
**MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE
SHIRE OF COBAR HELD IN THE COBAR SHIRE COUNCIL
CHAMBERS ON THURSDAY 27 MARCH 2014 COMMENCING AT
5:05PM**

The meeting on 27 March 2014 was opened at 5:00pm with Councillors Brady, Harrison, Kings, Marsden, Maxwell and Sinclair present however as a quorum was not present the Mayor adjourned the meeting until 5:05pm.

At 5:05pm the Mayor re-opened the meeting with Councillors Brady, Harrison, Kings, Marsden, Maxwell, Sinclair, Toomey and Yench present.

PRESENT (FILE C13-2)

Councillors Lilliane Brady OAM (Mayor), John Harrison, Tracey Kings, Jarrod Marsden, Peter Maxwell, Harley Toomey, Bob Sinclair 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) and Mmes Adrienne Pierini (Trainee Civil Engineering Technician).

APOLOGIES (C13-2)

39.3.2014 **RESOLVED:** That the apologies received from Councillors Marsha Isbester (Deputy Mayor), Ray Wilson, Pam Smith and Greg Martin be accepted and a leave of absence granted.

Clr Yench/Clr Maxwell

CARRIED

PUBLIC ACCESS SESSION

- Mr Phillip Hague – Shire Road 20 (Grain Road).
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DECLARATIONS OF INTEREST (FILE C12-3)

- Nil.
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CONDOLENCES (FILE M2-3)

- Mr William Roy Barraclough;
 - Yvonne Elizabeth Beard;
 - Rose Mary Griffiths;
 - Grace Hanns.
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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 27 MARCH 2014

.....
GENERAL MANAGER

.....
MAYOR

06WC.3.2014 **RECOMMENDATION:** *That the information detailing the Expenditure for Council's Roads Network be received and noted.*
Clr Marsden/Clr Sinclair **CARRIED**

REPORT 3B – TRAFFIC COUNTS ON SHIRE ROADS AND CLASSIFIED ROADS (RR7518)

FILE: R5-34 **AOP REFERENCE:** 4.3.2
AUTHOR: *Construction Supervisor, Brett Hallcroft*

07WC.3.2014 **RECOMMENDATION:** *That the information in relation to traffic counts on classified roads (RR7518) be received and noted.*
Clr Yench/Clr Marsden **CARRIED**

CONFIRMATION OF MINUTES

FINANCE AND POLICY COMMITTEE MEETING (FILE C6-19)

42.3.2014 **RESOLVED:** *That the minutes, and the following recommendations contained therein, of the Finance and Policy Committee Meeting held on Thursday 13 March 2014 be adopted by Council.*
Clr Sinclair/Clr Toomey **CARRIED**

APOLOGIES (C16-15-6)

13FP.3.2014 **RECOMMENDATION:** *That the apologies received from Councillors Marsha Isbester (Deputy Mayor), Tracey Kings, Greg Martin and Ray Wilson be accepted and a leave of absence granted.*
Clr Yench/Clr Marsden **CARRIED**

DECLARATIONS OF INTEREST (FILE C6-15-7)

Nil.

REPORT 1B – BANK RECONCILIATION, CASH FLOW & LOAN FACILITY SUMMARIES AS AT 28 FEBRUARY 2014

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

14FP.3.2014 **RECOMMENDATION:** *That Council receive and note the Bank Reconciliation, Cash Flow and Loan Facility Report for the month of February 2014.*
Clr Sinclair/Clr Yench **CARRIED**

REPORT 2B – INVESTMENT REPORT AS AT 28 FEBRUARY 2014

FILE: B2-7

AOP REFERENCE: 3.1.1.7

AUTHOR: Manager Finance & Administration, Neil Mitchell

15FP.3.2014 RECOMMENDATION: *That Council receive and note the Investment Report for the month of February 2014.*
Clr Marsden/Clr Yench **CARRIED**

REPORT 3B – RATES RECONCILIATION TO 28 FEBRUARY 2014

FILE: R2-1

AOP REFERENCE: 3.1.1.6

AUTHOR: Rates Officer, Jo-Louise Brown

16FP.3.2014 RECOMMENDATION: *That the Rates Reconciliation Report as at the 28 February 2014 be received and noted.*
Clr Sinclair/Clr Toomey **CARRIED**

REPORT 4B – GRANT FUNDING

FILE: G4-17

AOP REFERENCE: 3.1.1.4

AUTHOR: Special Projects Officer, Angela Shepherd

17FP.3.2014 RECOMMENDATION: *That the information contained in the grant funding report detailing grants applied for, grants announced and grants available be received and noted.*
Clr Sinclair/Clr Yench **CARRIED**

CLAUSE 1A – MAYORAL REPORT

FILE: C13-1-5

AOP REFERENCE: 3.1

AUTHOR: Mayor, Councillor Lilliane Brady OAM

43.3.2014 RESOLVED:

1. That Council accepts the information contained in the Mayoral Report for the month of March 2014.
2. That Council thank Mr Phillip Hague for his presentation in regards to Shire Road 20 (Grain Road).
3. That Council resolve to affix the Council's seal on any associated documents in relation to water supply bores for road works within the Cobar Shire Council area.
4. That the General Manager provide appropriate feedback to Mrs Stone on the history and condition of the Cemetery in Cobar.

Clr Marsden/Clr Maxwell

CARRIED

THIS IS PAGE 4 OF THE MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE SHIRE OF COBAR HELD ON THURSDAY 27 MARCH 2014

.....
GENERAL MANAGER

.....
MAYOR

**CLAUSE 2A – COUNCIL’S SEAL ON DEED OF AGREEMENT
WATER TREATMENT PLANT**

FILE: A10-41

AOP REFERENCE: 4.1.4

AUTHOR: *Special Projects Officer, Angela Shepherd*

- 44.3.2014** **RESOLVED:** That Council resolve to affix Council’s seal on the Funding Deed between Cobar Shire Council and the NSW Government (through the Treasurer) in relation to the Restart NSW funding for the replacement Water Treatment Plant for Cobar.
Clr Sinclair/Clr Toomey **CARRIED**

**CLAUSE 3A – COBAR RURAL FIRE SERVICE BRIGADE
BUILDING PROPOSAL**

FILE: B9-8

AOP REFERENCE: 1.6.5.1

AUTHOR: *Director of Engineering Services, Peter Graf*

- 45.3.2014** **RESOLVED:**
1. That Council approves the provision of a parcel of land to the Rural Fire Service for the location of the Cobar Rural Fire Service Brigade building either directly or via a long term lease.
 2. That Council approval be given for the signing under seal of any document for the lease of the land for the construction of Cobar Rural Fire Service Brigade Building.
- Clr Sinclair/Clr Yench* **CARRIED**

**CLAUSE 4A – PROPOSAL FROM NSW PUBLIC WORKS FOR
CONSULTANCY SERVICES FOR A NEW WATER
TREATMENT PLANT**

FILE: G4 – 29

AOP REFERENCE: 4.1.4

AUTHOR: *Director of Engineering Services, Peter Graf*

- 46.3.2014** **RESOLVED:** That a report regarding the engagement of NSW Public Works 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) 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 Sinclair/Clr Kings **CARRIED**

**CLAUSE 5A – EMPLOYEE HEALTH AND WELLBEING
PROGRAM**

FILE: P5-70, S5-1

AOP REFERENCE 3.3.2

AUTHOR: *Karen Walsh, Human Resources Officer*

47.3.2014 RESOLVED:

1. That Council supports the initiative to reimburse permanent employees with the cost of pool season tickets up to the cost of a single adult ticket upon production of a receipt and evidence that the employee is named as a person covered by the season ticket.
2. That an amount of \$5,500.00 be included in the 2014/2015 budget for the purpose of reimbursement of pool season tickets up to the cost of a single adult ticket.

Clr Marsden/Clr Toomey

CARRIED

CLAUSE 6A – RISK MANAGEMENT AND WORK HEALTH AND SAFETY

FILE: R4-4, R4-5

AOP REFERENCE: 3.3.2.2

AUTHOR: *Human Resources Officer, Karen Walsh*

48.3.2014 RESOLVED: That Council agrees to take no action in regards to the report Risk Management and Work Health and Safety.

Clr Marsden/Clr Kings

CARRIED

CLAUSE 7A – UNANNOUNCED ASSESSMENT AT THE LILLIANE BRADY VILLAGE

FILE: C8-4, C8-3

AOP REFERENCE: 1.5.4.1

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

49.3.2014 RESOLVED:

1. That the report on the Unannounced Assessment at the Lilliane Brady Village be received and noted.
2. That Council acknowledges the ongoing favourable reports being received by the Lilliane Brady Village.

Clr Sinclair/Clr Marsden

CARRIED

CLAUSE 8A – DEDUCTABLE GIFT RECIPIENT STATUS FOR COUNCIL'S AGED CARE FACILITY

FILE: C8-3-3AOP REFERENCE: 1.5.4

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

50.3.2014 RESOLVED:

1. That application is made to the Australian Taxation Office to seek Deductable Gift Recipient Status for the Lilliane Brady Village.

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2. That application be made to the Australian Taxation Office to seek Deductible Gift Recipient Status for the Lilliane Brady Village Pink Ladies.

Clr Sinclair/Clr Yench

CARRIED

CLAUSE 9A – LEGAL ASSISTANCE FOR CANTERBURY CITY COUNCIL

FILE: L5 -3

AOP REFERENCE: 1.4.5

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

- 51.3.2014** **RESOLVED:** That Cobar Shire Council support the legal assistance claim by Canterbury City Council for \$227.78 inclusive of GST.
Clr Marsden/Clr Kings **CARRIED**
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CLAUSE 10A – GRADING OF SHIRE ROAD 20 (GRAIN ROAD) BY LOCAL CONTRACTORS

FILE: SR1-20

AOP REFERENCE: 4.3.1

AUTHOR: *Kingsley Page, Works Manager*

As the report Grading of Shire Road 20 (Grain Road) by Local Contractors has been addressed as a Public Access Session the matter is required to be deferred to the next Council Meeting.

CLAUSE 11A – COBAR TRUCK WASH

FILE: A10-30

AOP REFERENCE: 3.1.1.2

AUTHOR: *Works Manager, Kingsley Page*

- 52.3.2014** **RESOLVED:** That the report on Cobar Truck Wash will be discussed.
Clr Sinclair/Clr Yench **CARRIED**

MOTION: That the stock/cattle truck wash project be done in three (3) stages. That up to \$113,000 be utilised in the first stage and that a letter be written to all the users to ask for help to complete the further stages.

Clr Yench/

LAPSED

The Motion lapsed for want of a seconder.

- 53.3.2014** **RESOLVED:**
1. That staff be authorised to arrange an appropriate cost effective design of the stock/cattle truck wash in 2013/2014 using available funds.
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2. That Council constructs a powered stock/cattle truck wash at the existing Fort Bourke site that incorporates an Avdata System and allocate funds of up to \$177,600 in the 2014/2015 budget with 50% of the budget being from Grant Funds.
 3. That Council continues to seek external funding from Western Local Land Service and/or other Government Departments and/or others.
 4. That an amount of \$0.80 per minute inclusive of GST for use of the proposed truck wash be incorporated in Council's Fees and Charges for 2014/2015.

Clr Sinclair/Clr Kings

CARRIED

CLAUSE 12A – SECTION 356 DONATIONS 2014-2015

FILE: D3-1

AOP REFERENCE: 1.4.5

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

54.3.2014 RESOLVED:

1. That Council consider the applications for donations on a merit basis and award donations to the value of approximately \$36,000 to be applicable for the budget year ending 30 June 2015.
2. That Council acknowledge the unsuccessful applicants and encourage them to apply in future years with suitable programs or events.

Clr Sinclair/Clr Toomey

CARRIED

55.3.2014 RESOLVED: That Cobar Shire Council make the following donations for the financial year 2014/2015:

1. Cobar Mobile Children's Service by way of 50% rental subsidy \$2,600;
2. Cobar Preschool Centre (approx) \$2,300 by way of general rate relief;
3. Cobar High School \$100 by way of Cobar Quids donation for end of year presentation;
4. Cobar Rugby League Football Club \$26,000 by way of quarterly cash donation provided that it is used in the first instance to pay Cobar Shire Council's Water Usage Account;
5. Cobar Arts Council (approx.) \$1,000 for general rates relief on premises that they will be leasing at Cobar Railway Station commencing upon execution of lease;
6. Kubby House Child Care Centre (approx) \$3,000 for general rates relief;

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7. Autoclub of Cobar Inc \$1,000 cash donation to assist with raw water used at meets;
 8. The Cobar Cadets and Girl Guides combine occupancy of the shared premises on a rent free basis and relief from general rates in accordance with Resolution 22.2.2014.

Clr Sinclair/Clr Marsden

CARRIED

CLAUSE 13A – DALTON PARK HORSE COMPLEX LICENCE AGREEMENTS (CARRIED OVER FROM 27 FEBRUARY 2014)

FILE: P1-4-3

AOP REFERENCE: 3.3.4.2

AUTHOR: *Land Management Officer, Heather Holder*

WITHDRAWN: On instruction from the General Manager.

CLAUSE 1B – DEVELOPMENT APPROVALS

FILE: T5-1

AOP REFERENCE: 1.6.3.1

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

- 56.3.2014** **RESOLVED:** That the information detailing the Local Development and Construction Certificate approvals for the period 19 February 2014 – 19 March 2014 be received and noted.

Clr Yench/Clr Toomey

CARRIED

CLAUSE 2B – MONTHLY STATUS REPORT

FILE: C13-10

AOP REFERENCE: 3.1

AUTHOR: *General Manager, Gary Woodman*

- 57.3.2014** **RESOLVED:** That the information contained in the monthly status report be received and noted and that items 479, 510 part 1, 513, 514, 515, 516, 517 part 1, 518, 519, 520, 521, 522, 523 part 1 and 5, 525, 526, 527 part 2, 528, 529, 530 part 1, 531 part 1 and 2, 532, 533, 534 be removed.

Clr Sinclair/Clr Marsden

CARRIED

CLAUSE 3B – MEETING MINUTES

FILE: WB1-22, C8-6-4, D2-17

AOP REFERENCE: 3.1

AUTHOR: *General Manager, Gary Woodman*

- 58.3.2014** **RESOLVED:** That the minutes of the meetings of Cobar Youth Council, Cobar Shire Council Economic Taskforce and Cobar Water Board Committees be received and noted.

Clr Sinclair/Clr Toomey

CARRIED

THIS IS PAGE 9 OF THE MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE SHIRE OF COBAR HELD ON THURSDAY 27 MARCH 2014

**CLAUSE 4B - DISCLOSURE OF INTEREST RETURNS –
COUNCILLORS AND DESIGNATED PERSONS**

FILE: C12-3-1

AOP REFERENCE: 3.1

AUTHOR: *General Manager, Gary Woodman*

59.3.2014 RESOLVED: That Council note the Annual Disclosure of Interest Returns for the following new staff who are Designated Persons:

- Manager of Planning and Environmental Services, Stephen Poulter;
- Manager of Planning and Environmental Services (Compliance and Regulation), Nicholas Mamouzelos;
- Services Manager, Ken Wright.

Clr Marsden/Clr Toomey

CARRIED

CLAUSE 5B – INTERIM TOURISM MANAGEMENT PLAN

FILE: T4-1 AOP REFERENCE: 2.2.1.1

AUTHOR: *Director of Corporate and Community Services, Kym Miller and Manager Tourism and Public Relations, John Martin*

60.3.2014 RESOLVED: That the Interim Tourism Management Plan report be received and noted.

Clr Maxwell/Clr Toomey

CARRIED

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

61.3.2014 RESOLVED: That Council move into the Committee of the Whole with the press and public excluded at 6:25pm 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 Harrison

CARRIED

Council resumed in Open Council at 6:33pm.

RECOMMENDATIONS TO COUNCIL

62.3.2014 RESOLVED: That the following recommendations of the Committee of the Whole Closed Council be adopted by the Council.

Clr Yench/Clr Toomey

CARRIED

THIS IS PAGE 10 OF THE MINUTES OF THE ORDINARY MEETING OF THE
COUNCIL OF THE SHIRE OF COBAR HELD ON THURSDAY 27 MARCH 2014

**CLAUSE 1C – PROPOSAL FROM NSW PUBLIC WORKS FOR
CONSULTANCY SERVICES FOR A NEW WATER
TREATMENT PLANT**

FILE: G4-29

AOP REFERENCE: 4.1.4

AUTHOR: *Director of Engineering Services, Peter Graf*

14COW.3.2014 RESOLVED:

1. That Council appoint NSW Public Works to undertake Consultancy Services for the construction of a new water treatment plant and that the General Manager be authorised to negotiate and finalise with NSW Public Works the appropriate option to meet the needs of the project.
2. That the financial details of the NSW Public Works consultancy proposal remain in the Committee of the Whole Closed Council.

Clr Yench/Clr Kings

CARRIED

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

CONFIRMED.....

MINUTE NO.....

MAYOR.....