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**MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE  
SHIRE OF COBAR HELD IN THE COBAR SHIRE COUNCIL  
CHAMBERS ON THURSDAY 28 AUGUST 2014 COMMENCING AT  
5:00PM**

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**PRESENT (FILE C13-2)**

Councillors Lilliane Brady OAM (Mayor), Marsha Isbester (Deputy Mayor), Peter Abbott, John Harrison, Tracey Kings, Jarrod Marsden, Greg Martin, Peter Maxwell, Bob Sinclair, Harley Toomey and Peter Yench (arrived at 5:02pm), Messrs Gary Woodman (General Manager), Neil Mitchell (Manager of Finance and Administration), Peter Graf (Director Engineering Services), Stephen Poulter (Acting Director of Planning & Environmental Services) and Mmes Angela Shepherd (Special Projects Officer) and Janette Booth (Executive Assistant to the General Manager and Mayor).

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**APOLOGIES (C13-2)**

**148.8.2014**     **RESOLVED:** That the apology received from Councillor Ray Wilson be accepted and a leave of absence granted.  
*Clr Martin/ Clr Toomey* **CARRIED**

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

- Nil.
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**CONDOLENCES (FILE M2-3)**

- Kevin Harland;
  - Stanley Kevin Roberts “Pat”;
  - Iris Edna Eden;
  - Mary Eleanor Manns;
  - Daniel “Howie” Howard;
  - Beryl May Lake.
- 

**CONFIRMATION OF MINUTES**

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

**149.8.2014**     **RESOLVED:** That the minutes of the Ordinary Meeting of Council held on Thursday 24 July 2014 be confirmed as a true and correct record of the proceedings of that meeting.  
*Clr Isbester/ Clr Marsden* **CARRIED**

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**CONFIRMATION OF MINUTES**

THIS IS PAGE 1 OF THE MINUTES OF THE ORDINARY MEETING OF THE  
COUNCIL OF THE SHIRE OF COBAR HELD ON THURSDAY 28 AUGUST 2014



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**REPORT 1B – BANK RECONCILIATION, CASH FLOW & LOAN FACILITY SUMMARIES AS AT 30 JUNE 2014**

**FILE: B2-7**

**AOP REFERENCE: 3.1.1.7**

**AUTHOR: Manager Finance & Administration, Neil Mitchell**

**46FP.8.2014** **RECOMMENDATION:** *That Council receive and note the Bank Reconciliation, Cash Flow and Loan Facility Report as at 31 July 2014.*

**Clr Martin/ Clr Wilson**

**CARRIED**

*Councillor Kings returned to the meeting at 5:15pm.*

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**REPORT 2B – INVESTMENT REPORT AS AT 31 JULY 2014**

**FILE: B2-7**

**AOP REFERENCE: 3.1.1.7**

**AUTHOR: Manager Finance & Administration, Neil Mitchell**

**47FP.8.2014** **RECOMMENDATION:** *That Council receive and note the Investment Report as at 31 July 2014.*

**Clr Martin/ Clr Sinclair**

**CARRIED**

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**REPORT 3B – GRANT FUNDING**

**FILE: G4-17**

**AOP REFERENCE: 3.1.1.4**

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

**48FP.8.2014** **RECOMMENDATION:** *That the information contained in the grant funding report detailing grants applied for, grants announced and grants available, as well as the updates on Council's grant capital projects, be received and noted.*

**Clr Kings/ Clr Toomey**

**CARRIED**

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**CONFIRMATION OF MINUTES**

**WORKS COMMITTEE MEETING (FILE C6-20)**

**151.8.2014** **RESOLVED:** *That the minutes, and the following recommendations contained therein, of the Works Committee Meeting held on Thursday 14 August 2014 be adopted by Council.*

**Clr Sinclair/ Clr Martin**

**CARRIED**

**APOLOGIES (C13-2)**

**27WC.8.2014** **RESOLVED:** *That the apology received from Councillor Marsha Isbester (Deputy Mayor) be accepted and a leave of absence granted.*

**Clr Marsden/Clr Kings**

**CARRIED**

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THIS IS PAGE 3 OF THE MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE SHIRE OF COBAR HELD ON THURSDAY 28 AUGUST 2014

.....  
GENERAL MANAGER

.....  
MAYOR

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

*Nil.*

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**REPORT 1A – QUOTATION FOR THE SUPPLY OF PLANT  
AND EQUIPMENT HIRE RATES 2014/2015 UPDATE**

**FILE: P3-19-3**

**AOP REFERENCE: 3.3.4.1**

**AUTHOR: Engineering Support Manager, Kingsley Page**

**28WC.8.2014 RECOMMENDATION:** *That Wilga Transport and Saltwater Earthmoving be included in Council's Register of Approved Contractors for the Supply of Plant and Equipment Hire Rates 2014/2015.*

**Clr Marsden/ Clr Maxwell**

**CARRIED**

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**REPORT 2A– QUOTATION FOR THE SUPPLY OF TRADE  
AND MISCELLANEOUS SERVICES 2014/2015 UPDATE**

**FILE: T3-12-5**

**AOP REFERENCE: 3.3.4.1**

**AUTHOR: Engineering Support Manager, Kingsley Page**

**29WC.8.2014 RECOMMENDATION:** *That Cobar Mining Contractors Pty Ltd and C.B. Tyres Pty Ltd be included in Council's Register of Approved Contractors for the Provision of Trades and Miscellaneous Services 2014/2015.*

**Clr Maxwell/ Clr Kings**

**CARRIED**

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**REPORT 1B – ENGINEERING WORKS REPORT**

**FILE: C6-20-2**

**AOP REFERENCE: 4.3.2**

**AUTHOR: Director of Engineering Services, Peter Graf**

**30WC.8.2014 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 Kings/ Clr Toomey**

**CARRIED**

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**REPORT 2B – EXPENDITURE FOR ROADS NETWORK**

**FILE: R5-31**

**AOP REFERENCE: 4.3.2**

**AUTHOR: Director of Engineering Services, Peter Graf**

**31WC.8.2014 RECOMMENDATION:** *That the information detailing the Expenditure for Council's Roads Network be received and noted.*

**Clr Toomey/ Clr Marsden**

**CARRIED**

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**REPORT 3B – TRAFFIC COUNTS ON SHIRE ROADS AND CLASSIFIED ROADS (MR228)**

**FILE: R5-34**

**AOP REFERENCE: 4.3.2**

**AUTHOR: Construction Supervisor, Brett Hallcroft**

- 32WC.8.2014 RECOMMENDATION:** *That the information in relation to traffic counts on Shire Roads and Classified Roads (RR7521, MR423, and MR411) be received and noted.*  
**Clr Marsden/ Clr Maxwell** **CARRIED**
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**COMMITTEE OF THE WHOLE (CLOSED COUNCIL) (FILE C13-11-1)**

- 33WC.8.2014 RESOLVED:** *That Council move into the Committee of the Whole Closed Council with the press and public excluded at 5:35pm as matters to be discussed are considered to be confidential vide Section 10A (2) (a) of the Local Government Act 1993 as the matter and information relates to personnel matters concerning particular individuals (not Councillors)).*  
**Clr Marsden/Clr Kings** **CARRIED**
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*Council resumed in Open Council at 5:56pm.*

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**RECOMMENDATIONS TO COUNCIL**

- 34WC.8.2014 RECOMMENDATION:** *That the following recommendations of the Committee of the Whole Closed Council be adopted by the Council.*  
**Clr Kings/ Clr Sinclair** **CARRIED**
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**MATTER OF URGENCY – COBAR CEMETRERY MAINTENANCE**

**FILE: C3-3**

- 20COW.8.2014 RESOLVED:**
- 1. That the Mayor liaise with the General Manager on advice to arrange an appropriate increase to the maintenance funds provided to the Cobar Cemetery Committee for maintenance works undertaken.*
  - 2. That the report and discussions on the matter remain in the Committee of the Whole Closed Council.*
- Clr Brady/Clr Sinclair** **CARRIED**
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**CLAUSE 1A – MAYORAL REPORT**

**FILE: C13-1-5**

**AOP REFERENCE: 3.1**

**AUTHOR: *Mayor, Councillor Lilliane Brady OAM***

- 152.8.2014 RESOLVED:** That Council accepts the information contained in the Mayoral Report for the month of August 2014.  
*Clr Kings/ Clr Isbester* **CARRIED**
- 

**CLAUSE 2A – EMPLOYEE LEAVE ENTITLEMENTS CASH BACKED RESERVES**

**FILE: S5-1**

**AOP REFERENCE: 3.1**

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

- 153.8.2014 RESOLVED:**
1. That Council no longer maintain a separate cash backed reserve for employee leave entitlements but the amount available be reported in the monthly Cash Flow Statement.
  2. That Council no longer specifically apply non-financial asset sale proceeds to employee leave entitlement reserves.
- Clr Abbott/ Clr Maxwell* **CARRIED**

**Councillor Jarrod Marsden asked to have his name recorded as voting against the motion.**

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**CLAUSE 3A – COMMUNITY NOTICE BOARD**

**FILE: A10-13**

**AOP REFERENCE: 1.3.3**

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

- 154.8.2014 RESOLVED:** That the guidelines contained within the Report for the Community Notice Board be adopted.  
*Clr Sinclair/ Clr Kings* **CARRIED**
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**CLAUSE 4A – TO APPROVE THE TENURE OF OCCUPANCY FOR THE COBAR MOBILE CHILDREN’S SERVICES INC**

**FILE: C8-5-1**

**AOP REFERENCE: 1.3**

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

- 155.8.2014 RESOLVED:**
1. a) That Cobar Mobile Children’s Services Inc. is offered tenure by way of Memorandum of Understanding for a period of one (1) year with a mutually agreeable option of a further year, commencing on 1 July 2014 and subject to Council’s Grant
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**THIS IS PAGE 6 OF THE MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE SHIRE OF COBAR HELD ON THURSDAY 28 AUGUST 2014**

.....  
**GENERAL MANAGER**

.....  
**MAYOR**

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Applications and continuing to operate the building with its current use.

b) That the annual payment be \$2,600 indexed at CPI.

2. That other occupants of Council premises that have no occupancy agreement be recognised and an appropriate agreement entered into.

*Clr Marsden/ Clr Toomey*

**CARRIED**

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**CLAUSE 5A – NATIONAL LOCAL ROADS AND TRANSPORT CONGRESS**

**FILE: L5-5.3**

**AOP REFERENCE: 3.1.5.1, 3.2.2.1**

**AUTHOR: *Director of Engineering Services, Peter Graf***

- 156.8.2014 RESOLVED:** That the Director of Engineering Services or nominee and Councillor Greg Martin be authorised to attend the National Local Road and Transport Congress that will be held at the Tamworth Memorial Hall from 12 – 14 November 2014 with attendance met from within the relevant budget allocation.

*Clr Kings/ Clr Toomey*

**CARRIED**

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**CLAUSE 6A – NSW FAMILY DAY CARE (FDC) ASSOCIATION ANNUAL PROFESSIONAL DEVELOPMENT AND NETWORKING FORUM AND NATIONAL IN HOME CHILDCARE ASSOCIATION (NICA) CONFERENCE**

**FILE: C8-5**

**AOP REFERENCE: 1.3.2.1, 3.3.2**

**AUTHOR: *Manager of Children’s Services, Karen Lennon***

- 157.8.2014 RESOLVED:**
1. That approval be given to Council’s Children’s Services Manager and FDC Educational Leader attend the 2014 NSW Family Day Care Association Annual Professional Development & Networking Forum in Sydney.
  2. That approval be given to Council’s Children’s Services Manager to attend the 2014 National In Home Child Care Association AGM & Conference at the Gold Coast.

*Clr Kings/ Clr Marsden*

**CARRIED**

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**CLAUSE 7A – 2013/2014 BUDGET ITEMS REQUIRED TO BE CARRIED OVER**

**FILE: F-2-3-21 AOP REFERENCE: 2.1**

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

- 158.8.2014 RESOLVED:** That the Capital Budget in 2014/2015:

- 
1. Be increased by \$620,640 to fund capital items carried forward from 2013/2014;
  2. Be increased by \$45,000 to fund a 14' trailer at 'change over price';
  3. That the Operating Budget be increased by \$32,905 to fund operating items carried forward from 2013/2014.

*Clr Sinclair/ Clr Maxwell*

**CARRIED**

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**CLAUSE 8A – QUOTATIONS FOR PURCHASE OF COVERT SURVEILLANCE CAMERAS**

**FILE: W1-7-1**

**AOP REFERENCE: 5.1.2.2**

**AUTHOR: *Manager Planning and Environmental Services, Stephen Poulter***

- 159.8.2014 RESOLVED:** That the report on quotations for covert surveillance cameras 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) (f) of the Local Government Act 1993, as the information relates to matters affecting the security of Council property.

*Clr Kings/ Clr Sinclair*

**CARRIED**

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**CLAUSE 9A – 2014 NSW PUBLIC LIBRARIES CONFERENCE**

**FILE: L1-5**

**AOP REFERENCE: 1.3.1, 3.3.2**

**AUTHOR: *Manager of Library Services, Jane Siermans***

- 160.8.2014 RESOLVED:** That a Cobar Shire Council Staff Representative be authorised to attend the 2014 NSW Public Libraries Conference.

*Clr Kings/ Clr Maxwell*

**CARRIED**

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**CLAUSE 10A - NEW TRACTOR AND DELTA WING SLASHER REVIEW REPORT**

**FILE: A10-30**

**AOP REFERENCE: 3.1.1.2**

**AUTHOR: *Engineering Support Manager, Kingsley Page***

- 161.8.2014 RESOLVED:**
1. That Council in the current financial year reviews and reprioritises this year's financial budget prior to summer and purchases a Delta Wing Slasher for \$45,000 - \$55,000 and connect to Cobar's current 81 H.P. John Deere Tractor whilst retaining the existing 6 foot slasher for small areas.



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- Evaluate the effectiveness of current 81 H.P. Tractor prior to 2015/2016 budget and include the purchase of a 125 H.P. Tractor if required.

*Clr Martin/ Clr Sinclair*

**CARRIED**

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**CLAUSE 11A - UNREGULATED FREE CAMPING IN THE COBAR SHIRE**

**FILE: P1-1, C1-2**

**AOP REFERENCE: 2.2.3.1**

**AUTHOR: *General Manager, Gary Woodman and Acting Director of Planning and Environmental Services, Stephen Poulter***

**162.8.2014 RESOLVED:**

- That Council undertake no regulation of free camping at this time with Council Officers continuing to specifically regulate certain offences such as liquid waste disposal, littering and traffic related offences which at times relate to free camping.
- That Council Officers work with the Cobar Caravan Park Operators to help ascertain alternative measures to the regulation of free camping in Cobar Shire that will increase the financial standing of the caravan park.

*Clr Marsden/ Clr Martin*

**CARRIED**

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**CLAUSE 12A - NEW COBAR WATER TREATMENT PLANT – SELECTION OF SITE AND FINANCIAL ASPECTS**

**FILE: A10-41, A10-1-16**

**AOP REFERENCE: 4.1.4.3**

**AUTHOR: *Project Manager, Errol George***

**163.8.2014 RESOLVED:**

- The new Cobar Water Treatment plant be constructed at the site of Location 4B; currently located on land under the ownership of Peak Gold Mines Pty Ltd;
- That the subject land be acquired as operational land pursuant to the provisions of Section 31 of the Local Government Act 1993;
- That Council authorise the Mayor and the General Manager to sign all relevant land purchase documentation under the Common Seal of Council; including a Memorandum of Understanding between Peak Gold Mines Pty Ltd and Council for future interest by Peak Gold Mines Pty Ltd in regard to the Cobar Wrightville Common;
- That all financial information on any proposed land purchase and negotiation remain in Committee of Whole Closed Council until the land acquisition has been finalised;

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5. That Council note that final costs may be higher for the new Cobar Water Treatment Plant than initially estimated; but all final cost projections will be reported to Council as the project is delivered.  
*Clr Martin/ Clr Sinclair* **CARRIED**

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**CLAUSE 13A – APPROVAL OF DESIGN FOR COBAR SKATE PARK UPGRADE**

**FILE: T3-13-5** **AOP REFERENCE: 1.2.2.1**  
**AUTHOR: *Special Projects Officer, Angela Shepherd***

**164.8.2014** **RESOLVED:** That Council approves the Skate Park Design and the location (Lot 4 DP 214174) and agrees to construction commencing.  
*Clr Marsden/ Clr Sinclair* **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***

**165.8.2014** **RESOLVED:** That the information detailing the Local Development and Construction Certificate approvals for the period 16 July 2014 – 19 August 2014 be received and noted.  
*Clr Martin/ Clr Abbott* **CARRIED**

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**CLAUSE 2B – DISCLOSURE OF INTEREST – COUNCILLORS AND DESIGNATED PERSONS**

**FILE: C12-3** **AOP REFERENCE: 3.1**  
**AUTHOR: *General Manager, Gary Woodman***

**166.8.2014** **RESOLVED:** That Council note the Annual Disclosure of Interest Returns for Councillors and Designated Persons for the period 1 July 2013 to 30 June 2014.  
*Clr Sinclair/ Clr Kings* **CARRIED**

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**CLAUSE 3B – MONTHLY STATUS REPORT**

**FILE: C13-10** **AOP REFERENCE: 3.1**  
**AUTHOR: *General Manager, Gary Woodman***

**167.8.2014** **RESOLVED:** That the information contained in the monthly status report be received and noted and that items 531, 542 Part 1, 574, 576 Part 2, 580, 581, 582, 583 Part 1 and 2, 584 Part 1, 585, 586, 587, 589, 590, 591 Part 1 and 2, 592 and 593 be removed.  
*Clr Isbester/ Clr Sinclair* **CARRIED**

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**CLAUSE 4B – MEETING MINUTES**

**FILE: A9-2-1, L5-4-4**

**AOP REFERENCE: 3.1**

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

**168.8.2014 RESOLVED:** That the minutes of the meetings of Outback Arts (Summary of Activities) and Rural Roads Advisory Committees be received and noted.

*Clr Martin/ Clr Toomey*

**CARRIED**

**169.8.2014 RESOLVED:** That in regard to the Motion that was passed by the Rural Roads Advisory Committee: “Copies of Grid Policies of other Councils in the area, including CDSC, Lachlan, Bourke Shires requested for discussion at the next meeting. Consideration is to be given to incorporate aspects into CSC’s Policy on Grids” that a report be brought to the Works Committee Meeting on the matter.

*Clr Sinclair/ Clr Isbester*

**CARRIED**

Councillor Brady OAM left the meeting at 6:14pm with Councillor Isbester taking over as Chair.

Councillor Brady OAM returned to the meeting at 6:16pm.

Councillor Harrison left the meeting at 6:19pm.

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**CLAUSE 5B - COBAR TRUCK WASH INDEPENDENT REVIEW**

**FILE: A10-30**

**AOP REFERENCE: 3.1.1.2**

**AUTHOR: *Engineering Support Manager, Kingsley Page***

**170.8.2014 RESOLVED:**

1. That the information contained in the report on augmentation of Cobar’s Truck Wash produced by CPE Associates, “Review Requirements and Preliminary Estimate of Costs” be received and noted.
2. That Council be provided a further report if required once the Commonwealth Grant Application outcome is known.
3. That Council approach the Cobar Rugby Union Club and investigate if they have any use for the effluent water and if there are any costs in setting this up.

*Clr Sinclair/ Clr Martin*

**CARRIED**

**Councillor Peter Yench asked to have his name recorded as voting against the motion.**

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**CLAUSE 6B – INVESTMENT REPORT AS AT 31 JULY 2014**

**FILE: B2-7**

**AOP REFERENCE: 3.1.1.7**

**AUTHOR: *Manager Finance & Administration, Neil Mitchell***

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THIS IS PAGE 11 OF THE MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE SHIRE OF COBAR HELD ON THURSDAY 28 AUGUST 2014

.....  
GENERAL MANAGER

.....  
MAYOR

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**171.8.2014 RESOLVED:** That Council receive and note the Investment Report as at 31 July 2014.  
*Clr Marsden/ Clr Toomey* **CARRIED**

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

**172.4.2014 RESOLVED:** That Council move into the Committee of the Whole with the press and public excluded at 6:20pm as matters to be discussed are considered to be confidential vide 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 Marsden/Clr Sinclair* **CARRIED**

Councillor Harrison returned to the meeting at 6:20pm.

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Council resumed in Open Council at 6:31pm.

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**RECOMMENDATIONS TO COUNCIL**

**173.8.2014 RESOLVED:** That the following recommendations of the Committee of the Whole Closed Council be adopted by the Council.  
*Clr Kings/Clr Martin* **CARRIED**

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**CLAUSE 1C – QUOTATIONS FOR PURCHASE OF COVERT SURVEILLANCE CAMERAS**

**FILE: W1-7-1**

**AOP REFERENCE: 5.1.2.2**

**AUTHOR: *Manager Planning and Environmental Services, Stephen Poulter***

**24COW.8.2014 RESOLVED:**

1. That approval be given to purchase the system of covert surveillance cameras from Professional Trapping Services for \$3,239 and to be installed by Council staff at the Cobar Waste Depot.
2. That the information provided and the discussions held remain in the Committee of the Whole Closed Council.

*Clr Martin/ Clr Kings*

**CARRIED**

**Councillor Peter Yench asked to have his name recorded as voting against the motion.**

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**THERE BEING NO FURTHER BUSINESS THE MEETING CLOSED AT 6:32PM**

**CONFIRMED.....**

**MINUTE NO.....**

**MAYOR.....**

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**THIS IS PAGE 13 OF THE MINUTES OF THE ORDINARY MEETING OF THE  
COUNCIL OF THE SHIRE OF COBAR HELD ON THURSDAY 28 AUGUST 2014**

.....  
**GENERAL MANAGER**

.....  
**MAYOR**