
**MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF
THE SHIRE OF COBAR HELD IN COUNCIL CHAMBERS ON
THURSDAY 13 DECEMBER 2018 COMMENCING AT 5:00PM**

PRESENT (FILE C13-2)

Councillors Peter Abbott (Deputy Mayor), Tracey Kings (arrived at 5:38pm), Janine Lea-Barrett, Christopher Lehmann, Jarrod Marsden, Peter Maxwell, Julie Payne, Bob Sinclair, Harley Toomey and Kate Winders.

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 Ms Janette Booth (Executive Assistant – General Manager/ Mayor) and Brytt Moore (Administration Officer).

MESSAGE FROM THE CHAIR:

In the spirit of open, accessible and transparent government, Cobar Shire Council Ordinary and Committee Meetings are video recorded and webcast. By speaking at a Council or Committee Meeting, members of the public agree to being recorded and webcast. Cobar Shire Council accepts no liability for any defamatory, discriminatory or offensive remarks or gestures that are made during the course of the Council or Committee Meeting. Opinions expressed or statements made by individuals are the opinions or statements of those individuals and do not imply any form of endorsement by Cobar Shire Council.

APOLOGIES (FILE C13-2)

307.12.2018 RESOLVED: That the apology received from Councillor Lilliane Brady OAM (Mayor) be accepted.
Clr Marsden/ Clr Winders **CARRIED**

DECLARATIONS OF INTEREST (FILE C12-3)

- Nil.
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CONDOLENCES (FILE M2-3)

- Leslie Sidney Lee;
 - Betty Adelaide Rorke;
 - Ivan Kenneth Brown;
-

**THIS IS PAGE 1 OF THE MINUTES OF THE ORDINARY MEETING OF THE
COUNCIL OF THE SHIRE OF COBAR HELD ON THURSDAY 13 DECEMBER 2018**

.....
GENERAL MANAGER

.....
DEPUTY MAYOR

-
- Rose Carmel Hopkins;
 - Sydney Leslie Manns;
 - Leslie John Thompson.

A minutes silence was observed by those in attendance.

PUBLIC ACCESS SESSION

- Audit Office of NSW – Mr James Sugamur.
-

CONFIRMATION OF MINUTES

ORDINARY MEETING OF COUNCIL (FILE C13-11)

- 308.12.2018** **RESOLVED:** That the minutes of the Ordinary Meeting of Council held on Thursday, 22 November 2018 be confirmed as a true and correct record of the proceedings of that meeting.
Clr Sinclair/ Clr Payne **CARRIED**
-

CLAUSE 1A – MAYORAL REPORT

FILE: C13-1-5 **AOP REFERENCE: 3.1**
AUTHOR: Mayor, Councillor Lilliane Brady OAM

- 309.12.2018** **RESOLVED:** That Council accepts the information contained in the Mayoral Report for the month of December 2018.
Clr Lea-Barrett/ Clr Toomey **CARRIED**
-

CLAUSE 2A – GENERAL MANAGER’S EMPLOYMENT CONTRACT

FILE: C6-11 & Personnel **AOP REFERENCE: 3.3.2**
AUTHOR: Mayor, Councillor Lilliane Brady OAM

WITHDRAWN

CLAUSE 3A – COUNCIL COMMITTEES/DELEGATES

FILE: C6-15 **AOP REFERENCE: 3.2.2.2**
AUTHOR: General Manager, Peter Vlatko

- 310.12.2018** **RESOLVED:** That Council determine its delegates for each of the listed Committees/ Organisations and where an election is required it be by open voting by show of hands.
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Committee/Organisation	No. of Delegates	Current Delegates
Local Traffic	1 Councillor	Clr Payne
Wool Track Development Advisory	Mayor + 4 Councillors	Mayor, Clrs Marsden , Maxwell, Sinclair, Yench,
Kidman Way Promotion	4 Councillors	Clrs Abbott, Yench, Toomey, Winders
Tourism Advisory	4 Councillors	Clrs Lehmann, Winders , Toomey, Yench
Airport Advisory	4 Councillors	Clrs Abbott, Kings, Marsden, Payne
General Manager's Review	Mayor, Deputy Mayor, 1 Councillor, 1 General Manager appointed Councillor	Mayor, Deputy Mayor, Clrs Sinclair , Maxwell
Cobar Shire Rural Fire District Service Agreement Liaison	Mayor, 1 Councillor, General Manager or his nominee	Mayor, Clr Sinclair , Director of Engineering Services
Western Slopes Pipeline Committee	1 Councillor	Clr Lea-Barrett

Clr Lea-Barrett/ Clr Payne

CARRIED

CLAUSE 4A – CONSIDERATION OF NYMAGEE AIRSTRIP RUNWAY CROSSING INTO NEIGHBOURING PROPERTY

FILE: A5-1

AOP REFERENCE: 4.3.2

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

311.12.2018 RESOLVED: That a further report on the Nymagee Airstrip Runway Crossing into a Neighbouring Property be considered in 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 discussions of this matter in open Council would prejudice the commercial position of the person who supplied it.

Clr Sinclair/ Clr Marsden

CARRIED

CLAUSE 5A – POOL EFFICIENCY AND USAGE

FILE: T3 18 6

AOP REFERENCE: 1.5

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

312.12.2018 RESOLVED: That no further action be taken until the matter is reconsidered prior to the expiration of the existing management contract.

Clr Sinclair/ Clr Payne

CARRIED

CLAUSE 6A – SALE OF LAND FOR UNPAID RATES

FILE: R2-10

AOP REFERENCE: 3.1.1.2

AUTHOR: *Rates Officer, Jo-Louise Brown*

313.12.2018 RESOLVED:

1. That the General Manager be given authority to commence sale of land proceedings under Section 713 of the *NSW Local Government Act 1993* in respect of those properties for which either full settlement has not been received or satisfactory payment arrangements have not been made.
2. That the sale be conducted during June 2019 with a full list of properties being presented to Council in February 2019 for approval and advertising commencing in March 2019.
3. That the General Manager be given the authority to call for expressions of interest to appoint an auctioneer to conduct the sale.

Clr Lehmann/ Clr Maxwell

CARRIED

CLAUSE 7A – PUBLIC EXHIBITION OF THE DRAFT COBAR SHIRE ACTIVE TRANSPORT PLAN

FILE: G4-27

AOP REFERENCE: 4.3.2

AUTHOR: *Roads Works Manager, Adrienne Pierini*

314.12.2018 RESOLVED: That council resolve to exhibit the draft active transport plan for a period of 28 days.

Clr Sinclair/ Clr Payne

CARRIED

CLAUSE 8A – ANNUAL RUBBISH COLLECTION DAY

FILE: W1-1

AOP REFERENCE: 5.1.2.1

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

315.12.2018 RESOLVED: That Council note the information contained in this report and take no further action regarding the provision of a bulky waste collection service.

Clr Lea-Barrett/ Clr Sinclair

CARRIED

316.12.2018 RESOLVED: That staff prepare a report for hard rubbish collection for pensioners or disability card holders within Cobar Shire for the purpose of providing assistance.

Clr Lea-Barrett/ Clr Marsden

CARRIED

Carried on the casting vote of the Deputy Mayor.

**CLAUSE 9A – REGIONAL INSPECTION POLICY FOR WEEDS
(WESTERN REGION)**

FILE: G4-10

AOP REFERENCE: 5.2.4

AUTHOR: *Environmental Supervisor, Melissa Gunn*

317.12.2018 RESOLVED: That Council adopts the Western Regional Weed Committee “Regional Inspection Policy for Weeds (Western Region)” and “Rapid Response Plan for new incursions of high risk and other new weeds (Western Region)”.

Clr Payne/ Clr Maxwell

CARRIED

Councillor Tracey Kings arrived at 5:38pm.

**CLAUSE 10A – PREFERRED LOCAL SUPPLIERS REGISTER –
DROUGHT COMMUNITIES PROGRAM GRANT PROJECTS**

FILE: G4-41

AOP REFERENCE: 3.3.4

AUTHOR: *Senior Projects Officer, Angela Shepherd*

318.12.2018 RESOLVED: That council, for the below funding only, allow a preferred local suppliers register to be used in lieu of the current procurement policy for the remainder of those projects. a register will be kept in order to ensure the suppliers do not reach more than \$150,000 in procurement:

Grant and Department	Activity	Amount Applied For	Successful?	Council Funding Required	Comment
Drought Communities Fund – Extension	Fencing projects at Mount Hope tip, Ward Oval, Depot and Euabalong Sports Ground	\$150,000	Pending	Nil	
Drought Communities Fund – Extension	Village Signage Projects	\$35,000	Pending	Nil	
Drought Communities Fund – Extension	Sinking 5 water bores on the Shire Road network	\$250,000	Pending	Nil	
Drought Communities Fund – Extension	Business Initiatives	\$30,000	Pending	Nil	To be undertaken in conjunction with the Cobar Business Association

Grant and Department	Activity	Amount Applied For	Successful?	Council Funding Required	Comment
Drought Communities Fund – Extension	Community Infrastructure improvements in Cobar, Nymagee and Euabalong	\$465,000	Pending	Nil	
Drought Communities Fund – Extension	Community Events in Nymagee, Euabalong and Cobar	\$70,000	Pending	Nil	

Clr Sinclair/ Clr Lea-Barrett

CARRIED

MATTER OF URGENCY

319.12.2018 RESOLVED: That the matter be considered as a Matter of Urgency in relation to the Tourism Fund under the Far North West Joint Organisation.

Clr Sinclair/ Clr Kings

CARRIED

CLAUSE 11A – TOURISM FUND UNDER THE FAR NORTH WEST JOINT ORGANISATION

FILE: L5-26-1

AOP REFERENCE: 1.1.2

AUTHOR: Senior Projects Officer, Angela Shepherd

MOTION: That Council resolves to allocate up to \$300,000 towards the construction of the Cobar Sound Chapel and associated works and the remainder of the \$1.5m of Far North West Joint Organisation Tourism funds to upgrades at the Great Cobar Heritage Centre.

Clr Sinclair/ Clr Kings

FORMAL MOTION: That the Motion be put.

Clr Marsden/ Clr Lea-Barrett

LOST

AMENDMENT: That Council allocate the full \$1.5m of Far North West Joint Organisation Tourism funds to upgrades at the Great Cobar Heritage Centre.

Clr Maxwell / Clr Marsden

CARRIED

The Amendment was put and became the Motion.

320.12.2018 RESOLVED: That Council allocate the full \$1.5m of Far North West Joint Organisation Tourism funds to upgrades at the Great Cobar Heritage Centre.

Clr Maxwell/ Clr Marsden

CARRIED

CLAUSE 1B – DEVELOPMENT APPROVALS: 14 NOVEMBER 2018 – 4 DECEMBER 2018

FILE: T5-1

AOP REFERENCE: 1.6.3.1

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

- 320.12.2018 RESOLVED:** That the information detailing the Local Development and Construction Certificate approvals for the period 14 November 2018 – 4 December 2018 be received and noted.
Clr Payne/ Clr Lea-Barrett **CARRIED**

CLAUSE 2B – MONTHLY STATUS REPORT

FILE: C13-10

AOP REFERENCE: 3.1

AUTHOR: *General Manager, Peter Vlatko*

- 321.12.2018 RESOLVED:** That the information contained in the monthly status report be received and noted, with the following items to be removed: 1166, 1191, 1218, 1231, 1232, 1234, 1235, 1237, 1238, 1239 and 1240.
Clr Lea- Barrett/ Clr Sinclair **CARRIED**

CLAUSE 3B – INVESTMENT REPORT AS AT 30 NOVEMBER 2018

FILE: B2-7

AOP REFERENCE: 3.1.1.7

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

- 322.12.2018 RESOLVED:** That Council receive and note the Investment Report as at 30 November 2018.
Clr Sinclair/ Clr Lea-Barrett **CARRIED**

CLAUSE 4B – BANK RECONCILIATION, CASH FLOW & LOAN FACILITY SUMMARIES AS AT 30 NOVEMBER 2018

FILE: B2-7

AOP REFERENCE: 3.1.1.5

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

- 323.12.2018 RESOLVED:** That Council receive and note the Bank Reconciliation, Cash Flow and Loan Facility Report as at 30 November 2018.
Clr Lea-Barrett/ Clr Lehmann **CARRIED**

CLAUSE 5B – UPDATE ON INFRASTRUCTURE PROJECT FINANCES

FILE: G4-29

AOP REFERENCE: 4.1.3.3 and 4.4.4.2

AUTHOR: *Director of Engineering Services, Stephen Taylor*

324.12.2018 RESOLVED: That Council receive and note the updated financial information for the two Restart NSW Resources for Regions infrastructure projects.
Clr Lea-Barrett/ Clr Payne **CARRIED**

CLAUSE 6B – EXPENDITURE FOR ROADS NETWORK

FILE: R5-31 **AOP REFERENCE: 4.3.2**
AUTHOR: Director of Engineering Services, Stephen Taylor

325.12.2018 RESOLVED: That the information detailing the Expenditure for Council's Roads Network be received and noted.
Clr Lea-Barrett/ Clr Toomey **CARRIED**

CLAUSE 7B – ENGINEERING WORKS REPORT

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

326.12.2018 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 Lea-Barrett/ Clr Toomey **CARRIED**

CLAUSE 8B – MEETING MINUTES

FILE: C8-6-4, L5-26 & R5-36 **AOP REFERENCE: 3.1**
AUTHOR: Executive Assistant General Manager/ Mayor, Janette Booth

327.12.2018 RESOLVED: That the Minutes and Status Report of the Cobar Youth Council, Far North West Joint Organisation and Rural Roads Advisory Committees be received and noted.
Clr Toomey/ Clr Lea-Barrett **CARRIED**

CLAUSE 9B – ANALYSIS OF DRY AND WET PLANT AND EQUIPMENT CONTRACT

FILE: T3-15-6 & P3-19-4 **AOP REFERENCE: 3.3.4**
AUTHOR: Director of Engineering Services, Stephen Taylor

328.12.2018 RESOLVED: That the information contained in this report be received and noted.
Clr Payne/ Clr Lea-Barrett **CARRIED**

CLAUSE 10B – ESTIMATE COST OF BORES

FILE: R5-1 **AOP REFERENCE: 4.3.1.1**
AUTHOR: Director of Engineering Services, Stephen Taylor

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COUNCIL OF THE SHIRE OF COBAR HELD ON THURSDAY 13 DECEMBER 2018

329.12.2018 RESOLVED: That the information contained in this report be received and noted.
Clr Lea-Barrett/ Clr Kings **CARRIED**

CLAUSE 11B – GRANT FUNDING

FILE: G4-17

AOP REFERENCE: 3.1.1.4

AUTHOR: *Senior Projects Officer, Angela Shepherd*

330.12.2018 RESOLVED: That the information contained in the grant funding report detailing grants applied for, grants announced and grants available be received and noted.
Clr Lea-Barrett/ Clr Lehmann **CARRIED**

CLAUSE 12B – RATES RECONCILIATION REPORT AS AT 30 NOVEMBER 2018

FILE: R2-1

AOP REFERENCE: 3.1.1.6

AUTHOR: *Office Coordinator, Jo-Louise Brown*

331.12.2018 RESOLVED: That the Rates Reconciliation Report as at the 30 November 2018 be received and noted.
Clr Lea-Barrett/ Clr Sinclair **CARRIED**

MATTER OF URGENCY

332.12.2018 RESOLVED: That the General Manager provide Council with a full report on the options in relation to the replacement or removal of all grids within the shire.
Clr Payne/ Clr Lehmann **CARRIED**

COMMITTEE OF THE WHOLE (CLOSED COUNCIL)

333.12.2018 RESOLVED: That Council move into the Committee of the Whole with the press and public excluded at 6:29pm 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 and 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 Kings/ Clr Sinclair **CARRIED**

Council resumed in Open Council at 6:34pm.

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

334.12.2018 RESOLVED: That the recommendations of the Committee of the Whole be adopted.
Clr Payne/ Clr Lea-Barrett **CARRIED**

CLAUSE 1C – GENERAL MANAGER’S EMPLOYMENT CONTRACT

FILE: C6-11 & Personnel **AOP REFERENCE: 3.3.2**
AUTHOR: *Mayor, Clr Lilliane Brady OAM*

WITHDRAWN

CLAUSE 2C – CONSIDERATION OF NYMAGEE AIRSTRIP RUNWAY CROSSING INTO NEIGHBOURING PROPERTY

FILE: A5 -1 **AOP REFERENCE: 4.3.2**
AUTHOR: *Director of Finance and Community Services, Kym Miller*

50COW.12.2018 RESOLVED:

1. That Council proceed to shorten the northwest runway at Nymagee by 200 metres and advise key stakeholders immediately.
2. That the General Manager be authorized to purchase Lot 2 DP 127362 should the vendor believe that this becomes the best option for them as recommendation 1 is implemented.
3. That should the demand lead to a requirement to develop the strip at the northern end, the proposal be first considered by Council.
4. That the information contained within this report remains confidential within the Committee of the Whole Closed Council.

Clr Kings/ Clr Lea-Barrett **CARRIED**

THERE BEING NO FURTHER BUSINESS THE MEETING CLOSED AT 6:34PM

CONFIRMED.....

MINUTE NO.....

DEPUTY MAYOR.....