
**MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF
THE SHIRE OF COBAR HELD IN THE COUNCIL CHAMBERS ON
THURSDAY 23 MARCH 2017 COMMENCING AT 5:00PM**

PRESENT (FILE C13-2)

Councillors Lilliane Brady OAM (Mayor), Peter Abbott (Deputy Mayor), Janine Lea-Barrett, Christopher Lehmann, Greg Martin, Peter Maxwell, Julie Payne, Harley Toomey, Bob Sinclair and Peter Yench.

OBSERVERS

Messrs Peter Vlatko (General Manager), Kym Miller (Director of Finance and Community Services), Garry Ryman (Director of Planning and Environmental Services), Stephen Taylor (Director of Engineering Services) and Mmes Angela Shepherd (Director of Corporate and Economic Services) and Janette Booth (Executive Assistant – General Manager/Mayor).

APOLOGIES (FILE C13-2)

- 37.3.2017** **RESOLVED:** That the apologies received from Councillors Tracey Kings and Jarrod Marsden be accepted.
Clr Lea-Barrett/ Clr Abbott **CARRIED**

PUBLIC ACCESS SESSION

Peak Gold Mines – Michael Zannes;
Free Camping and Tourism in Cobar - Jill Weaving.

Council thanked Peak Gold Mine and Jill Weaving for their addresses.

DECLARATIONS OF INTEREST (FILE C12-3)

- Clr Julie Payne declared a Non-Pecuniary interest in Clause 4A – Banking Facility for Cobar Shire Council.

CONDOLENCES (FILE M2-3)

- Bernard Henry Williams;
- Sally Dickson.

A minutes silence was observed by those in attendance.

CONFIRMATION OF MINUTES

TRAFFIC COMMITTEE MEETING (FILE C6-14)

- 38.3.2017** **RESOLVED:** That the minutes and status report of the Traffic Committee Meeting held on Tuesday, 21 February 2017 be confirmed as a true and correct record of the proceedings of that meeting.
Clr Lea-Barrett / Clr Payne **CARRIED**
-

CONFIRMATION OF MINUTES

ORDINARY MEETING OF COUNCIL (FILE C13-11)

- 39.3.2017** **RESOLVED:** That the minutes of the Ordinary Meeting of Council held on Thursday, 23 February 2017 be confirmed as a true and correct record of the proceedings of that meeting.
Clr Lea-Barrett/ Clr Maxwell **CARRIED**
-

CONFIRMATION OF MINUTES

EXTRAORDINARY MEETING OF COUNCIL (FILE C13-11)

- 40.3.2017** **RESOLVED:** That the minutes of the Extraordinary Meeting of Council held on Thursday, 9 March 2017 be confirmed as a true and correct record of the proceedings of that meeting.
Clr Lea-Barrett/ Clr Lehmann **CARRIED**
-

NOTICE OF MOTION – DONATION TO WARRUMBUNGLE SHIRE COUNCIL – RESULT OF “SIR IVAN” BUSH FIRE

FILE: C13-7 & D3-1

AOP REFERENCE: 1.6.5

AUTHOR: *Councillor, Peter Abbott*

- 41.3.2017** **RESOLVED:** That Cobar Shire Council make a donation of \$10,000 to Warrumbungle Shire Council. The donation being a small measure of assistance to aid those residents involved in the devastation caused by the recent Sir Ivan bush fire.
Clr Abbott/ Clr Toomey **CARRIED**
-

NOTICE OF MOTION – FREE CAMPING AT THE NEWHEY RESERVOIR

FILE: P1-7, P1-1 & C1-2

AOP REFERENCE: 4.4.3

AUTHOR: *Councillor, Julie Payne*

MOTION: That Cobar Shire Council cease all camping at the Newey Reservoir until such a time as Council, along with community consultation, produces a masterplan to discuss free camping, water activities, infrastructure, environmental factors and traffic flow at the Newey Recreational Area Cobar.

Clr Payne/ Clr Yench

AMENDMENT: That Council produce a Master Plan on the use of the Newey Reservoir within 3 months and that signage be erected at the Newey Reservoir restricting parking in the areas of the walking track and around the barbeque area.

Clr Brady/ Clr Martin

The **Amendment** was put and **Carried** and become the Motion.

42.3.2017 RESOLVED: That Council produce a Master Plan on the use of the Newey Reservoir within 3 months and that signage be erected at the Newey Reservoir restricting parking in the areas of the walking track and around the barbeque area.

Clr Brady/ Clr Martin

CARRIED

MATTER OF URGENCY – FUNDING FOR MEDICAL CENTRE EXTENSIONS

FILE: M6-5

AOP REFERENCE: 1.5.2

AUTHOR: Councillor, Peter Yench

That the matter in relation funding for Medical Centre Extensions not be accepted as a Matter of Urgency.

CLAUSE 1A – MAYORAL REPORT

FILE: C13-1-5

AOP REFERENCE: 3.1

AUTHOR: Mayor, Councillor Lilliane Brady OAM

43.3.2017 RESOLVED: That Council accepts the information contained in the Mayoral Report for the month of March 2017.

Clr Lea-Barrett / Clr Sinclair

CARRIED

CLAUSE 2A – UPGRADE TO COUNCIL WORKS DEPOT - COBAR

FILE: A10-20

AOP REFERENCE: 3.3.3.3

AUTHOR: General Manager, Peter Vlatko

44.3.2017 RESOLVED:

1. That Council approve the Master Plan for the improvement to the Council Works Depot in Cobar.

THIS IS PAGE 3 OF THE MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE SHIRE OF COBAR HELD ON THURSDAY 23 MARCH 2017

.....
GENERAL MANAGER

.....
MAYOR

-
2. That Council approve the additional \$95,000 Capital Funds contribution towards Stages 1 to 14 of the Master Plan.

Clr Abbott/ Clr Lea-Barrett

CARRIED

CLAUSE 3A – AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION – SUBMISSION TO THE 2017-18 FEDERAL BUDGET

FILE: L5-6

AOP REFERENCE: 1.1

AUTHOR: *General Manager, Peter Vlatko*

- 45.3.2017** **RESOLVED:** That a submission be made to our Federal Government Representative in relation to the impact the freeze has had on your community and how much more you will be able to do if the freeze is ended in this year's Federal Budget.

Clr Lea-Barrett/ Clr Maxwell

CARRIED

Clr Julie Payne declared a Non-Pecuniary interest and left the Meeting at 6:10pm.

CLAUSE 4A – BANKING FACILITY FOR COBAR SHIRE COUNCIL

FILE: B2-14

AOP REFERENCE: 3.3.4

AUTHOR: *Director Finance and Community Services, Kym Miller*

- 46.3.2017** **RESOLVED:** That a report regarding the Banking Facility for Cobar Shire Council be considered in the Committee of the Whole Closed Council with the press and public excluded for the reasons stated in Sections 10A(2) (d) (i) & (ii) of the Local Government Act 1993, as the report includes commercial information of a confidential matter.

Clr Abbott/ Clr Sinclair

CARRIED

Clr Julie Payne declared a Non-Pecuniary interest and returned to the Meeting at 6:10pm.

CLAUSE 5A – WESTERN SLOPES PIPELINE – PLANNING FOCUS MEETING 15 MARCH 2017

FILE: G-1-1 AOP REFERENCE: 1.6.3

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

- 47.3.2017** **RESOLVED:**

1. That Council consider a draft submission on environmental assessment requirements relevant to Cobar Shire Council that should be addressed by APA Group in its project application.
-

2. That Council authorises the Director of Planning and Environmental Services to submit formal advice to the NSW Department of Planning and Environment identifying matters that should be addressed by APA Group in its project application.

3. That voting on this matter be recorded on the basis of an automatic division as required by legislation.

Clr Sinclair/ Clr Abbott

CARRIED

A Division was called:

For:

*Clr Lilliane Brady OAM
Clr Peter Abbott
Clr Janine Lea-Barrett
Clr Christopher Lehmann
Clr Greg Martin
Clr Peter Maxwell
Clr Julie Payne
Clr Bob Sinclair
Clr Harley Toomey
Clr Peter Yench*

Against:

CLAUSE 6A – LEASE OF TOWN HALL CINEMA BUILDING

FILE: A10-19

AOP REFERENCE: 1.6.4

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

48.3.2017 **RESOLVED:** That a report regarding a new lease for the Town Hall Cinema Building, Cobar, be considered in the Committee of the Whole Closed Council with the press and public excluded for the reasons stated in Sections 10A(2) (d) (i) & (ii) of the Local Government Act 1993, as the report includes commercial information of a confidential matter.

Clr Abbott/ Clr Payne

CARRIED

CLAUSE 7A– LEASE OF 53 LINSLEY STREET, COBAR

FILE: L6-7

AOP REFERENCE: 3.3.4.2

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

49.3.2017 **RESOLVED:** That a report regarding a new lease for 53 Linsley Street, Cobar 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) & (ii) of the Local Government Act 1993, as the report includes commercial information of a confidential nature.

Clr Abbott / Clr Sinclair

CARRIED

**CLAUSE 8A – COBAR MINERS MEMORIAL COMMITTEE –
DEVELOPMENT APPLICATION**

FILE: 2017/LD-00002

AOP REFERENCE: 1.6.3.1

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

50.3.2017 RESOLVED:

1. That Council determines Development Application 2017/LD-0002 by granting conditional consent as recommended in the Development Application Assessment Report contained in the attachment to this report.
2. That voting on this matter be recorded on the basis of an automatic division as required by legislation.

Clr Abbott/ Clr Yench

CARRIED

A Division was called:

For:

*Clr Lilliane Brady OAM
Clr Peter Abbott
Clr Janine Lea-Barrett
Clr Christopher Lehmann
Clr Greg Martin
Clr Peter Maxwell
Clr Julie Payne
Clr Bob Sinclair
Clr Harley Toomey
Clr Peter Yench*

Against:

**CLAUSE 9A – EXHIBITION OF DISABILITY INCLUSION
ACTION PLAN**

FILE: L5-22-1

AOP REFERENCE: 3.3

AUTHOR: *Director Corporate and Economic Development, Angela Shepherd*

51.3.2017 RESOLVED: That Council resolves to put the draft Disability Inclusion Action Plan on public exhibition for at least 28 days.

Clr Payne / Clr Sinclair

CARRIED

**CLAUSE 1B – DEVELOPMENT APPROVALS: 15 FEBRUARY
2017 – 15 MARCH 2017**

FILE: T5-1

AOP REFERENCE: 1.6.3.1

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

52.3.2017 **RESOLVED:** That the information detailing the Local Development and Construction Certificate approvals for the period 15 February 2017 – 15 March 2017 be received and noted.
Clr Maxwell/ Clr Abbott **CARRIED**

CLAUSE 2B – MONTHLY STATUS REPORT

FILE: C13-10 **AOP REFERENCE: 3.1**
AUTHOR: *General Manager, Peter Vlatko*

53.3.2017 **RESOLVED:** That the information contained in the monthly status report be received and noted, with the following items to be removed: 987, 988, 989, 990, 991, 992, 993, 996 Part 6, 997 Part 3, 998 Part 1 and 999.
Clr Toomey/ Clr Abbott **CARRIED**

CLAUSE 3B – INVESTMENT REPORT AS AT 28 FEBRUARY 2017

FILE: B2-7 **AOP REFERENCE: 3.1.1.7**
AUTHOR: *Finance Manager, Neil Mitchell*

54.3.2017 **RESOLVED:** That Council receive and note the Investment Report as at 28 February 2017.
Clr Abbott/ Clr Lea-Barrett **CARRIED**

CLAUSE 4B – BANK RECONCILIATION, CASH FLOW & LOAN FACILITY SUMMARIES AS AT 28 FEBRUARY 2017

FILE: B2-7 **AOP REFERENCE: 3.1.1.5**
AUTHOR: *Finance Manager, Neil Mitchell*

55.3.2017 **RESOLVED:** That Council receive and note the Bank Reconciliation, Cash Flow and Loan Facility Report as at 28 February 2017.
Clr Sinclair / Clr Lea-Barrett **CARRIED**

CLAUSE 5B – MEETING MINUTES

FILE: WB1-22, C8-6-4 & C6-31 **AOP REFERENCE: 3.1**
AUTHOR: *Executive Assistant General Manager/ Mayor, Janette Booth*

56.3.2017 **RESOLVED:** That the Minutes of the Cobar Youth Council, Airport Advisory and Cobar Water Board Committees be received and noted.
Clr Martin / Clr Payne **CARRIED**

CLAUSE 6B – UPDATE ON INFRASTRUCTURE PROJECT FINANCES

FILE: G4-29

AOP REFERENCE: 4.1.4.2

AUTHOR: *Director of Engineering Services, Stephen Taylor*

- 57.3.2017** **RESOLVED:** That Council receive and note the updated financial information for the two Restart NSW Resources for Regions infrastructure projects.
Clr Sinclair / Clr Lea-Barrett **CARRIED**

CLAUSE 7B – EXPENDITURE FOR ROADS NETWORK

FILE: R5-31

AOP REFERENCE: 4.3.2

AUTHOR: *Director of Engineering Services, Stephen Taylor*

- 58.3.2017** **RESOLVED:** That the information detailing the Expenditure for Council's Roads Network be received and noted.
Clr Sinclair/ Clr Abbott **CARRIED**

- 59.3.2017** **RESOLVED:** That a Rest Area be built along the Wool Track and that it be named after Duncan Gay.
Clr Sinclair/ Clr Martin **CARRIED**

CLAUSE 8B – ENGINEERING WORKS REPORT

FILE: C6-20-2

AOP REFERENCE: 4.3.2

AUTHOR: *Director of Engineering Services, Stephen Taylor*

- 60.3.2017** **RESOLVED:** That the information contained in the Engineering Works Report detailing maintenance on Shire and Regional Roads, State Highways and Water Sewer Mains, Resources for Regions Projects and other Major Grant Works be received and noted.
Clr Abbott/ Clr Martin **CARRIED**

CLAUSE 9B – STAFF CONFERENCE ATTENDANCE REPORT

FILE: Personnel

AOP REFERENCE: 3.3.2

AUTHOR: *Human Resources Manager, Summer Patterson*

- 61.3.2017** **RESOLVED:** That the information provided above in relation to the conferences attended by Council staff be received and noted.
Clr Abbott/ Clr Sinclair **CARRIED**

CLAUSE 10B – COMMUNITY SURVEY REPORT

FILE: L5-22

AOP REFERENCE: 3.2

AUTHOR: *Director Corporate and Economic Development, Angela Shepherd*

THIS IS PAGE 8 OF THE MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE SHIRE OF COBAR HELD ON THURSDAY 23 MARCH 2017

.....
GENERAL MANAGER

.....
MAYOR

62.3.2017 **RESOLVED:** That Council receives and notes the results of the community survey undertaken in February 2017 with the results to be used in developing the Community Strategic Plan.
Clr Lea-Barrett/ Clr Abbott **CARRIED**

**CLAUSE 11B - MINUTES OF THE ECONOMIC TASKFORCE
MARCH MEETING**

FILE: D2-17 **AOP REFERENCE: 2.1**

AUTHOR: *Director Corporate and Economic Development,
Angela Shepherd*

63.3.2017 **RESOLVED:** That Council receives and notes the minutes of the Economic Taskforce Meeting held on 7 March 2017.
Clr Payne/ Clr Yench **CARRIED**

CLAUSE 12B – GRANT FUNDING

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

AUTHOR: *Director Corporate and Economic Development,
Angela Shepherd*

64.3.2017 **RESOLVED:** That the information contained in the grant funding report detailing grants applied for, grants announced and grants available be received and noted.
Clr Abbott/ Clr Lea-Barrett **CARRIED**

**CLAUSE 13B – RATES RECONCILIATION REPORT AS AT
28 FEBRUARY 2017**

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

AUTHOR: *Office Coordinator, Jo-Louise Brown*

65.3.2017 **RESOLVED:** That the Rates Reconciliation Report as at 28 February 2017 be received and noted.
Clr Abbott/ Clr Lea-Barrett **CARRIED**

COMMITTEE OF THE WHOLE (CLOSED COUNCIL)

66.3.2017 **RESOLVED:** That Council move into the Committee of the Whole with the press and public excluded at 6:49pm 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 in open Council would prejudice the commercial position of the person who supplied it).
Clr Lea-Barrett/ Clr Abbott **CARRIED**

THIS IS PAGE 9 OF THE MINUTES OF THE ORDINARY MEETING OF THE
COUNCIL OF THE SHIRE OF COBAR HELD ON THURSDAY 23 MARCH 2017

Council resumed in Open Council at 7:09pm

**RECOMMENDATIONS TO COUNCIL FROM COMMITTEE
OF THE WHOLE (CLOSED COUNCIL)**

67.3.2017 **RESOLVED:** That the recommendations of the Committee of the Whole be adopted.
Clr Abbott/ Clr Toomey **CARRIED**

**CLAUSE 1C – BANKING FACILITY FOR COBAR SHIRE
COUNCIL**

FILE: B2-14 **AOP REFERENCE: 3.3.4**

AUTHOR: *Director Finance and Community Services, Kym Miller*

08COW.3.2017 **RESOLVED:** That the National Australia Bank be appointed as banker to the Cobar Shire Council for a further four years commencing 1 July 2017 provided that they continue to have a retail presence in Cobar and offer a facility at least equal to that which is currently in place.
Clr Abbott /Clr Lea-Barrett **CARRIED**

Clr Julie Payne declared a Non-Pecuniary interest and returned to the Meeting at 7:02pm.

CLAUSE 2C – LEASE OF 53 LINSLEY STREET, COBAR

FILE: L6-7 **AOP REFERENCE: 3.3.4.2**

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

09COW.3.2017 **RESOLVED:**

1. That Council authorise the Director of Planning and Environmental Services to enter into a new lease with Dr Indra Karalasingham in respect of 53 Linsley Street, Cobar being substantially consistent with the existing lease for a term of up to five (5) years.
2. That discussions relating to the proposed lease for 53 Linsley Street, Cobar remain in the Committee of the Whole Closed Council.

Clr Abbott /Clr Sinclair **CARRIED**

Clr Janine Lea-Barrett declared a Non-Pecuniary interest and left the Meeting at 7:07pm.

CLAUSE 3C – LEASE OF TOWN HALL CINEMA BUILDING

FILE: A10-19

AOP REFERENCE: 1.6.4

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

10COW.3.2017 RESOLVED:

1. That Council authorise the Director of Planning and Environmental Services to enter into a new lease with Angela White, Western Studio of Performing Arts, in respect of the Town Hall Cinema Building being substantially consistent with the existing lease for a term of up to two (2) years with an option for a third year.

2. That discussions relating to the proposed lease for the Town Hall Cinema Building remain in the Committee of the Whole Closed Council.

Clr Abbott/ Clr Martin

CARRIED

Clr Janine Lea-Barrett declared a Non-Pecuniary interest and returned to the Meeting at 7:09pm.

THERE BEING NO FURTHER BUSINESS THE MEETING CLOSED AT 7:09PM

CONFIRMED.....

MINUTE NO.....

MAYOR.....