

**MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE
SHIRE OF COBAR HELD IN THE COBAR SHIRE COUNCIL
CHAMBERS ON THURSDAY 23 MAY 2013 COMMENCING AT 5.00PM**

PRESENT (FILE C13-2)

Councillors Lilliane Brady OAM (Mayor), Jarrod Marsden (Deputy Mayor), John Harrison, Tracey Kings, Pam Smith, Harley Toomey 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)

RESOLVED: That the apologies received from Councillors Marsha Isbester, Greg Martin, Peter Maxwell, Bob Sinclair and Ray Wilson be accepted and a leave of absence granted.

Clr Yench/Clr Smith

CARRIED

DECLARATIONS OF INTEREST (FILE C12-3)

- Nil.
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CONDOLENCES (FILE M2-3)

- Paula Nalon Potter
 - Beryl Jean Hibbert
 - Phillip John Madden
 - Dale Luke Manns
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CONFIRMATION OF MINUTES

ORDINARY MEETING OF COUNCIL (FILE C13-11)

96.05.2013

RESOLVED: That the minutes of the Ordinary Meeting of Council held on Wednesday 24 April 2013 be confirmed as a true and correct record of the proceedings of that meeting.

Clr Yench/Clr Toomey

CARRIED

CONFIRMATION OF MINUTES

WORKS COMMITTEE MEETING (FILE C6-20)

**THIS IS PAGE 1 OF THE MINUTES OF THE ORDINARY MEETING OF THE
COUNCIL OF THE SHIRE OF COBAR HELD ON THURSDAY 23 MAY 2013**

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GENERAL MANAGER

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MAYOR

97.05.2013 **RESOLVED:** That the minutes, and the following recommendations contained therein, of the Works Committee Meeting held on Thursday 9 May 2013 be adopted by Council.
Clr Marsden/Clr Toomey **CARRIED**

APOLOGIES (C16-15-6)

17WC.05.2013 **RECOMMENDATION:** *That the apologies received from Councillors Lilliane Brady OAM (Mayor), Bob Sinclair and Peter Yench be accepted and a leave of absence granted.*
Clr Toomey/Clr Wilson **CARRIED**

DECLARATIONS OF INTEREST (C6-15-7)

Nil.

**REPORT 1A – ROAD CAPITAL WORKS PROGRAM – SR9
NECKARBO ROAD**

FILE: R5-1 **AOP REFERENCE: 4.3.1.1**
**AUTHOR: Director of Engineering Services, Peter Graf and
Contracts Manager, Maurice Bell**

18WC.05.2013 **RECOMMENDATION:** *That the report regarding the Road Capital Works Program – SR9 Neckarbo Road be moved for discussion.*
Clr Martin/Clr Isbester **CARRIED**

19WC.05.2013 **RECOMMENDATION:** *That investigations be undertaken into determining whether Sandy Creek can be cleared downstream of the Neckarbo Road crossing as a way to reduce the level of sand build up at the location and if this is possible the 2012/2013 Roads to Recovery funding remainder be spent undertaking this work with savings to be made where possible.*
Clr Maxwell/Clr Isbester **CARRIED**

REPORT 1B – ENGINEERING WORKS REPORT

FILE: C6-20-2 **AOP REFERENCE: 4.3.2**
AUTHOR: Director of Engineering Services, Peter Graf

20WC.05.2013 **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 Kings/Clr Maxwell **CARRIED**

THIS IS PAGE 2 OF THE MINUTES OF THE ORDINARY MEETING OF THE
COUNCIL OF THE SHIRE OF COBAR HELD ON THURSDAY 23 MAY 2013

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GENERAL MANAGER

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MAYOR

REPORT 2B – EXPENDITURE FOR ROADS NETWORK

FILE: R5-31

AOP REFERENCE: 4.3.2

AUTHOR: Director of Engineering Services, Peter Graf

- 21WC.05.2013** **RECOMMENDATION:** *That the information detailing the expenditure for Council's roads network be received and noted.*
Clr Martin/Clr Kings **CARRIED**
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REPORT 3B – TRAFFIC COUNTS ON SHIRE ROADS AND CLASSIFIED ROADS – MR416 – THE WOOL TRACK

FILE: R5-34

AOP REFERENCE: 4.3.2

AUTHOR: Contracts Manager/Acting Works Manager, Maurice Bell

- 22WC.05.2013** **RECOMMENDATION:** *That the information in relation to traffic counts on MR 416 – The Wool Track be received and noted.*
Clr Toomey/Clr Kings **CARRIED**
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REPORT 4B – TRAFFIC COUNTS ON SHIRE ROADS AND CLASSIFIED ROADS – RR7518 – TILTAGOONA ROAD (52 MILE ROAD, TILPA ROAD)

FILE: R5-34

AOP: 4.3.2

AUTHOR: Contracts Manager/Acting Works Manager, Maurice Bell

- 23WC.05.2013** **RECOMMENDATION:** *That the information in relation to traffic counts on RR7518 – Tiltagoona Road (52 Mile Road, Tilpa Road) be received and noted.*
Clr Martin/Clr Wilson **CARRIED**
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CONFIRMATION OF MINUTES

FINANCE AND POLICY COMMITTEE MEETING (FILE C6-19)

- 98.05.2013** **RESOLVED:** That the minutes, and the following recommendations contained therein, of the Finance and Policy Committee Meeting held on Thursday 9 May 2013 be adopted by Council.
Clr Marsden/Clr Toomey **CARRIED**
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APOLOGIES (C16-15-6)

THIS IS PAGE 3 OF THE MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE SHIRE OF COBAR HELD ON THURSDAY 23 MAY 2013

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GENERAL MANAGER

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MAYOR

38FP.05.2013 **RECOMMENDATION:** *That the information contained in the Bank Reconciliation, Cash Flow, Investment and Loan Facility Summaries, as at 29 April 2013 be received and noted.*
Clr Martin/Clr Isbester **CARRIED**

REPORT 2B – INVESTMENT REPORT AS AT 29 APRIL 2013

FILE: B2-7 **AOP REFERENCE: 3.1.1.7**

AUTHOR: Acting Manager Finance, Neil Mitchell

39FP.05.2013 **RECOMMENDATION:** *That the information contained in the Investment Report as at 29 April 2013 be received and noted.*
Clr Martin/Clr Smith **CARRIED**

REPORT 3B – RATES RECONCILIATION TO 29 APRIL 2013

FILE: R2-1 **AOP REFERENCE: 3.1.1.6**

AUTHOR: Rates Officer, Jo-Louise Brown

40FP.05.2013 **RECOMMENDATION:** *That the information contained in the rates reconciliation to the 29 April 2013 be received and noted.*
Clr Isbester/Clr Toomey **CARRIED**

REPORT 4B – GRANT FUNDING

FILE: G4-17 **AOP REFERENCE: 3.1.1.4**

AUTHOR: Special Projects Officer, Angela Shepherd

41FP.05.2013 **RECOMMENDATION:** *That the information contained in the grant funding report detailing grants applied for, grants announced and grants available be received and noted.*
Clr Martin/Clr Wilson **CARRIED**

CLAUSE 1A – MAYORAL REPORT

FILE: C13-1-5 **AOP REFERENCE: 3.1**

AUTHOR: Mayor, Councillor Lilliane Brady

99.05.2013 **RESOLVED:**

1. That Council accepts the information contained in the Mayoral Report for the month of May 2013;
2. That Cobar Shire Council resolve to retain its entity as a Council in the existing format and explore further collaboration and resource sharing opportunities with OROC;

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3. No authority is given to any individual to negotiate in regards to structural reform on behalf of Council;
 4. That a Councillor Workshop (Councillors and Manex) be arranged to formulate appropriate submissions on the Independent Local Government Review Panel – Future Directions for NSW Local Government – Twenty Essential Steps to April 2013 Paper and Strengthening NSW Remote Communities - The Options April 2013 Paper.

Clr Yench/Clr Marsden

CARRIED

CLAUSE 2A – INSTITUTE OF PUBLIC WORKS ENGINEERING AUSTRALIA (IPWEA) 2013 NSW STATE CONFERENCE AND NSW LOCAL ROAD CONGRESS

FILE: S5-18

AOP REFERENCE: 3.3.2

AUTHOR: *General Manger, Gary Woodman*

100.05.2013 RESOLVED:

1. That Council note the attendance of the General Manager to the 2013 IPWEA NSW State Conference and NSW Local Roads Congress and the information contained within the report.
2. That appropriate letters be provided to Council's State, Commonwealth and Local Members requesting support for the matters contained within the 2013 NSW Road Congress Communiqué.

Clr Kings/Clr Yench

CARRIED

CLAUSE 3A – MOU WITH OUTBACK ARTS

FILE: A8-1

AOP REFERENCE: 1.4.5.1

AUTHOR: *Special Projects Officer, Angela Shepherd*

101.05.2013 RESOLVED: That Council approves the Mayor signing the attached Memorandum of Understanding (MOU) between Cobar Shire Council and Outback Arts.

Clr Yench/Clr Toomey

CARRIED

CLAUSE 4A – LEGAL ASSISTANCE MID-WESTERN REGIONAL COUNCIL

FILE: L5-3

AOP REFERENCE: 2.1.3.3

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

102.05.2013 RESOLVED:

1. That the Legal Assistance Mid-Western Regional Council report be received and noted.
2. That Council consider Mid-Western Regional Council's request for financial assistance when it is received.
3. That Council write a letter of support to Mid-Western Regional Council.

Clr Yench/Clr Kings

CARRIED

**CLAUSE 5A – CONSIDERATION OF LILLIANE BRADY
VILLAGE WAGE MATTERS**

FILE: L4-29

AOP REFERENCE: 3.1.3

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

WITHDRAWN

**CLAUSE 6A – 2012/ 2013 SWIMMING POOL SEASON
REPORT**

FILE: S9-1

AOP REFERENCE: 1.5.3.2

AUTHOR: *Services Manager, Timothy Wark*

103.05.2013 RESOLVED:

1. That Council receive and note the information contained within the 2012/ 2013 Swimming Pool Season Report.
2. That a further report be considered in Committee of the Whole Closed Council with the press and public excluded in accordance with Section 10A (2)(d)(i) of the Local Government Act 1993 as it contains commercial information of a confidential nature that would if disclosed prejudice the commercial position of the person who supplied it.

Clr Yench/Clr Toomey

CARRIED

**CLAUSE 7A – PROPOSED ATTENDANCE OF THE COBAR
SHIRE COUNCIL'S NOXIOUS WEEDS OFFICER TO THE
17TH NSW WEEDS CONFERENCE 2013**

FILE: N1-1

AOP REFERENCE: 5.2.4.1

AUTHOR: *Land Management Officer, Heather Holder*

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COUNCIL OF THE SHIRE OF COBAR HELD ON THURSDAY 23 MAY 2013

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GENERAL MANAGER

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MAYOR

104.05.2013 RESOLVED: That Council approve the attendance of the Cobar Shire Council's Noxious Weeds Officer to the 17th NSW Weeds Conference 2013 at Corowa on 8 to 12 September 2013.
Clr Marsden/Clr Toomey **CARRIED**

CLAUSE 1B – MEETING MINUTES

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

AOP REFERENCE: 3.1, 3.2.2.2

AUTHOR: *General Manager, Gary Woodman*

105.05.2013 RESOLVED: That the minutes of the meetings for the Local Emergency Management Committee, Rural Roads Advisory Committee and the Cobar Youth Council be received and noted.
Clr Yench/Clr Toomey **CARRIED**

CLAUSE 2B – DEVELOPMENT APPROVALS

FILE: T5-1

AOP REFERENCE: 1.6.3.1

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

106.05.2013 RESOLVED:

1. That the information detailing the Local Development and Construction Certificate approvals for the period 20 March 2013 – 15 May 2013 be received and noted.

2. That the Association of Mining Related Councils be requested to commence lobbying the NSW State Government to ensure that the planning legislation is amended to ensure that mining exploration or similar activity requires developmental consent.

Clr Marsden/Clr Yench

CARRIED

CLAUSE 3B – MONTHLY STATUS REPORT

FILE: C13-10

AOP REFERENCE: 3.1

AUTHOR: *General Manager, Gary Woodman*

107.05.2013 RESOLVED: That the information contained in the monthly status report be received and noted with items 318, 324, 349, 364, 365, 367, 368, 369, 370, 371, 373, 374, 376, 378, 379, 380 Part 1, 381, 382 being removed from the report.
Clr Toomey/Clr Marsden **CARRIED**

CLAUSE 4B – PROPOSED CHANGES TO NSW LOCAL LAND SERVICES (LLS)

FILE: E6-9

AOP REFERENCE: 5.2

AUTHOR: *Special Projects Officer, Angela Shepherd*

- 108.05.2013** **RESOLVED:** That Council receives and notes the information and update provided on the new Local Land Services model and what the impact may be on staff and services provided in the Cobar area.
Clr Kings/Clr Yench **CARRIED**
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CLAUSE 5B – INDEPENDENT LOCAL GOVERNMENT REVIEW PANEL – FUTURE DIRECTIONS FOR LOCAL GOVERNMENT (TWENTY ESSENTIAL STEPS) APRIL 2013 – DIRECTION FOR COBAR SHIRE COUNCIL

FILE: T5-1

AOP REFERENCE: 3.1

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

- 109.05.2013** **RESOLVED:** That the information concerning the Independent Local Government Review Panel – Future Directions for Local Government (Twenty Essential Steps) April 2013 – Directions for Cobar Shire Council be noted.
Clr Marsden/Clr Toomey **CARRIED**
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COMMITTEE OF THE WHOLE (CLOSED COUNCIL) (FILE C13-11-1)

- 110.05.2013** **RESOLVED:** That Council move into the Committee of the Whole (Closed Council) with the press and public excluded at 5:45pm 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 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 Toomey **CARRIED**

Clr Harrison left the Meeting at 5:45pm
Clr Harrison returned to the Meeting at 5:47pm.

Council resumed in Open Council at 6:18pm.

RECOMMENDATIONS TO COUNCIL

111.05.2013 RESOLVED: That the following recommendations of the Committee of the Whole Closed Council be adopted by the Council.
Clr Marsden/Clr Yench **CARRIED**

CLAUSE 2C – 2012/ 2013 SWIMMING POOL SEASON REPORT

FILE: S9-1 **AOP REFERENCE: 1.5.3.2**
AUTHOR: *Services Manager, Timothy Wark*

35COW.05.2013 RESOLVED:

1. That Council receive and note the information contained within the report.
2. That the commercial information contained within the Report remains in Committee of the Whole Closed Council.

Clr Yench/Clr Marsden **CARRIED**

THERE BEING NO FURTHER BUSINESS THE MEETING CLOSED AT 6:19PM

CONFIRMED.....

MINUTE NO.....

MAYOR.....