of Local Government – Australian Local Government Association 15-18 June 2014 at the National Convention Centre, Canberra.
 2. That Councillors consider motions in the form required to be forwarded to the National General Assembly with information to be provided to the General Manager by 1 April 2014 to allow submittal to the Australian Local Government Association by the deadline of 17 April 2014.
- Clr Sinclair/Clr Marsden* **CARRIED**

**CLAUSE 6A– SECOND QUARTERLY REVIEW OF THE
ANNUAL OPERATIONAL PLAN 2013-2014**

FILE: L5-22

AOP REFERENCE: 3.1

AUTHOR: *Special Projects Officer, Angela Shepherd*

- 18.2.2014** **RESOLVED:** That Council receives and endorses the second quarterly review of the 2013-2014 Annual Operational Plan, covering the period October to December 2013.
Clr Sinclair/Clr Maxwell **CARRIED**

CLAUSE 7A – ECONOMIC TASKFORCE

FILE: D2-17

AOP REFERENCE: 2.1

AUTHOR: *Special Projects Officer, Angela Shepherd*

19.2.2014 RESOLVED:

1. That the attached Terms of Reference be adopted by Council and that Council notes the proposed meeting schedule.
2. That Council endorses the membership of Clrs Yench, Martin, Marsden and Sinclair as the Councillor Representatives on the Taskforce.
3. That Council approaches Telstra and the government seeking an information and subsidy plan promoting equipment that can be used to enhance reception levels for mobile phone users across the Shire. Eg external aerials, patch leads, handsets etc.
4. That Council writes to the NSW Government seeking seed funding of \$30,000 for the Economic Taskforce to allow a business case/prospectus for doing business in Cobar to be developed to counteract the down turn in the mining industry.

Clr Yench/Clr Kings

CARRIED

CLAUSE 8A – QUARTER 2 2013-2014 BUDGET REVIEW

FILE: L5-22

AOP REFERENCE: 3.3

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

20.2.2014 RESOLVED:

1. That the Quarter 2 2013-2014 Budget Review Report be received and noted.
2. That the estimates contained in the attachment to the Quarter 2 2013-2014 Budget Review Report be adopted as the revised forecast for 2013-2014 financial year.
3. That the attachment, Capital Expenditure Quarter 2 2013-2014, be received and noted.

Clr Yench/Clr Sinclair

CARRIED

CLAUSE 9A – 15 YEAR ROLLING PLANT REPLACEMENT PROGRAM

FILE: P3-7

AOP REFERENCE: 3.3.2.6

AUTHOR: *Works Manager, Kingsley Page*

THIS IS PAGE 10 OF THE MINUTES OF THE ORDINARY MEETING OF THE
COUNCIL OF THE SHIRE OF COBAR HELD ON THURSDAY 27 FEBRUARY 2014

.....
GENERAL MANAGER

Marsha M. Webster
.....
DEPUTY MAYOR

21.2.2014 RESOLVED:

1. That Council receives and adopts the Rolling 15 Year Rolling Plant Replacement Program 2014/2015 - 2028/2029, and the information contained therein be noted.
2. That Council sell the Caterpillar 12M grader (P3051) at a suitable time to achieve the best possible price.
3. That Council downsize the caravan fleet and sell off the oldest two vans.
4. That Council sells off one tender utility belonging to the redundant grader.
5. That Council replace all light fleet as per Council's Vehicle Policy with no cars kept beyond 60,000km or 2 years to maximise resale values.

Clr Maxwell/Clr Yench

CARRIED

CLAUSE 10A – COBAR CADET / GUIDE HALL - LEASE

FILE: A10-17

AOP REFERENCE: 3.3.4.2

AUTHOR: *Land Management Officer, Heather Holder*

- 22.2.2014 RESOLVED:** That the shared occupation of the premises 2 Brennan Street, by the Cobar Cadets and Girl Guides continue on a year to year basis with an annual review by Council when assessing applications under its Donation Policy.

Clr Yench/Clr Sinclair

CARRIED

CLAUSE 11A – BREAST CANCER SCREENING UNIT

FILE: P5-48

AOP REFERENCE: 3.2.2

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

23.2.2014 RESOLVED:

1. That Council support the Mobile Breast Screening Units visit to Cobar by providing resources to tow the van from the current location to Cobar.
2. That this commitment be 'evergreen' so that the matter is not required to be brought to Council each year.

Clr Yench/Clr Sinclair

CARRIED

**CLAUSE 12A – LIFE EDUCATION VAN AND PRIME
MOVER**

FILE: P5-48

AOP REFERENCE: 3.2.2

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

24.2.2014 RESOLVED:

1. That Council support the Life Education Van and Prime Mover visit to Cobar by providing resources to collect the van and prime mover from the current location to Cobar.
2. That this commitment be 'evergreen' so that the matter is not required to be brought to Council each year.

Clr Sinclair/Clr Martin

CARRIED

**CLAUSE 13A – DALTON PARK HORSE COMPLEX
LICENCE AGREEMENTS**

FILE: P1-4-3

AOP REFERENCE: 3.3.4.2

AUTHOR: *Land Management Officer, Heather Holder*

WITHDRAWN: On instruction from the General Manager.

**CLAUSE 14A – BATHURST STREET RESERVE LICENCE
AGREEMENT**

FILE: P1-2-2

AOP REFERENCE: 3.3.4.2

AUTHOR: *Land Management Officer, Heather Holder*

25.2.2014 RESOLVED:

1. That Council acting as Trust Manager for the Bathurst Street (R64199) Reserve Trust, resolve to affix the Trusts seal to a 12 month temporary licence agreement for the Cobar Tennis Club to cover the period 1 July 2013 to 30 June 2014.
2. That Council no longer pursue obtaining a licence of up to seven (7) years for use of the Bathurst Street Reserve (R64199) except a licence on a 12 month temporary basis.

Clr Martin/Clr Toomey

CARRIED

**CLAUSE 15A – DRAFT COMPLIANCE AND ENFORCEMENT
POLICY**

FILE: P5-72 AOP REFERENCE: 1.6.2 & 1.6.5

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

THIS IS PAGE 12 OF THE MINUTES OF THE ORDINARY MEETING OF THE
COUNCIL OF THE SHIRE OF COBAR HELD ON THURSDAY 27 FEBRUARY 2014

.....
GENERAL MANAGER

Marsha M. Webster
.....
DEPUTY MAYOR

26.2.2014 RESOLVED:

1. That Council adopts the Draft Compliance and Enforcement Policy in the form in which it was publicly exhibited.
2. That Council gives public notice of its adoption of the Draft Compliance and Enforcement Policy in the Cobar Weekly newspaper and thereby giving effect to the Plan on the date of such public notice.

Clr Martin/Clr Kings

CARRIED

**CLAUSE 16A – PUBLIC EXHIBITION OF COBAR SHIRE
COUNCIL DRAFT SWIMMING POOL BARRIER
INSPECTION PROGRAM**

FILE: S9-1

AOP REFERENCE: 1.6.3

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

27.2.2014 RESOLVED:

1. That Council publically exhibit the Draft Swimming Pool Barrier Inspection Program for a period of not less than 28 days.
2. That Council advertise the public exhibition of the Draft Swimming Pool Barrier Inspection Program in the local paper and request any comments from the public be submitted.
3. That Council invites pool owners in the Cobar Local Government Area who have registered their pools on the State-wide Swimming Pools Register to make a submission during the exhibition period.

Clr Sinclair/Clr Kings

CARRIED

CLAUSE 17A – COBAR TRUCK WASH OPTIONS

FILE: A10-30

AOP REFERENCE: 3.1.1.2

AUTHOR: *Works Manager, Kingsley Page*

28.2.2014 RESOLVED:

1. That Council considers building a stock type truck wash at the old location and allocate where possible funds of \$230,000 in the 2014/2015 budget being \$113,000 from 2013/2014 and Grant Funds from the NSW State Government.

-
2. That Council seek external funding from Western Local Land Services and other Government Departments to fund the dollar amount difference between available Council funds (\$113,000) and required budget (\$230,000).
 3. That approval be given for the signing under seal if required of any documents for the lease or purchase of the land required for the truck wash facility and if required the land be classified as operational.

Clr Yench/Clr Sinclair

CARRIED

Councillor Marsden declared a Non- Pecuniary Interest and left the Meeting at 6:18pm, returning at 6:30pm.

CLAUSE 18A – COMMUNITY NOTICE BOARD

FILE: C8-1 AOP REFERENCE: 1.3.3.1

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

29.2.2014

RESOLVED:

1. That Council approve in principle the placing of a community notice board in the inset area at 39 Marshall Street, Cobar.
2. That an allocation of \$5,000 be included in the (draft) 2014-2015 budget for the community notice board.
3. That should the project proceed the General Manager be delegated to establish the content management guidelines.

Clr Sinclair/Clr Yench

CARRIED

**CLAUSE 19A – PROPOSED DEVELOPMENT AT 12
HARCOURT STREET, COBAR**

FILE: 2014/LD-00003 AOP REFERENCE: 1.6.3.1

AUTHOR: *Manager of Planning & Environmental Services, Stephen Poulter*

30.2.2014

RESOLVED:

That Development Application 2014/LD-00003 for a Carport at 12 Harcourt St, Cobar be determined under s80(1) of the *Environmental Planning and Assessment Act 1979* by granting consent subject to the following conditions:

1. The building work subject to this consent must be carried out in accordance with the requirements of the Building Code of Australia.

**THIS IS PAGE 14 OF THE MINUTES OF THE ORDINARY MEETING OF THE
COUNCIL OF THE SHIRE OF COBAR HELD ON THURSDAY 27 FEBRUARY 2014**

.....
GENERAL MANAGER

Marsden M. Sebastian
.....
DEPUTY MAYOR

REASON: Legislative requirement.

2. This consent shall be void if the development to which it refers is not substantially commenced within sixty (60) months after the date of the consent.

REASON: To comply with the requirements of section 95 of the Environmental Planning and Assessment Act 1979.

3. You are advised that you must give Council 48 hours notice for the following mandatory inspection to be carried out;

- (a) At the commencement of the building work, and
- (b) After excavation for, and prior to the placement of, any footings, and
- (c) Prior to pouring any in-situ reinforced concrete building element, and
- (d) Prior to covering of the framework for any floor, wall, roof or other building element, and
- (e) Prior to covering any stormwater drainage connections, and
- (f) After the building work has been completed and prior to any occupation certificate being issued in relation to the building.

4. The use or occupation of the subject premises is not to commence until such time as the terms of Development Consent have been complied with, to the satisfaction of Council and a Final Certificate issued. The owner may make application to Council for the occupation of incomplete premises, prior to completion. The use of/or occupation of incomplete premises is not permitted until the premises have been inspected by Council Officers and an Occupation Certificate provided.

REASON: To restrict the use of the premises until the terms of the Development Consent have been complied with so as to ensure the health and safety of occupants of the building.

5. That work on the site must only be carried out between the hours of 7.00am and 8.00pm, Monday to Saturday inclusive and 8.00am to 8.00pm on Sundays or Public Holidays.

REASON: To reduce the noise nuisance to the occupants of neighbouring properties and to satisfy the requirements of the Protection of the Environment Operations (Noise Control) Regulation 2000.

6. The open carport is to be no closer than 500mm from any boundary.

REASON: To comply with the Building Code of Australia.

7. The building work subject to this consent must be carried out in accordance with the requirements of the Building Code of Australia.

REASON: Legislative requirement.

8. Roof water is to be disposed of;

a) By piping to the street gutter; or

REASON: To alleviate any potential storm water problems with respect to the buildings on the allotment.

9. A sign must be erected in a prominent position on any site on which building work, subdivision work or demolition work is being carried out, identifying the following:

- the name, address and telephone number of the principal certifying authority (Cobar Shire Council) for the work,
- showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours, and
- stating that unauthorised entry to the site is prohibited

Any such sign is to be maintained while the work is being carried out, but must be removed when the work has been completed.

REASON: Legislative requirement.

Reasons for the Imposition of the Conditions:

1. To ensure the proposed development:

a) Achieves the objects of the Environmental Planning and Assessment Act, 1979;

b) Complies with the provisions of all relevant environmental planning instruments.

2. To ensure the protection of the amenity of land adjoining and in the locality of the proposed development.

3. To minimise any potential adverse environmental, social or economic impacts of the proposed development.

4. To ensure the development does not conflict with the public interest.

Clr Sinclair/Clr Yench

CARRIED

A Division was called automatically as it was a Planning Matter:

For:

Clr Marsha Isbester (Deputy Mayor)

Clr Tracey Kings

Clr Greg Martin

Clr Jarrod Marsden

Clr Peter Maxwell

Clr Bob Sinclair

Clr Harley Toomey

Clr Peter Yench

Against:

CLAUSE 20A – FUNDING FOR NYMAGEE AERODROME

FILE: G4-21

AOP REFERENCE: 4.3.2.3

AUTHOR: *Special Projects Officer, Angela Shepherd*

- 31.2.2014** **RESOLVED:** That Council resolve to affix Council's Seal on the Deed of Agreement between Cobar Shire Council and the Commonwealth of Australia in relation to funding for the Nymagee Aerodrome under the RAAP program.
Clr Yench/Clr Marsden **CARRIED**
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CLAUSE 1B – DEVELOPMENT APPROVALS

FILE: T5-1

AOP REFERENCE: 1.6.3.1

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

- 32.2.2014** **RESOLVED:** That the information detailing the Local Development and Construction Certificate approvals for the period 5 December 2013 - 18 February 2014 be received and noted.
Clr Sinclair/Clr Yench **CARRIED**
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CLAUSE 2B – INVESTIGATION INTO COUNCIL OWNED AND MANAGED LAND

FILE: A10-1 & A9-17

AOP REFERENCE: 1.6.3.3

AUTHOR: *Land Management Officer, Heather Holder*

- 33.2.2014** **RESOLVED:** That the information contained in the Investigation into Council Owned and Managed Land Report be received and noted.
Clr Yench/Clr Toomey **CARRIED**
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CLAUSE 3B – MONTHLY STATUS REPORT

FILE: C13-10

AOP REFERENCE: 3.1

AUTHOR: *General Manager, Gary Woodman*

- 34.2.2014** **RESOLVED:** That the information contained in the monthly status report be received and noted and that items 158, 161, 419, 422, 423, 447, 457 part 2 & 3, 484, 486, 493, 494, 495, 496, 497 part 1, 498 part 1, 499, 500, 501, 502, 503, 504, 506 part 1, 507, 508, 509, 510 part 1, 511 and 512 be removed.
Clr Marsden/Clr Toomey **CARRIED**
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CLAUSE 4B – MEETING MINUTES

FILE: L5-4-3

AOP REFERENCE: 3.1

AUTHOR: *General Manager, Gary Woodman*

35.2.2014

RESOLVED:

1. That the minutes of the meetings of OROC, Cobar Water Board, Cobar Youth Council, Western Division Councils of NSW, Rural Roads Advisory and Cobar Shire Council Economic Taskforce Committees be received and noted.
2. That Phillip Haigh be invited to address Council at a Public Access Session at the appropriate time in conjunction with the reporting in relation to the proposed Shire Road 20 trial contractual maintenance arrangements.

Clr Martin/Clr Sinclair

CARRIED

CLAUSE 5B – JULY – DECEMBER 2013 REPORT ON THE IMPLEMENTATION OF THE COBAR SHIRE COUNCIL DELIVERY PROGRAM

FILE: I5-22

AOP REFERENCE: 3.3.3

AUTHOR: *Special Projects Officer, Angela Shepherd*

36.2.2014

RESOLVED: That the information contained in the six monthly report on the implementation of the Delivery Program – July to December 2013, be received and noted.

Clr Kings/Clr Sinclair

CARRIED

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

37.2.2014

RESOLVED: That Council move into the Committee of the Whole (Closed Council) with the press and public excluded at 6:53pm as matters to be discussed are considered to be confidential vide Section 10A (2) (a) of the Local Government Act 1993, as the matters are personnel matters concerning particular individuals (other than Councillors).

Clr Sinclair/Clr Kings

CARRIED

Council resumed in Open Council at 7:18pm.

RECOMMENDATIONS TO COUNCIL

38.2.2014 RESOLVED: That the following recommendations of the Committee of the Whole Closed Council be adopted by the Council.
Clr Kings/Clr Martin **CARRIED**

CLAUSE 1C – STAFF ATTITUDE SURVEY OCTOBER 2013 REPORT

FILE: S5-35 **AOP REFERENCE: 3.3.2**
AUTHOR: General Manager, Gary Woodman

10COW.2.2014 RESOLVED: That the Staff Attitude Survey Report October 2013 be received and noted and further that the details remain in the Committee of the Whole Closed Council.
Clr Maxwell/Clr Yench **CARRIED**

THERE BEING NO FURTHER BUSINESS THE MEETING CLOSED AT 7:20PM

CONFIRMED.....

MINUTE NO.....

DEPUTY MAYOR *Marsha M Sebestian*