

**MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE  
SHIRE OF COBAR HELD IN THE COBAR SHIRE COUNCIL  
CHAMBERS ON THURSDAY 28 FEBRUARY 2013 COMMENCING AT  
5.00PM**

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**PRESENT (FILE C13-2)**

Councillors Lilliane Brady OAM (Mayor), Jarrod Marsden (Deputy Mayor), Tracey Kings, Greg Martin, Peter Maxwell, Pam Smith, Harley Toomey and Peter Yench, Messrs Gary Woodman (General Manager), Kym Miller (Director of Corporate and Community Services), Peter Morgan (Acting Director of Engineering Services), Garry Ryman (Director of Planning & Environmental Services), Mmes Angela Shepherd (Special Projects Officer) and Alison Pearson (Executive Assistant to the General Manager).

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**APOLOGIES (C13-2)**

- 1.02.2013**      **RESOLVED:** That the apologies received from Councillors Marsha Isbester, Bob Sinclair and Ray Wilson be accepted and a leave of absence granted.  
*Clr Marsden/Clr Yench* **CARRIED**
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**PUBLIC ACCESS SESSION**

Mr John Dineen, the Chair of the Cobar Tourism Advisory Committee and Leaseholder of the Cobar Caravan Park, gave a presentation on tourism matters.

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**DECLARATIONS OF INTEREST (FILE C12-3)**

- Councillor Greg Martin has declared a non-pecuniary interest in Clause 4A – Notice of Rescission Motion – Consideration of Tourism Cost Centre.
  - Councillor Greg Martin has declared a pecuniary interest in Clause 20A – Copper City Mens Shed – Additions to the Ward Oval Shearing Shed.
  - Councillor Greg Martin has declared a non-pecuniary interest in Clause 2C – Notice of Rescission Motion – Consideration of Tourism Cost Centre.
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**CONDOLENCES (FILE M2-3)**

- Elva Budd
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**THIS IS PAGE 1 OF THE MINUTES OF THE ORDINARY MEETING OF THE  
COUNCIL OF THE SHIRE OF COBAR HELD ON THURSDAY 28 FEBRUARY 2013**

.....  
GENERAL MANAGER

.....  
MAYOR

- 
- Jean Lorraine Grant
  - Lynton Jermyn
  - Ned Andrew Dunn (Maitland)
  - Barry O'Brien (Taree)
  - Dorothy Ada Isbester
  - Suesanne May Neale
  - Ronald Francis Isbester
  - John Allan Porter
- 

**CONFIRMATION OF MINUTES**

**ORDINARY MEETING OF COUNCIL (FILE C13-11)**

**2.02.2013**      **RESOLVED:** That the minutes of the Ordinary Meeting of Council held on Thursday 13 December 2012 be confirmed as a true and correct record of the proceedings of that meeting.  
*Clr Toomey/Clr Martin* **CARRIED**

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**CONFIRMATION OF MINUTES**

**FINANCE AND POLICY COMMITTEE MEETING (FILE C6-19)**

**3.02.2013**      **RESOLVED:** That the minutes, and the following recommendations contained therein, of the Finance and Policy Committee Meeting held on Thursday 14 February 2013 be adopted by Council.  
*Clr Maxwell/Clr Kings* **CARRIED**

**APOLOGIES (C16-15-6)**

**1FP.02.2013**      **RECOMMENDATION:** *That the apologies received from Councillors Marsha Isbester and Greg Martin be accepted and a leave of absence granted.*  
*Clr Sinclair/Clr Marsden* **CARRIED**

**REPORT 1A – PRESENTATION OF THE COUNCIL'S  
AUDITED FINANCIAL STATEMENTS AND AUDITOR'S  
REPORT FOR 2011/2012**

**FILE:** *A12-2, F2-2-17* **AOP REFERENCE: 3.3.3.3**

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

**2FP.02.2013**      **RECOMMENDATION:**  
1. *That Council thank Mr Jeff Shanks of Morse Group for his presentation.*  
2. *That the Audited Financial Statements and Auditor's Report for the year ended 30 June 2012 be received and noted.*  
*Clr Sinclair/Clr Toomey* **CARRIED**

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THIS IS PAGE 2 OF THE MINUTES OF THE ORDINARY MEETING OF THE  
COUNCIL OF THE SHIRE OF COBAR HELD ON THURSDAY 28 FEBRUARY 2013

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**REPORT 2A – DRAFT PROCUREMENT POLICY**

**FILE: P5 - 85**

**AOP REFERENCE: 3.3.4.1**

**AUTHOR: Services Manager, Timothy Wark**

**3FP.02.2013**      **RECOMMENDATION:** *That the draft Procurement Policy be adopted.*  
*Clr Sinclair/Clr Wilson*      **CARRIED**

**REPORT 3A – MOU WITH OUTBACK ARTS**

**FILE: A8-1**

**AOP REFERENCE: 1.4.5.1**

**AUTHOR: Special Projects Officer, Angela Shepherd**

**4FP.02.2013**      **RECOMMENDATION:** *That the MOU be held over until the setting of the 2013/2014 budget.*  
*Clr Yench/Clr Marsden*      **CARRIED**

**REPORT 4A – CUSTOMER SERVICE POLICY**

**FILE: P5-86**

**AOP REFERENCE: 3.3.1**

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

**5FP.02.2013**      **RECOMMENDATION:** *That Council adopt the Draft Customer Service Policy.*  
*Clr Sinclair/Clr Wilson*      **CARRIED**

**REPORT 5A – REVISED MODEL PRIVACY MANAGEMENT PLAN FOR LOCAL GOVERNMENT**

**FILE: A2-7-19**

**AOP REFERENCE: 3.3.2.6**

**AUTHOR: General Manager, Gary Woodman**

**6FP.02.2013**      **RECOMMENDATION:**  
1. *That Council adopt the revised Model Privacy Management Plan for Local Government, January 2013 as Policy of Council.*  
2. *That a copy of Council's updated Privacy Management Plan Policy be provided to the Privacy Commissioner as soon as practical.*  
*Clr Sinclair/Clr Kings*      **CARRIED**

**REPORT 6A – THE NEW MODEL CODE OF CONDUCT**

**FILE: P5-8**

**AOP REFERENCE: 3.1.5**

**AUTHOR: General Manager, Gary Woodman**

**7FP.02.2013**      **RECOMMENDATION:**

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1. That Council adopt the new Model Code of Conduct as Cobar Shire Council's Code of Conduct Policy commencing 1 March 2013.
  2. That Council adopt the new Procedures for the Administration of the Model Code of Conduct for Local Government Council's in NSW as Cobar Shire Council's Procedures for the Administration of Cobar Shire Council's Code of Conduct Policy commencing 1 March 2013.
  3. That Council note that the Director of Corporate and Community Services and Human Resources Officer will be appointed as the Complaints Co-ordinator and Alternate Complaints Co-ordinator respectively as of 1 March 2013.

**Clr Sinclair/Clr Wilson**

**CARRIED**

**REPORT 7A – LILLIANE BRADY VILLAGE**

**ACCOMMODATION BOND MANAGEMENT POLICY**

**FILE: C8-4-5**

**AOP REFERENCE: 3.3.3**

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

**8FP.02.2013**

**RECOMMENDATION:** That Council adopt the draft Lilliane Brady Village Accommodation Bonds Management Policy.

**Clr Harrison/Clr Yench**

**CARRIED**

**REPORT 8A – LILLIANE BRADY VILLAGE**

**ACCOMMODATION BONDS PERMITTED USE POLICY**

**FILE: C8-4-5**

**AOP REFERENCE: 3.3.3**

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

**9FP.02.2013**

**RECOMMENDATION:**

1. That Council adopts the draft Lilliane Brady Village Accommodation Bonds Permitted Use Policy.
2. That Council continues to only invest Lilliane Brady Village Bond monies with an Authorised Deposit-taking Institution (ADI).
3. That Council receives and notes the bonds balance schedule as at 30 June 2012.

**Clr Harrison/Clr Yench**

**CARRIED**

**REPORT 9A – AUDITED ACCOUNTS FOR LILLIANE**

**BRADY VILLAGE FOR THE YEAR ENDING 30/06/2012**

**FILE: C8-4-5**

**AOP REFERENCE: 3.1.1.5**

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





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**4.02.2013**      **RESOLVED:**      That the minutes, and the following recommendations contained therein, of the Works Committee Meeting held on Thursday 14 February 2013 be adopted by Council.  
*Clr Yench/Clr Kings*      **CARRIED**

**APOLOGIES (C16-15-6)**

**1WC.02.2013**      **RECOMMENDATION:**      *That the apologies received from Councillors Marsha Isbester and Greg Martin be accepted and a leave of absence granted.*  
*Clr Wilson/Clr Sinclair*      **CARRIED**

**DECLARATIONS OF INTEREST (C6-15-7)**

- *Councillor Sinclair declared a pecuniary interest in Report 2A – Policy of the Responsibility of Stock Control Grids.*

**REPORT 1A – CONTRACT ROAD MAINTENANCE TRIAL**

**FILE:** *S5-1, P3-23*      **AOP REFERENCE:** *4.3*

**AUTHOR:** *General Manager, Gary Woodman and Works Manager, Peter Morgan*

**2WC.02.2013**      **RECOMMENDATION:** *That the report concerning Contract Road Maintenance Trial be considered in Closed Council in the Committee of a Whole with the press and public excluded for the reasons as stated in Section 10A (2)(a) and (d)(i) of the Local Government Act 1993, as the information contains personnel matters concerning particular individuals (other than Councillors) and as discussions of this matter in open Council would prejudice the commercial position of the person who supplied it.*  
*Clr Sinclair/Clr Marsden*      **CARRIED**

**REPORT 2A – POLICY ON THE RESPONSIBILITY OF STOCK CONTROL GRIDS**

**FILE:** *R5-9*      **AOP REFERENCE:** *4.3.1.1*

**AUTHOR:** *Works Manager, Peter Morgan*

**3WC.02.2013**      **RECOMMENDATION:**

1. *That Council reaffirm its resolution dated 25 February 2010 concerning the Stock Control Grid Policy and that the cost of resources be considered at its 2013/2014 Estimates Meeting.*
2. *That Council's Policy on stock control structures (public gates, grids, ramps and stock races) be amended to reflect that on both Regional and Shire roads it is the landholder's responsibility to maintain the stock grids etc.*

*Clr Marsden/Clr Wilson*      **CARRIED**

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**REPORT 1B – EXPENDITURE FOR ROADS NETWORK**

**FILE: R5-31**

**AUTHOR: Director of Engineering Services, Stephen Taylor**

**4WC.02.2013**      **RECOMMENDATION:** *That the information detailing the expenditure for Council's roads network be received and noted.*  
**Clr Yench/Clr Wilson** **CARRIED**

**REPORT 2B – ENGINEERING WORKS REPORT**

**FILE: C6-20-2**

**AUTHOR: Director of Engineering Services, Stephen Taylor**

**5WC.02.2013**      **RECOMMENDATION:** *That the information contained in the Engineering Works Report detailing maintenance on Shire and regional roads, state highways and water and sewer mains be received and noted.*  
**Clr Marsden/Clr Toomey** **CARRIED**

**COMMITTEE OF THE WHOLE CLOSED COUNCIL**

**6WC.02.2013**      **RECOMMENDATION:** *That Council move into the Committee of the Whole Closed Council with the press and public excluded at 8.10pm as matters to be discussed are considered to be confidential vide Section 10A (2)(a) and (d)(i) of the Local Government Act 1993, as the information contains personnel matters concerning particular individuals (other than Councillors) and as discussions of this matter in open Council would prejudice the commercial position of the person who supplied it .*  
**Clr Yench/Clr Toomey** **CARRIED**

*Committee resumed in open Committee at 8.31pm.*

**RECOMMENDATIONS TO COMMITTEE**

**7WC.02.2013**      **RECOMMENDATION:** *That the following recommendations of the Committee of the Whole be adopted by the Committee.*  
**Clr Yench/Clr Toomey** **CARRIED**

**REPORT 1C – CONTRACT ROAD MAINTENANCE TRIAL**

**FILE: S5-1, P3-23** **AOP REFERENCE: 4.3**

**AUTHOR: General Manager, Gary Woodman and Works Manager, Peter Morgan**

**3COW.02.2013**      **RESOLVED:**  
1. *That Council not undertake a contract road maintenance trial.*  
2. *That Council note the progress to date on the Cobar Shire Council Plant and Equipment Utilisation Improvement*



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*Program and the future training that is expected to be implemented.*

3. *That the report and discussions held remain in the Committee of the Whole Closed Council.*

*Clr Sinclair/Clr Kings*

**CARRIED**

**MATTERS ARISING**

- Nil.

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**CLAUSE 1A – MAYORAL REPORT**

**FILE: C13-1-5**

**AOP REFERENCE: 3.1**

**AUTHOR: Mayor, Councillor Lilliane Brady**

**5.02.2013**

**RESOLVED:**

1. That Council accepts the information contained in the Mayoral Report for the month of February 2013.
2. That Council request the Western Local Area Health District to undertake an investigation into the feasibility of a multi-purpose health service being established in Cobar that would incorporate the Cobar District Hospital and the Lilliane Brady Village.
3. That a workshop be arranged to consider the appropriate eligible projects for the Resources for Regions program.

*Clr Yench/Clr Toomey*

**CARRIED**

Councillor Marsden requested that his name be recorded as voting against the motion.

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**CLAUSE 2A – PUBLIC ADDRESS – CHAIRPERSON OF COBAR TOURISM ADVISORY COMMITTEE AND LEASEHOLDER OF THE COBAR CARAVAN PARK**

**FILE: T4-1, T4-3, C1-2**

**AOP REFERENCE: 3.1**

**AUTHOR: General Manager, Gary Woodman**

**6.02.2013**

**RESOLVED:** That Council thank the Chairperson of the Cobar Tourism Advisory Committee and Leaseholder of the Cobar Caravan Park for his address on tourism matters.

*Clr Martin/Clr Toomey*

**CARRIED**

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**CLAUSE 3A – 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: 2.2, 2.2.3

**AUTHOR: General Manager, Gary Woodman**

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**7.02.2013**      **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 Kings/Clr Marsden*      **CARRIED**

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**CLAUSE 4A – NOTICE OF RESCISSION MOTION –  
CONSIDERATION OF TOURISM COST CENTRE**

**FILE: C13-7, S5-28**      **AOP REFERENCE: 3.3.2.6**

**AUTHOR: *General Manager, Gary Woodman***

**8.02.2013**      **RESOLVED:** That the matter concerning Clause 4A – Notice of Motion – Consideration of Tourism Cost Centre be deferred until the April Meeting of Council following the proposed budget workshops.  
*Clr Kings/Clr Marsden*      **CARRIED**

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**CLAUSE 5A – FINANCIAL SUSTAINABILITY ACTION  
PLAN PROGRESS REPORT FEBRUARY**

**FILE: L4-29**      **AOP REFERENCE: 3.1**

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

**9.02.2013**      **RESOLVED:**

1. That the components of the Financial Sustainability Action Plan Progress Report February 2013 which refer to:
  - a. Personal matters concerning particular individuals (other than Councillors);
  - b. Commercial information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business;

be considered in Closed Council in the Committee of the Whole with the press and the public excluded in accordance with Section 10A(2)(a) and (c) of the Local Government Act 1993.

2. That Council receives and notes the information in the Financial Sustainability Action Plan Progress Report December 2012 as attached and forwards it to the Premier and Cabinet Division of Local Government.

*Clr Marsden/Clr Toomey*      **CARRIED**

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**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 REFERNCE: 3.3.2.6**

**AUTHOR: *General Manager, Gary Woodman***

**10.02.2013**

**RESOLVED:** That the matter concerning Clause 6A – Notice of Rescission Motion – Plant Replacement Program, Proposed Purchase of 34,000 Litre Water Tank Trailer in Lieu of Side Tipper Trailer be deferred until the April Meeting of Council following the proposed budget workshops.

***Clr Marsden/Clr Kings***

**CARRIED**

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**CLAUSE 7A – SECOND QUARTERLY REVIEW OF THE ANNUAL OPERATIONAL PLAN 2012-2013**

**FILE: L5-22**

**AOP REFERENCE: 3.3.3.1**

**AUTHOR: *Special Projects Officer, Angela Shepherd***

**11.02.2013**

**RESOLVED:** That Council receives and endorses the second quarterly review of the 2012-2013 Annual Operational Plan, covering the period October to December 2012.

***Clr Yench/Clr Kings***

**CARRIED**

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**CLAUSE 8A – SECOND QUARTER 2012-2013 BUDGET REVIEW**

**FILE: F2-3-18**

**AOP REFERENCE: 3.1.1**

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

**12.02.2013**

**RESOLVED:** That standing orders be suspended to discuss Clause 8A – Second Quarter 2012 – 2013 Budget Review.

***Clr Yench/Clr Marsden***

**CARRIED**

**13.02.2013**

**RESOLVED:** That standing orders be resumed to discuss Clause 8A – Second Quarter 2012 – 2013 Budget Review.

***Clr Yench/Clr Marsden***

**CARRIED**

**14.02.2013**

**RESOLVED:**

1. That the Annual Operating Plan budget forecast for 2012-2013 be amended to reflect the changes recommended in the Q2 Budget review.
2. That the summary of Budget amendments be included as a footnote to this report.
3. That Council as part of its 2013-2014 budget preparation consider the overall level of services that it can provide.

***Clr Yench/Clr Marsden***

**CARRIED**

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**CLAUSE 9A – AMENDMENT TO THE POLICY FOR THE PROVISION AND USE OF COUNCIL’S CORPORATE CREDIT CARD**

**FILE: P5-50**

**AOP REFERENCE: 3.3.2.6**

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

**15.02.2013**

**RESOLVED:**

1. That the position of Manager Children’s Services be delegated access to use a Council Corporate Credit Card with a maximum limit of \$5,000.
2. That the Policy for the Provision and Use of Council’s Corporate Credit Cards as amended be adopted.

***Clr Martin/Clr Yench***

**CARRIED**

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**CLAUSE 10A – RE-ADOPTION OF COMMUNITY STRATEGIC PLAN, LONG TERM FINANCIAL PLAN, DELIVERY PROGRAM AND ANNUAL OPERATIONAL PLAN**

**FILE: L5-22**

**AOP REFERENCE: 3.3.3.1**

**AUTHOR: *Special Projects Officer, Angela Shepherd***

**16.02.2013**

**RESOLVED:**

1. Council notes the changes made to the draft Community Strategic Plan – *Cobar Shire 2025*, the Long Term Financial Plan 2012/13 – 2021/2022, the Delivery Program 2012/2013 - 2015/2016 and Annual Operational Plan 2012/2013 following the period of public exhibition and consultation.
2. Council adopts the draft Community Strategic Plan – *Cobar Shire 2025*, the Long Term Financial Plan 2012/13 – 2021/2022, the Delivery Program 2012/2013 - 2015/2016 and Annual Operational Plan 2012/2013.
3. Council forwards a copy of the new documents to the DLG.

***Clr Martin/Clr Yench***

**CARRIED**

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**CLAUSE 11A – HARDSHIP ASSISTANCE POLICY**

**FILE: R2-3, P5-84**

**AOP REFERENCE: 3.1.1.2, 3.1.1.6**

**AUTHOR: *Rates Officer, Jo-Louise Brown***

**17.02.2013**

**RESOLVED:** That the attached draft Hardship Assistance Policy be adopted by Council.

***Clr Yench/Clr Kings***

**CARRIED**

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**CLAUSE 12A – REGIONAL PROCUREMENT INITIATIVE  
(DIVISION OF HUNTER COUNCILS) – PROPOSED  
REVERSE AUCTION FOR SUPPLY OF CONTESTABLE  
ELECTRICITY AND ASSOCIATED SERVICES INCLUDING  
STREET LIGHTING – RA 16 12 13 COB**

**FILE: E3-1 AOP REFERENCE: 3.3.4.1**

**AUTHOR: *General Manager, Gary Woodman***

**18.02.2013**      **RESOLVED:** That Council note the report and processes involved in the proposed reverse auction for supply of the contestable electricity and association services including street lighting – RA 16 12 13 COB by Regional Procurement Initiative (Division of Hunter Councils).

***Clr Kings/Clr Yench***

**CARRIED**

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**CLAUSE 13A – 2013 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***

**MOTION:** That Council do not attend the 2013 National General Assembly of Local Government – Australian Local Government Association 16-19 June 2013 at the National Convention Centre, Canberra.

***Clr Yench/***

**LAPSED**

**The MOTION LAPSED for the want of a SECONDER.**

**19.02.2013**      **MOTION:**

1. That Council approve the attendance of the Mayor and General Manager to the 2013 National General Assembly of Local Government – Australian Local Government Association 16-19 June 2013 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 2013 to allow submittal to the Australian Local Government Association by the deadline of 26 April 2013.

***Clr Marsden/Clr Martin***

**CARRIED**

Councillor Yench requested that his name be recorded as voting against the motion.

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**CLAUSE 14A – 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***

**20.02.2013**

**RESOLVED:** That Council appoint for a period of three (3) years from the date of appointment, Ms Lynn Moore as a Community Representative (Independent External Member) of Council's Internal Audit Committee, with the appointment being dependent on Ms Moore continuing in her position as Director of Corporate and Community Services or other Senior Position at Brewarrina Shire Council.

***Clr Maxwell/Clr Marsden***

**CARRIED**

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**CLAUSE 15A – WARD OVAL USERS GROUP MEETING**

**FILE: C6-29**

**AOP REFERENCE: 1.5.3.4**

**AUTHOR: *Services Manager, Timothy Wark***

**21.02.2013**

**RESOLVED:** That the decision on crown land licence fees for Ward Oval and crown land reserves and fees & charges for Ward Oval be held over to the April Meeting of Council following Council budget workshops.

***Clr Yench/Clr Maxwell***

**CARRIED**

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**CLAUSE 16A – DALTON PARK RACECOURSE (D630019)  
RESERVE TRUST**

**FILE: P1-4-4**

**AOP REFERENCE: 3.3.4.2**

**AUTHOR: *Land Management Officer, Heather Holder***

**22.02.2013**

**RESOLVED:** That Council acting as Trust Manager for the Dalton Park Racecourse (D630019) Reserve Trust, resolve to affix the Trusts seal to the licence agreements for Ms Sharon Whitehurst.

***Clr Martin/Clr Toomey***

**CARRIED**

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**CLAUSE 17A – EXHIBITION DRAFT – DEVELOPMENT  
SERVICING PLANS FOR WATER SUPPLY AND  
SEWERAGE SERVICES 2013**

**FILE: T3-12-1**

**AOP REFERENCE: 3.1.2.2**

**AUTHOR: *Services Manager, Mr Timothy Wark***

**23.02.2013**

**RESOLVED:** That Council adopts the draft Development Servicing Plans for Water Supply and Sewerage Services 2013.

***Clr Maxwell/Clr Yench***

**CARRIED**

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*For*  
*Clr Brady*  
*Clr Kings*  
*Clr Marsden*  
*Clr Martin*  
*Clr Maxwell*  
*Clr Smith*  
*Clr Toomey*  
*Clr Yench*

*Against*

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**CLAUSE 18A – CROWN LAND LICENCE FEES AT WARD**

**OVAL**

**FILE: P1-12-6**

**AOP REFERENCE: 3.3.4.2**

**AUTHOR: *Land Management Officer, Heather Holder***

**24.02.2013**

**RESOLVED:** That Council determines the Crown Land Licence fees for all Crown Land as part of the process for setting all 2013/2014 Fees and Charges.

***Clr Marsden/Clr Toomey***

**CARRIED**

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**CLAUSE 19A – COBAR LOCAL INFRASTRUCTURE CONTRIBUTIONS PLAN 2012**

**FILE: T-3-12-1**

**AOP REFERENCE: 3.1.2.1**

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

**25.02.2013**

**RESOLVED:**

1. That Council approves the Cobar Local Infrastructure Contributions Plan 2012 in the form in which it was publicly exhibited.
2. That Council gives public notice of its approval of the Cobar Local Infrastructure Contributions Plan 2012 in the Cobar Weekly newspaper and thereby giving effect to the Plan on the date of such public notice.
3. That Council continue to lobby the State Government/Department of Planning to have the Environmental Planning and Assessment Act amended to allow for asset operational and service cost funding through the life of all major developments.

***Clr Marsden/Clr Yench***

**CARRIED**

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*For*  
*Clr Kings*  
*Clr Marsden*  
*Clr Martin*  
*Clr Maxwell*  
*Clr Smith*  
*Clr Toomey*  
*Clr Yench*

*Against*

Councillor Brady left the meeting at 7.08pm. At this time, Councillor Marsden assumed the role of Meeting Chairperson.

Councillor Brady returned to the meeting at 7.10pm. At this time, she reassumed the role of meeting Chairperson.

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Councillor Martin declared a pecuniary interest in Clause 20A – Copper City Men’s Shed – Additions to the Ward Oval Shearing Shed and left the meeting at 7.11pm.

**CLAUSE 20A – COPPER CITY MEN’S SHED – ADDITIONS TO THE WARD OVAL SHEARING SHED**

**FILE: 2012/LD-00066 AOP REFERENCE: 1.6.3.1**

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

**26.02.2013**

**RESOLVED:** That Council determines Development Application 2012/LD-00066 by granting conditional consent recommended in the Development Application Assessment Report contained in attachments to Clause 20A – Copper City Mens Shed – Additions to the Ward Oval Shearing Shed.

***Clr Maxwell/Clr Kings***

**CARRIED**

*For*  
*Clr Brady*  
*Clr Kings*  
*Clr Marsden*  
*Clr Maxwell*  
*Clr Smith*  
*Clr Toomey*  
*Clr Yench*

*Against*

Councillor Martin returned to the meeting at 7.12pm.

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**CLAUSE 21A – HERA MINE PROJECT – PLANNING AGREEMENT**

**FILE: M4-13 AOP REFERENCE: 1.6.4, 3.1.2, & 4.3.2**

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



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27.02.2013

**RESOLVED:**

1. That Council enters into the proposed Planning Agreement with Hera Resources Pty Ltd (Developer) and YTC Resources Pty Ltd (Guarantor) and authorises the Mayor and General Manager to sign all relevant documentation under the Common Seal of Council.
2. That the Planning Agreement Register required by clause 25F of the *Environmental Planning Assessment Regulation 2000* be posted on the Cobar Shire Council website.
3. That required reporting on the Hera Mine Planning Agreement be include in future Annual Reports.

*Clr Marsden/Clr Yench*

**CARRIED**

*For*

*Against*

*Clr Brady  
Clr Kings  
Clr Marsden  
Clr Martin  
Clr Maxwell  
Clr Smith  
Clr Toomey  
Clr Yench*

Councillor Kings left the meeting at 7.13pm.

Councillor Kings returned to the meeting at 7.14pm.

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**CLAUSE 22A – PROPOSED HANGER CONSTRUCTION  
AND LEASE OF LAND AT COBAR REGIONAL AIRPORT  
BY SULLIVANS MINING AND HARDWARE**

**FILE: A5 - 4**

**AOP REFERENCE: 2.3.1.1**

**AUTHOR: *Works Manager, Peter Morgan***

28.02.2013

**RESOLVED:**

1. That Council approve the construction of a hanger (subject to the building regulations) to be known as Hanger No. 2, on the current site of the “Aero Club”.
2. That the applicant, Sullivans Mining and Hardware be responsible for the cost of relocation of the Aero Club to a site determined by the Works Manager.
3. That Council enter into a lease with the applicant for a 5 x 5 x 5 year lease with the annual fees being in line with the Fees and Charges as determined by Council.

*Clr Martin/Clr Maxwell*

**CARRIED**

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**29.02.2013**      **RESOLVED:** That Council investigate the possibility of arranging a lease for the management and maintenance to the appropriate standard of the Cobar Aerodrome, including the house and all amenities.  
*Clr Yench/Clr Kings*      **CARRIED**

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**CLAUSE 23A – TRANSPORT ASSET MANAGEMENT PLAN – 2012 / 2013**

**FILE: L5-22**      **AOP REFERENCE: 3.3.3.1**

**AUTHOR: Works Manager, Peter Morgan**

**30.02.2013**      **RESOLVED:** That the Transport Asset Management Plan 2012/2013 be adopted and the information contained therein is noted.  
*Clr Kings/Clr Martin*      **CARRIED**

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**CLAUSE 24A – ROLLING 15 YEAR PLANT REPLACEMENT PROGRAM**

**FILE: P3-7**      **AOP REFERENCE: 3.3.2.6**

**AUTHOR: Works Manager, Peter Morgan**

**31.02.2013**      **RESOLVED:** That the Rolling 15 Year Plant Replacement Program 2012/2013 - 2027/2028 be adopted with discussed corrections to be made to Plant No. P0111 and plant numbering for the new rubber tyred roller and the information contained therein be noted.  
*Clr Martin/Clr Maxwell*      **CARRIED**

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**CLAUSE 1B - DISCLOSURE OF INTEREST – COUNCILLORS AND DESIGNATED PERSONS**

**FILE: C12-3-1**      **AOP REFERENCE: 3.1**

**AUTHOR: General Manager, Gary Woodman**

**32.02.2013**      **RESOLVED:** That Council note the Annual Disclosure of Interest Return for the following new staff who are Designated Persons.

- Director of Engineering Services, Peter Graf.

*Clr Maxwell/Clr Toomey*      **CARRIED**

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**CLAUSE 2B – JULY – DECEMBER 2012 REPORT ON THE IMPLEMENTATION OF THE COBAR SHIRE COUNCIL DELIVERY PROGRAM**

**FILE: L5-22**      **AOP REFERENCE: 3.3.3**

**AUTHOR: Special Projects Officer, Angela Shepherd**

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**33.02.2013**      **RESOLVED:** That the information contained in the six monthly report on the implementation of the Delivery Program – July to December 2012, be received and noted.  
*Clr Kings/Clr Toomey* **CARRIED**

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**CLAUSE 3B – MONTHLY STATUS REPORT**

**FILE: C13-10**      **AOP REFERENCE: 3.1**

**AUTHOR: *General Manager, Gary Woodman***

**34.02.2013**      **RESOLVED:** That the information contained in the monthly status report be received and noted with items 195, 239, 249, 282, 292, 294, 298, 302, 303, 306, 308, 310, 313 and 315 being removed from the report.  
*Clr Marsden/Clr Kings* **CARRIED**

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**CLAUSE 4B – MEETING MINUTES**

**FILE: C8-6-4, WB1-22, R5-36, C8-17 AOP REFERNECE: 3.1**

**AUTHOR: *General Manager, Gary Woodman***

**35.02.2013**      **RESOLVED:** That the minutes of the meetings of the Cobar Youth Council, Cobar Water Board, Rural Roads Advisory Committee and the Cobar Liquor Accord be received and noted.  
*Clr Toomey/Clr Sinclair* **CARRIED**

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**CLAUSE 5B – DEVELOPMENT APPROVALS**

**FILE: T5-1**      **AOP REFERENCE: 1.6.3.1**

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

**36.02.2013**      **RESOLVED:** That the information detailing the Local Development and Construction Certificate approvals for the period 6 December 2012 – 19 February 2013 be received and noted.  
*Clr Yench/Clr Marsden* **CARRIED**

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

**37.02.2013**      **RESOLVED:** That Council move into the Committee of the Whole (Closed Council) with the press and public excluded at 7.40pm as matters to be discussed are considered to be confidential vide Section 10A (2) (a) (c) and (d) (i) of the Local Government Act 1993, as the matters are personnel matters concerning particular individuals (other

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than Councillors), contains 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 Yench/Clr Kings*

**CARRIED**

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Council resumed in Open Council at 8.09pm.

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**RECOMMENDATIONS TO COUNCIL**

**38.02.2013**     **RESOLVED:** That the following recommendations of the Committee of the Whole Closed Council be adopted by the Council.  
*Clr Martin/Clr Kings*     **CARRIED**

**CLAUSE 1C – 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: 3.3.2.6**

**AUTHOR: General Manager, Gary Woodman**

**7COW.02.2013**     **RESOLVED:**

1. *That the matter concerning Clause 1C – Notice of Motion – Tenders for Supply and Delivery and Lease of a Rubber Tyred Roller be deferred until the April Meeting of Council following the proposed budget workshops.*
2. *That the matter remains in the Committee of the Whole Closed Council.*

**CLAUSE 2C – NOTICE OF RESCISSION MOTION –  
CONSIDERATION OF TOURISM COST CENTRE**

**FILE: C13-7, S5-28                            AOP REFERENCE: 3.1.3**

**AUTHOR: General Manager, Gary Woodman**

**8COW.02.2013**     **RESOLVED:**

1. *That the matter concerning Clause 2C – Notice of Motion – Consideration of Tourism Cost Centre be deferred until the April Meeting of Council following the proposed budget workshops.*
2. *That the matter remains in the Committee of the Whole Closed Council.*

*Clr Yench/Clr Kings*

**CARRIED.**

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**CLAUSE 3C – FINANCIAL SUSTAINABILITY ACTION  
PLAN PROGRESS REPORT FEBRUARY 2013**

**FILE: L4-29**

**AOP REFERENCE: 3.1**

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

**9COW.02.2013**

**RESOLVED:**

1. *That Council receives and notes the information in the Financial Sustainability Action Plan Progress Report February 2013 as attached and forwards it to the Premier and Cabinet Division of Local Government.*
2. *That the matter remains in the Committee of the Whole Closed Council.*

**Clr Marsden/Clr Yench**

**CARRIED**

**THERE BEING NO FURTHER BUSINESS THE MEETING CLOSED AT 8.10PM**

**CONFIRMED.....**

**MINUTE NO.....**

**MAYOR.....**