
**MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE
SHIRE OF COBAR HELD IN THE COBAR SHIRE COUNCIL CHAMBERS
ON WEDNESDAY 24 APRIL 2013 COMMENCING AT 5.08PM**

PRESENT (FILE C13-2)

Councillors Lilliane Brady OAM (Mayor), Jarrod Marsden (Deputy Mayor), John Harrison, Marsha Isbester, Greg Martin, Peter Maxwell, Bob Sinclair, Pam Smith, Harley Toomey, Ray Wilson 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) and Mmes Janette Booth (Executive Assistant to the General Manager).

APOLOGIES (C13-2)

63.04.2013 **RESOLVED:** That the apology received from Councillor Tracey Kings be accepted and a leave of absence granted.
Clr Wilson /Clr Isbester **CARRIED**

DECLARATIONS OF INTEREST (FILE C12-3)

- Councillor Harley Toomey declared a non-pecuniary interest in Clause 18A – Request for Donations – Advised that he is on the Executive Committee of the Cobar Rugby League Football Club Inc.
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CONDOLENCES (FILE M2-3)

- Eugenia Tarawski (Mary)
 - Sidney Allan Fugar (Sid)
-

CONFIRMATION OF MINUTES

ORDINARY MEETING OF COUNCIL (FILE C13-11)

64.04.2013 **RESOLVED:** That the minutes of the Ordinary Meeting of Council held on Thursday 28 March 2013 be confirmed as a true and correct record of the proceedings of that meeting.
Clr Yench /Clr Toomey **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 WEDNESDAY 24 APRIL 2013

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GENERAL MANAGER

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MAYOR

65.04.2013 **RESOLVED:** That the minutes, and the following recommendations contained therein, of the Finance and Policy Committee Meeting held on Thursday 11 April 2013 be adopted by Council.
Clr Yench /Clr Sinclair **CARRIED**

APOLOGIES (C16-15-6)

34FP.04.2013 **RECOMMENDATION:** *That the apologies received from Councillors Marsha Isbester and Ray Wilson be accepted and a leave of absence granted.*
Clr Marsden/Clr Martin **CARRIED**

DECLARATIONS OF INTEREST (FILE C6-15-7)

Nil.

REPORT 1A – SMOKE FREE REFORMS FOR OUTDOOR PUBLIC AREAS

FILE: P5-11

AOP REFERENCE: 1.6.5

AUTHOR: Special Projects Officer, Angela Shepherd

35FP.04.2013 **RECOMMENDATION:**

- 1. That Council notes the changes to the Smoke-free Environment Act 2000.*
- 2. That Council adopt the attached amended Smoke-free Outdoor Areas Policy, in line with changes to the Smoke-free Environment Act, 2000.*
- 3. That Council notes that any additional areas to be included in the Smoke-free Outdoor Areas Policy will be determined at annual reviews of the Policy.*
- 4. That Council not add any additional Smoke-Free signage in the CBD at the present time.*

Clr Sinclair/Clr Kings **CARRIED**

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

FILE: B2-7

AOP REFERENCE: 3.1.1

AUTHOR: Acting Manager Finance, Neil Mitchell

36FP.04.2013 **RECOMMENDATION:** *That the information contained in the Bank Reconciliation, Cash Flow, Investment and Loan Facility Summaries, as at 31 March 2013 be received and noted.*
Clr Sinclair/Clr Toomey **CARRIED**

REPORT 2B – INVESTMENT REPORT AS AT 31 MARCH 2013

FILE: B2-7

AOP REFERENCE: 3.1.1.7

THIS IS PAGE 2 OF THE MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE SHIRE OF COBAR HELD ON WEDNESDAY 24 APRIL 2013

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GENERAL MANAGER

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MAYOR

AUTHOR: Rates Officer, Jo-Louise Brown

37FP.04.2013 RECOMMENDATION: *That the information contained in the Investment Report as at 31 March 2013 be received and noted.*
Clr Sinclair/Clr Marsden **CARRIED**

REPORT 3B – RATES RECONCILIATION TO 31 MARCH 2013

FILE: R2-1

AOP REFERENCE: 3.1.1.6

AUTHOR: Rates Officer, Jo-Louise Brown

38FP.04.2013 RECOMMENDATION: *That the information contained in the rates reconciliation to the 31 March 2013 be received and noted.*
Clr Kings/Clr Martin **CARRIED**

REPORT 4B – GRANT FUNDING

FILE: G4-17 AOP REFERENCE: 3.1.1.4

AUTHOR: Special Projects Officer, Angela Shepherd

39FP.04.2013 RECOMMENDATION:

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

2. That the Council priorities for the Resources for Regions Program be as follows:

- 1. Cobar Water Board and Pipeline Replacement*
- 2. Replacement of the Water Treatment Plant*
- 3. Refurbishment, expansion and upgrade of the Cobar Water Treatment Plant*
- 4. Cobar Sewerage Treatment Plant Refurbishment and Effluent Reuse Upgrade Works*
- 5. Sewer reticulation system expansion and Ward Oval sewer pump station refurbishment works*
- 6. Construction and sealing of 10km of the Wool Track*
- 7. Construction and sealing of 10km of the Mulya Road (MR 407, Cobar to Louth)*
- 8. Construction and sealing of 10km of the Tilpa Road (RR7518)*
- 9. Replacement of the lighting system at Cobar Airport*
- 10. Cobar Airport runway pavement strengthening works*
- 11. Refurbishment of the Cobar Youth and Fitness Centre*
- 12. Implementation of the Ward Oval Masterplan*
- 13. Reseal of Mulya Road (RR 407), CSA Access Road (SR38) and Endeavor Access Road (SR 42)*

Clr Yench/Clr Maxwell

CARRIED

CONFIRMATION OF MINUTES

WORKS COMMITTEE MEETING (FILE C6-20)

66.04.2013 **RESOLVED:** That the minutes, and the following recommendations contained therein, of the Works Committee Meeting held on Thursday 11 April 2013 be adopted by Council.
Clr Yench / Clr Wilson **CARRIED**

APOLOGIES (C16-15-6)

13WC.04.2013 **RECOMMENDATION:** *That the apologies received from Councillors Marsha Isbester and Ray Wilson be accepted and a leave of absence granted.*
Clr Yench/Clr Toomey **CARRIED**

DECLARATIONS OF INTEREST (C6-15-7)

Nil.

CLAUSE 1A – REGIONAL ROAD FUNDING – MINISTERIAL RESPONSE

FILE: R5-31

AOP REFERENCE: 2.1.6.2

AUTHOR: Director of Engineering Services, Peter Graf

14WC.04.2013 **RECOMMENDATION:**

- 1. That Council receive and note the information.*
- 2. That a meeting be organised through the Local Member Kevin Humphries with Minister Gay and appropriate Council representatives concerning regional road funding.*
- 3. That a letter of invitation be sent to the Local Member Kevin Humphries and Minister Gay for them to attend a Council meeting to discuss the regional road issues.*

Clr Yench/Clr Martin **CARRIED**

REPORT 1B – ENGINEERING WORKS REPORT

FILE: C6-20-2

AOP REFERENCE: 4.3.2

AUTHOR: Works Manager, Peter Morgan

15WC.04.2013 **RECOMMENDATION:**

- 1. That the information contained in the Engineering Works Report detailing maintenance on shire roads and regional roads, state highways and water and sewers mains be received and noted.*

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2. *That in the future the Engineering Services Department in the prioritisation and undertaking of the road gravel maintenance works ensures that consultation with local landholders is undertaken for works location, gravel pit usage, water provision, works timing, and camping arrangements and that where practical, arrangements be commenced to ensure the locations of all gravel pits, water supply bores, tanks, and gravel pit piles are appropriately documented.*

Clr Toomey/Clr Yench

CARRIED

REPORT 2B – EXPENDITURE FOR ROADS NETWORK

FILE: R5-31AOP

REFERENCE: 4.3.2

AUTHOR: Director of Engineering Services, Peter Graf and Works Manager, Peter Morgan

16WC.04.2013 RECOMMENDATION:

- 1. That the information detailing the expenditure for Council's roads network be received and noted.*
- 2. That the expenditure reports for regional and shire roads include a progressive column that details what works have been undertaken on the roads.*

Clr Sinclair/Clr Marsden

CARRIED

CONFIRMATION OF MINUTES

TRAFFIC COMMITTEE MEETING

67.04.2013 RESOLVED: That the minutes, and the following recommendations contained therein, of the Traffic Committee Meeting held on Tuesday 12 March 2013 be adopted by Council.

Clr Wilson /Clr Martin

CARRIED

Apology received from Ann Crossing (State Member for Barwon Representative).

CONFIRMATION OF MINUTES

ITC.03.2013 RECOMMENDATION: *That the minutes of the Traffic Committee Meeting held on 6 November 2012 were passed as a true and correct record of the proceeding of that meeting.*

Voting Unanimous

CARRIED

MATTERS ARISING FROM THE MINUTES

**PEDESTRIAN ACCESS MOBILITY PLAN (PAMP) AND
LERIDA ROAD BICYCLE FACILITY**

THIS IS PAGE 5 OF THE MINUTES OF THE ORDINARY MEETING OF THE
COUNCIL OF THE SHIRE OF COBAR HELD ON WEDNESDAY 24 APRIL 2013

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GENERAL MANAGER

.....
MAYOR

BACKGROUND: Council is in the process of organising a Pedestrian Access Mobility Plan (PAMP) for RMS approval to look at extending the bike facility from Lerida Road to Cobar Airport and to identify where disable ramps are required within the community. Maurice Bell has made contact with Sharon Grierson from RMS. RMS will contribute fifty percent however Council has limited funds to contribute to a PAMP. The full cost of the PAMP would be approx. ten thousand dollars and council will only have to pay half.

2TC.03.2013

RECOMMENDATION: The PAMP will start to be prepared Monday 18 March 2013 and a bike path maybe included depending on cost.

Voting Unanimous

CARRIED

CSA ACCESS ROAD

BACKGROUND: Council has received complaints from CSA Mine Management and Endeavor Mine Staff, regarding the speed and safety concerns of motorists using the CSA access road.

The intersection is being approached by motorists at high speed.

Council has inspected the site and found that sight distance at the intersection is adequate.

3TC.03.2013

RECOMMENDATION: A letter to be drafted and include the following information;

“The intersection (including a deceleration and acceleration lane) has been designed to accommodate mixed traffic including heavy and oversized vehicles.

Speeding at the intersection is a matter of enforcement and the police have been notified of this requirement”.

The letter to be read and agreed to by Police representative before sending to the mines.

Voting Unanimous

CARRIED

PRINCE STREET

BACKGROUND: The issue has previously been raised that Prince Street is being blocked from parents picking up their children from the Catholic School. The school has been approached and is totally reluctant to move the pick up area back around the corner into Bourke Street.

There has been a trial for parallel parking pick up zone (No Stopping Signs) in front of the church and school in Prince Street with parallel parking out side of school hours. This process allows for smooth travel along the street. Parallel parking will not be enforced during

weekends thus allowing customary angle parking during busy church services.

4TC.03.2013 **RECOMMENDATION:** *The trial has been successful and should be adopted as a permanent solution.*
Voting Unanimous **CARRIED**

MEADOW GLEN REST AREA

BACKGROUND: *Joe Sulicich previously advised the Committee that:
The current access points are located just beyond a crest which limits sight of following traffic to vehicles waiting to turn into the rest area and that this presents a high risk of rear end collisions;
A safer access needs to be constructed.*

5TC.03.2013 **RECOMMENDATION:** *This project is on hold due to heritage issues.*
Voting Unanimous **CARRIED**

ENTRY AT THE OLD ROO WORKS FOR NEW MINING CAMP (HW8 EAST)

BACKGROUND: *A Development Application has been submitted for the establishment of a Pybar Mining camp at the old Roo Works East of Cobar. Council has given Pybar an indication of price. RMS advised that the work would probably be carried out under a WAD (work authorisation deed). Council has been advised they have the job, however will not undertake any work until Pybar finalise the WAD with RMS. Pybar are currently using the facility.*

Further the LTC has noted safety concerns with the use of the existing access.

6TC.03.2013 **RECOMMENDATION:** *Council to contact the proponent with the view of upgrading the access expeditiously.*
Voting Unanimous **CARRIED**

REPORT 2 – TAXI RANK GRAND HOTEL

BACKGROUND: *Council has received a request for a Taxi Rank to be put outside the Grand Hotel in Marshall Street.*

7TC.03.2013 **RECOMMENDATION:** *Not to install a taxi rank adjacent to the Grand Hotel in Marshall Street. It is suggested the car park at the rear could be used as a drop off point and there is an existing taxi rank located in close proximity at the end of the street.*
Voting Unanimous **CARRIED**

**REPORT 3 – TRUCKS PARKING IN MARSHALL STREET
BLOCKING VISION**

BACKGROUND: Council has received complaints regarding trucks that are parking close to the corner, too far off the curb or double parking causing poor vision for motorist travelling on Monaghan Street and entering Marshall Street.

8TC.03.2013 **RECOMMENDATION:** Erect “No Stopping” signs at the Monaghan and Marshall Street intersection.
Voting Unanimous **CARRIED**

GENERAL BUSINESS

PEAK GOLD MINES INTERSECTION

BACKGROUND: Council has received complaints regarding the intersection of the Peak Way and the Kidman Way.

9TC.03.2013 **RECOMMENDATION:** Council to approach Peak Gold Mines for funding to upgrade the intersection to accommodate increased traffic volume turning into the mine.
Voting Unanimous **CARRIED**

MATTERS ARISING

- Follow-up on drop off at school time in Prince Street – advised that we should gather mothers opinions of safe alternatives.
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CLAUSE 1A – MAYORAL REPORT

FILE: C13-1-5

AOP REFERENCE: 3.1

AUTHOR: Mayor, Councillor Lilliane Brady

68.04.2013 **RESOLVED:**

1. That Council accepts the information in the Mayoral Report for the month of April 2013.
2. That Council write to Telstra, Commonwealth Minister of Communication and the Regional Development Australia – Orana, to complain about the lack of phone coverage on the highways leading to and from the Cobar Shire and ask for appropriate improvement of the service including affordable satellite services for the areas that cannot receive full coverage of services.

Clr Sinclair /Clr Yench **CARRIED**

69.04.2013 **RESOLVED:** That the Council write to the Cobar Rugby League Club and advise the Club of its support and willingness to offer and supply help as they may need it.

CLAUSE 2A – WATER SUPPLY ASSET MANAGEMENT PLAN 2013

FILE: A9-14 AOP REFERENCE: 4.1.4.1

AUTHOR: *Services Manager, Timothy Wark*

70.04.2013 RESOLVED: That the Councillors have a discussion on Clause 2A – Water Supply Asset Management Plan 2013.
Clr Yench /Clr Sinclair **CARRIED**

71.04.2013 RESOLVED: That the Water Supply Asset Management Plan 2013 be adopted and the information contained therein be noted.
Clr Yench /Clr Sinclair **CARRIED**

CLAUSE 3A– SEWERAGE SERVICES ASSET MANAGEMENT PLAN

FILE: A9-11 AOP REFERENCE: 4.4.3.3

AUTHOR: *Services Manager, Timothy Wark*

72.04.2013 RESOLVED: That the Sewerage Services Asset Management Plan 2013 be adopted and the information contained therein be noted.
Clr Sinclair /Clr Isbester **CARRIED**

CLAUSE 4A – CONDUCT OF ELECTIONS BY COUNCILS – AMENDMENTS TO THE LOCAL GOVERNMENT ACT 1993

FILE: E2.3.4 AOP REFERENCE: 3.3.4

AUTHOR: *General Manager, Gary Woodman*

73.04.2013 RESOLVED: That Cobar Shire Council agrees to enter into a contract or arrangement with the New South Wales Electoral Commission for the conduct of all elections, constitutional referendums and polls of the Council (not including elections for the Mayor and/or Deputy Mayor by Councillors) until the conclusion of the following ordinary election for Councillors.
Clr Sinclair /Clr Marsden **CARRIED**

CLAUSE 5A – SOLAR ENERGY EXCHANGE INITIATIVE – THE SEXI PROPOSAL

FILE: E6-11 AOP REFERENCE: 5.1.1

AUTHOR: *General Manager, Gary Woodman*

74.04.2013 RESOLVED:

1. That Cobar Shire Council support the notion “Public Funding used for public benefit”;

2. That Cobar Shire Council, in principle, supports the Solar Energy eXchange Initiative (SEXI) proposal, and the development of a solar energy industry in the region.

3. That Cobar Shire Council call on the Commonwealth Government through the Australian Renewable Energy Agency (ARENA), to provide up to \$200 million over five (5) years to the Solar Energy eXchange Initiative (SEXI) proposal to be built and operated.

Clr Smith /Clr Marsden

CARRIED

CLAUSE 6A – NOTICE OF RESCISSION MOTION – PLANT REPLACEMENT PROGRAM, PROPOSED PURCHASE OF 34,000 LITRE WATER TANK TRAILER IN LIEU OF SIDE TIPPER TRAILER

FILE: C13-7, P3-7

AOP REFERENCE: 3.3.2.6

AUTHOR: *General Manager, Gary Woodman*

MOTION: That the \$305,000 contained in line item 55003 – Plant Purchase of the quarterly review budget for changes to improve the position be reconsidered in the 2014/2015 budget and that a revised plant program be reported to council.

Clr Marsden/Clr Yench

LOST

A Division was called:

For:

Councillor Marsden
Councillor Yench

Against:

Councillor Brady
Councillor Isbester
Councillor Harrison
Councillor Maxwell
Councillor Martin
Councillor Smith
Councillor Sinclair
Councillor Toomey
Councillor Wilson

CLAUSE 7A – NOTICE OF RESCISSION MOTION – TENDERS FOR SUPPLY AND DELIVERY OF AND LEASE OF A RUBBER TYRED ROLLER

FILE: C13-7, T3-12-8, T3-12-7

AOP REFERENCE: 3.3.2

AUTHOR: *General Manager, Gary Woodman*

75.04.2013 RESOLVED: That the rescission motion from Councillors Kings, Brady and Isbester concerning the resolutions at Council’s December 2012 Ordinary Meeting to adopt the relevant recommendation of the December 2012 Committee of the Whole Closed Council concerning the

tenders for the supply and delivery of and lease of a rubber tyred roller be considered in Committee of the Whole Closed Council with the press and public excluded for the reasons stated in section 10A (2) (d) (i) of the Local Government Act 1993 as the discussion of the information in open Council would prejudice the commercial position of the person who supplied it.

Clr Sinclair /Clr Maxwell

CARRIED

CLAUSE 8A – NOTICE OF RESCISSION MOTION
CONSIDERATION OF TOURISM COST CENTRE

FILE: C13-7, S5-28

AOP REFERENCE: 3.1.3

AUTHOR: *General Manager, Gary Woodman*

76.04.2013 **RESOLVED:** That the rescission motion from Councillors Yench, Toomey, Wilson and Sinclair concerning the resolution at Council's December 2012 Ordinary Meeting to adopt the relevant recommendations of the December 2012 Committee of the Whole Closed Council concerning Clause 4C – Consideration of Tourism Cost Centre be considered in the Committee of the Whole Closed Council in accordance with Sections 10 A (2) (a) and (c) of the Local Government Act, 1993 as the matters are personnel matters concerning particular individuals (other than Councillors) and would confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

Clr Marsden /Clr Sinclair

CARRIED

CLAUSE 9A – CRIME PREVENTION CCTV SYSTEM FOR
COBAR

FILE: C8-16

AOP REFERENCE: 1.6.2

AUTHOR: *Gary Woodman, General Manager*

77.04.2013 **RESOLVED:** That a minimum three (3) month community consultation program be commenced that requests community input and public submissions on the support for or not of the installation of a Crime Prevention CCTV system for Cobar and that an appropriate report be provided back to Council after the completion of the consultation program.

Clr Martin /Clr Wilson

CARRIED

CLAUSE 10A – SALE OF LAND FOR UNPAID RATES –
CONTRACTS SEAL

FILE: R2-10

AOP REFERENCE: 3.1.1.2

AUTHOR: *Rates Officer, Jo-Louise Brown*

78.04.2013 **RESOLVED:** That Council resolve to affix the Council seal to the Contracts for the Sale of Land for each property sold under Section 713 of the Local Government Act 1993.

THIS IS PAGE 11 OF THE MINUTES OF THE ORDINARY MEETING OF THE
COUNCIL OF THE SHIRE OF COBAR HELD ON WEDNESDAY 24 APRIL 2013

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GENERAL MANAGER

.....
MAYOR

CLAUSE 11A – THIRD QUARTER 2012/2013 BUDGET REVIEW

FILE: F2-3-18 AOP REFERENCE: 3.1.1

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

79.04.2013

RESOLVED:

1. That the Annual Operating Plan budget forecast for 2012/2013 be amended to reflect the changes recommended in the Q3 Budget review.

2. That in the capital budget that it be noted that the removal of the \$100,000 for the semi side tipping trailer and \$35,000 for the road train dolly will not happen as they will be carried over from 2012/2013 into 2013/2014.

Clr Isbester /Clr Sinclair

CARRIED

Clr Martin – Left the meeting at 6:22pm.

Clr Martin – Returned to the meeting at 6:23pm.

CLAUSE 12A – ANNUAL OPERATIONAL PLAN- RELEASE FOR PUBLIC COMMENTS

FILE: L5-22

AOP REFERENCE: 3.1

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

80.04.2013

RESOLVED: That a discussion be held on Clause 12A – Annual Operational Plan – Release for Public Comment by Councillors.

Clr Yench /Clr Toomey

CARRIED

81.04.2013

RESOLVED:

1. That the 2013/2014 Annual Operational Plan including the Revenue Policy, Fees and Charges and Annual Budget be made available to the public in accordance with Section 405 of the Local Government Act 1993.

2. That such notice indicate that two key variables in the Budget will not be resolved until May or June 2013 and that Council will consider the impact of these variables and any required increase in fees and charges at the June Ordinary Meeting of Council along with other Community submissions.

Clr Sinclair /Clr Marsden

CARRIED

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

Clr Yench – Left the Meeting at 6:50pm.

CLAUSE 13A– TENDER FOR THE PROVISION OF BANKING SERVICES

FILE: T3.13.2

AOP REFERENCE: 3.3.4

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

- 82.04.2013** **RESOLVED:** That the report concerning Tenders for the Provision of Banking Services for Cobar Shire Council 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 it contains information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.
Clr Toomey /Clr Marsden **CARRIED**
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CLAUSE 14A– FINANCIAL SUSTAINABILITY ASSESSMENT OF NSW COUNCILS – COBAR (PRELIMINARY REPORT)

FILE: L5-22

AOP REFERENCE: 3.1.1.5

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

- 83.04.2013** **RESOLVED:**
1. That the report on the Financial Sustainability Assessment of NSW Councils – Cobar (Preliminary Report) be considered in Open Council as the NSW Treasury Corporation Report – Financial Sustainability of the NSW Local Government Sector that contains the same information has been made public by the Division of Local Government.
 2. That the letter from Treasury Corporation regarding Cobar Shire’s Council Sustainability Rating be received and noted.
- Clr Sinclair /Clr Marsden* **CARRIED**
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CLAUSE 15A – CONSIDERATION OF INTEREST IN PURCHASING COBAR CARAVAN PARK

FILE: C1-2.1

AOP REFERENCE: 2.2.3.1

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

- 84.04.2013** **RESOLVED:** That a report regarding the request for “In principle” consideration of Anvera Pty Limited interest in purchasing the 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) (d) (i) of the Local Government Act 1993, as it contains
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information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

Clr Martin /Clr Wilson

CARRIED

CLAUSE 16A – ASSOCIATION MEMBERSHIP COSTS AND VALUE

FILE: C6-15

AOP REFERENCE: 3.2.2.2

AUTHOR: *General Manager, Gary Woodman*

85.04.2013 RESOLVED: That each individual Association Membership cost and Value as stated in Clause 16A – Association Membership Costs and Values be discussed.

Clr Yench /Clr Marsden

CARRIED

86.04.2013 RESOLVED: That Council continue with the current memberships and subscriptions that have been included in the Draft 2013/2014 Estimates.

Clr Yench /Clr Martin

CARRIED

The Meeting was adjourned at 7:01pm for a fifteen (15) minute recess.

Meeting reconvened at 7:16pm.

CLAUSE 17A– AUSTRALIAN SUPREME SHEEP DOG TRIALS

FILE: D3-1

AOP REFERENCE: 2.2.2.2

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

87.04.2013 RESOLVED: That Council waive hire fees for the Australian Supreme Sheep Dog Trials being held in Cobar in September 2013.

Clr Yench /Clr Sinclair

CARRIED

Councillor Marsden asked to be recorded as voting against the motion.

CLAUSE 18A – REQUEST FOR DONATIONS

FILE: D3-1

AOP REFERENCE: 1.4.5

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

88.04.2013 RESOLVED:

1. That Council grant the request for a donation from Cobar Rugby League Football Club Inc for assistance with the payment of rates, water, insurances and general maintenance costs of the organisation of \$27,000.

2. That Council grant a donation to Cobar Mobile Children's Services for the continued use of the Cobar Youth and Fitness Centre site including water and rates with an approximate value of \$5,200.

3. That Council grant the request for a donation from Australian Army Cadets for the continued use of the Cobar Barracks in Brennan Street including water and rates with an approximate value of \$750.

4. That Council grant the request for a donation from Cobar Pre School for the continued use of the Cobar Pre School site including water and rates with an approximate value of \$6,000.

5. That Council grant the request for a donation from Cobar Girl Guides for the continued use of the Brennan Street Hall including water and rates with an approximate value of \$750.

Clr Yench /Clr Martin

CARRIED

Councillor Harley Toomey declared a non-pecuniary interest in Clause 18A – Request for Donations – As he is on the Executive Committee of the Cobar Rugby League Football Club Inc and left the meeting at 7:45pm.

Clr Toomey returned to the Meeting at 7:51pm.

CLAUSE 19A – THIRD QUARTERLY REVIEW OF THE ANNUAL OPERATIONAL PLAN 2012/2013

FILE: L5-22

AOP REFERENCE: 3.3.3.1

AUTHOR: *Special Projects Officer, Angela Shepherd*

89.04.2013 RESOLVED: That Council receives and endorses the third quarterly review of the 2012/2013 Annual Operational Plan, covering the period January to March 2013.

Clr Sinclair /Clr Martin

CARRIED

CLAUSE 1B – NSW WATER SUPPLY AND SEWERAGE PERFORMANCE MONITORING REPORT

FILE: W2-1, S3-1

AOP REFERENCE: 4.1.4.1, 4.4.3.3

AUTHOR: *Services Manager, Timothy Wark*

90.04.2013 RESOLVED: That information contained in the 2011/2012 NSW Water Supply and Sewerage Performance Monitoring Report be received and noted.

Clr Sinclair /Clr Smith

CARRIED

CLAUSE 2B – MEETING MINUTES

FILE: C8-16, M4-9, B9-1, N1-1, WB1-22

THIS IS PAGE 15 OF THE MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE SHIRE OF COBAR HELD ON WEDNESDAY 24 APRIL 2013

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GENERAL MANAGER

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MAYOR

AUTHOR: *General Manager, Gary Woodman*

91.04.2013 RESOLVED: That the minutes of the meetings for the Western Division Councils of NSW – Annual Conference, Cobar Youth Council and Liquor Accord Committee Meeting be received and noted.
Clr Toomey /Clr Maxwell **CARRIED**

CLAUSE 3B – MONTHLY STATUS REPORT

FILE: C13-10 AOP REFERENCE: 3.1

AUTHOR: *General Manager, Gary Woodman*

92.04.2013 RESOLVED: That the information contained in the monthly status report be received and noted and that items 30, Parts 1 & 2, 288, 314, 324 Part 1, 327, 329, 334, 336, 346, 347, 349, 352, 353, 354 Part 1, 357, 358, 359, 360, 361 be removed from the Status Report.
Clr Martin /Clr Yench **CARRIED**

CLAUSE 4B – CROWN LAND LICENCE FEES FOR ALL RESERVES

FILE: A9-17 AOP REFERENCE: 3.3.4.2.

AUTHOR: *Director of Engineering, Peter Graf*

Director of Planning & Environmental Services, Garry Ryman

93.04.2013 RESOLVED: That the information regarding Crown Land Licence Fees for all Reserves be received and noted.
Clr Yench /Clr Sinclair **CARRIED**

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

94.04.2013 RESOLVED: That Council move into the Committee of the Whole with the press and public excluded at 8:00pm 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 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.
Clr Sinclair /Clr Yench **CARRIED**

Council resumed in Open Council at 8:58pm.

RECOMMENDATIONS TO COUNCIL

95.04.2013 RESOLVED: That the following recommendations of the Committee of the Whole Closed Council be adopted by the Council.
Clr Yench /Clr Toomey **CARRIED**

**CLAUSE 1C - NOTICE OF RECISSION MOTION –
CONSIDERATION OF TOURISM COST CENTRE**

File: C13-7, S5-28 AOP: 3.1.3

Author: Gary Woodman, General Manager

28COW.04.2013 RESOLVED: That the resolution from Clause 4C – Consideration of Tourism Cost Centre from the 13 December 2012 Council Meeting be rescinded.
Clr Yench /Clr Toomey **CARRIED**

A Division was called:

For:

Councillor Marsden
Councillor Martin
Councillor Smith
Councillor Sinclair
Councillor Toomey
Councillor Wilson
Councillor Yench

Against:

Councillor Brady
Councillor Isbester
Councillor Harrison
Councillor Maxwell

29COW.04.2013 RESOLVED:

1. That the final draft 2013/2014 Annual Operating Plan Budget be amended by increasing expenditure in the Tourism Cost Centre by \$140,000.

2. That in the year 2013/2014 that Council develop a tourism management plan that details appropriate commitments and plans that aids the tourist industry in Cobar.

Clr Yench /Clr Sinclair

CARRIED

**CLAUSE 4C – TENDER FOR THE PROVISION OF BANKING
SERVICES**

FILE: T3.13.2 AOP REFERENCE: 3.3.4

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

30COW.04.2013 RESOLVED:

1. That National Australia Bank be awarded Cobar Shire Council's banking services for the period 1 July 2013 to 30 June 2017.

2. That details of the unsuccessful tenders remain in the Committee of the Whole Closed Council.

Clr Martin / Clr Isbester

CARRIED

CLAUSE 5C - CONSIDERATION OF INTEREST IN PURCHASING COBAR CARAVAN PARK

FILE: C1-2.1

AOP REFERENCE: 2.2.3.1

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

31COW.04.2013 RESOLVED:

1. No further action be taken at this time concerning the proposed sale of the Cobar Caravan Park.

2. That discussions relating to information provided in the expression of interest in purchasing the Cobar Caravan Park remains in the Committee of the Whole Closed Council.

Clr Yench / Clr Brady

CARRIED

Councillor Marsden asked to be recorded as voting against the motion.

THERE BEING NO FURTHER BUSINESS THE MEETING CLOSED AT 9:00PM

CONFIRMED.....

MINUTE NO.....

MAYOR.....