
**MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF
THE SHIRE OF COBAR HELD IN THE COUNCIL CHAMBERS ON
THURSDAY 22 SEPTEMBER 2016 COMMENCING AT 5:04PM**

The General Manager was appointed the Chair in the absence of the Mayor.

PRESENT (FILE C13-2)

Councillors Lilliane Brady OAM, Peter Abbott, Tracey Kings, Janine Lea-Barrett, Christopher Lehmann, Jarrod Marsden, Greg Martin, Peter Maxwell, Julie Payne, Harley Toomey, Bob Sinclair and Peter Yench. Messrs Peter Vlatko (General Manager), Kym Miller (Director of Corporate and Community Services) and Garry Ryman (Director of Planning & Environmental Services) and Mmes Angela Shepherd (Special Projects Officer) and Janette Booth (Executive Assistant – General Manager/ Mayor).

COUNCILLOR OATH/ AFFIRMATIONS

All twelve (12) Councillors have undertaken an Oath/ Affirmation to undertake the duties of the Office of Councillor for Cobar Shire.

The Oath was taken by Councillor Lilliane Brady OAM;
The Oath was taken by Councillor Janine Lea-Barrett;
The Oath was taken by Councillor Christopher Lehmann;
The Oath was taken by Councillor Jarrod Marsden;
The Oath was taken by Councillor Gregory Martin;
The Oath was taken by Councillor Julie Payne;
The Oath was taken by Councillor Harley Toomey;
The Oath was taken by Councillor Peter Yench.

The Affirmation was taken by Councillor Peter Abbott;
The Affirmation was taken by Councillor Tracey Kings;
The Affirmation was taken by Councillor Peter Maxwell;
The Affirmation was taken by Councillor Robert Sinclair.

**CLAUSE 1A – ELECTION OF THE MAYOR AND DEPUTY
MAYOR**

FILE: C12-1

AOP REFERENCE: 3.1.5

AUTHOR: *General Manager, Peter Vlatko*

168.9.2016 RESOLVED:

1. That Council note that the General Manager or his nominee is the Returning Officer for the purpose of electing the Mayor and Deputy Mayor.

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2. That the period of appointment of the Deputy Mayor be consistent with the period of the appointment of Mayor, being two (2) years.
 3. In the event of more than one (1) nomination that Council conduct the election of the Mayor and Deputy Mayor by ordinary ballot and in accordance with the Local Government (General) Regulations 2005.
 4. That following the election the ballot papers used in the election of the Mayor and Deputy Mayor be destroyed.

Clr Abbott/ Clr Martin

CARRIED

The General Manager advised that at the close of nominations for Mayor there was two (2) nominations being:

Councillor Lilliane Olive Brady OAM;
Councillor Peter Henry George Yench.

In accordance with the *Local Government (General) Regulations 2005* the General Manager declared Councillor Lilliane Olive Brady duly elected Mayor for the term ending September 2018.

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The General Manager advised that at the close of nominations for Deputy Mayor there was two (2) nominations being:

Councillor Peter Richard Abbott;
Councillor Janine Frances Lea-Barrett.

In accordance with the *Local Government (General) Regulations 2005* the General Manager declared Councillor Peter Richard Abbott duly elected Deputy Mayor for the term ending September 2018.

Councillor Lilliane Brady OAM assumed the Chair as Mayor and proceeded with the remaining items of business.

APOLOGIES (FILE C13-2)

Nil.

DECLARATIONS OF INTEREST (FILE C12-3)

- Councillor Janine Lea-Barrett declared a Non-Pecuniary interest in Clause 10A - Dalton Park Horse Complex – Proposed Advisory Sign and Clause 11A – Dalton Park Horse Complex in Principle Support to Licence Application as she is an Executive Committee Member of the Cobar Miners Race Club.

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- Councillor Jarrod Marsden declared a Non-Pecuniary interest in Clause 10A - Dalton Park Horse Complex – Proposed Advisory Sign and Clause 11A – Dalton Park Horse Complex in Principle Support to Licence Application as he is an Executive Committee Member of the Cobar Miners Race Club.
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CONDOLENCES (FILE M2-3)

- Margaret Wade;
- Cecilia Mae Wells.

A minutes silence was observed by those in attendance.

CONFIRMATION OF MINUTES

TRAFFIC COMMITTEE (FILE C6-14)

169.9.2016 RESOLVED: That the minutes and the status report of the Traffic Committee Meeting held on Thursday, 16 August 2016 be confirmed as a true and correct record of the proceedings of that meeting.

Clr Martin/ Clr Kings

CARRIED

CONFIRMATION OF MINUTES

ORDINARY MEETING OF COUNCIL (FILE C13-11)

170.9.2016 RESOLVED: That the minutes of the Ordinary Meeting of Council held on Thursday, 25 August 2016 be confirmed as a true and correct record of the proceedings of that meeting.

Clr Toomey/ Clr Sinclair

CARRIED

CLAUSE 2A – MEETING DATES AND TIMES

FILE: C12-1

AOP REFERENCE: 3.1.5

AUTHOR: *General Manager, Peter Vlatko*

171.9.2016 RESOLVED:

1. That the Ordinary Meetings of Council be held in the Council Chambers commencing at 5pm on the fourth Thursday of each month except for the December meeting which is to be held on the second Thursday of the month to stay clear of the Christmas period and January where no meeting is held and that where practical the September Council Meeting to be designated as the Rural Council meeting that will commence at 1:00pm.
2. The Rural Council Meeting be held on a rotating basis through the Council Election cycle as follows:

- Euabalong (October 2016);
- Nymagee (September 2017);
- Mt Hope (September 2018);
- Tilpa (September 2019).

3. That the start time of the Ordinary Council Meeting scheduled to be held on Thursday, 24 November 2016 be changed to 4:00pm.

Clr Sinclair/ Clr Marsden

CARRIED

CLAUSE 3A – DELEGATIONS OF AUTHORITY

FILE: A2-5

AOP REFERENCE: 3.1.5

AUTHOR: *General Manager, Peter Vlatko*

172.9.2016 RESOLVED: That the Delegations of Authority for the Mayor, Deputy Mayor and General Manager be confirmed.

Clr Abbott/ Clr Maxwell

CARRIED

CLAUSE 4A – COUNCIL COMMITTEES/ DELEGATES

FILE: C6-15

AOP REFERENCE: 3.2.2.2

AUTHOR: *General Manager, Peter Vlatko*

173.9.2016 RESOLVED: That Council determine its delegates for each of the listed Committees/ Organisations as follows:

Committee/Organisation	No. of Delegates	Delegates
Local Traffic	1 Councillor	Clr Martin
Mallee Bushfire Prevention	1 Councillor	Clr Sinclair
Western Division Councils of NSW	Whole of Council	Mayor, Deputy Mayor, General Manager, Clr Lea-Barrett, Clr Sinclair
Orana Regional Organisation of Councils	Mayor, General Manager	Deputy Mayor, General Manager
Barwon Darling Water Inc. (Mungindi – Menindee Advisory Council Inc.)	2 Councillors	Clrs Marsden, Yench
Wool Track Development Advisory	Mayor + 4 Councillors	Mayor, Clrs Martin, Maxwell, Sinclair, Yench,
Kidman Way Promotion	4 Councillors	Clrs Abbott, Martin, Toomey, Yench
Tourism Advisory	4 Councillors	Clrs Lehmann, Martin, Toomey, Yench
Outback Arts	2 Delegates	Clr Payne (Alternate) Special Projects Officer

Committee/Organisation	No. of Delegates	Delegates
Mt Grenfell Board of Management	1 Councillor	Clr Toomey, Yench (Alternate)
Macquarie Valley Weeds Advisory	1 Councillor	Clr Maxwell
Lachlan Valley Weeds Advisory	1 Councillor	Clr Maxwell
Liquor Accord	Mayor, 1 Councillor General Manager	Mayor, Clr Kings, General Manager
Murray Darling Association	2 Councillors	Clrs Lea-Barrett, Lehmann
Youth Council	1 Councillors, staff member, General Manager	Clr Payne, General Manager, staff member to be determined by the General Manager
Australia Wide Rural Roads Group	1 Councillor, 1 Clr alternate	Clr Sinclair, Maxwell (Alternate)
Regional Development Australia - Orana Board	1 Delegate	Clr Yench
Lower Macquarie Water Utilities Alliance Board	Mayor, General Manager	Mayor, General Manager
Rural Roads Advisory	Whole of Council	All Councillors
Cobar Water Board	3 Councillors	Clrs Abbott, Brady, Yench
Ward Oval Sports Advisory Board	Mayor, 2 Councillors	Mayor, Clrs Marsden, Toomey
Ward Oval Sports Advisory Board	Mayor, 2 Councillors	Mayor, Clrs Marsden, Toomey
Association of Mine Related Councils	Mayor, General Manager	Mayor, General Manager, Clrs Lea-Barrett, Marsden (Alternates)
Internal Audit	2 Councillors not being the Mayor	Clr Abbott, Sinclair
Western Regional Joint Planning Panel	2 Members, 1 Alternate	Clr Sinclair, Mr Kevin Ryan, Clr Lea-Barrett (Alternate)
Airport Advisory	4 Councillors	Clrs Abbott, Kings, Marsden, Martin
Far West Initiative Advisory	Mayor, General Manager	Mayor, General Manager
Cobar War Memorial Hostel	1 Councillor	Clr Marsden
General Manager's Review	Mayor, Deputy Mayor, 1 Councillor, 1 General Manager appointed Councillor	Mayor, Deputy Mayor, Clrs Martin, 1 General Manager appointed Councillor
Cobar Shire Rural Fire District Service Agreement Liaison	Mayor, 1 Councillor, General Manager or his nominee	Mayor, Clr Martin, Director of Engineering Services

Committee/Organisation	No. of Delegates	Delegates
Cobar Shire Bush Fire Management	Mayor, Council Officer Representing the Environmental Section, Council Officer Representing the Roads and Maritime Services	Mayor, Director of Planning and Environmental Services, Engineering Support Manager
Australia Day Awards	Mayor, 1 Councillors, 2 Community Members, 1 community member chosen from within the Tourism Advisory Committee and one chosen on behalf of the Council by the Mayor	Mayor, Clrs Kings, Martin, Neil Urquhart, John Peebles
Economic Taskforce	1 Councillor, General Manager, 3 Directors, Special Projects Officer, 4 Community Members	Clr Lea-Barrett, General Manager, 3 Directors, Special Projects Officer, Heather Christie, 3 x Vacant
Western Regional Weeds	1 Councillor, Noxious Weeds Officer	Clr Maxwell, Noxious Weeds Officer

Clr Sinclair/ Clr Kings

CARRIED

CLAUSE 5A – MURRAY DARLING ASSOCIATION ANNUAL NATIONAL CONFERENCE AND AGM ATTENDANCE AND STRATEGIC PLAN 2016-2019

FILE: E6-8

AOP REFERENCE: 3.2.2

AUTHOR: *General Manager, Peter Vlatko*

174.9.2016 **RESOLVED:** That the Murray Darling Association Annual National Conference and AGM Attendance and Strategic Plan 2016-2019 be moved for discussion.

Clr Maxwell/ Clr Kings

CARRIED

175.9.2016 **RESOLVED:** That no Council Delegates attend the 72nd Annual Murray Darling Association (MDA) National Conference and AGM to be held in Dubbo 26-27 October 2016.

Clr Sinclair/ Clr Kings

CARRIED

CLAUSE 6A – REQUEST FOR CHANGE OF MEETING DATE AND SUSPENSION OF ALCOHOL FREE ZONES

FILE: C13-1 & H1-9

AOP REFERENCE: 4.3.1.1

AUTHOR: *General Manager, Peter Vlatko*

176.9.2016

RESOLVED: That Council supports the suspension of the Alcohol Free Zone between 6pm and 12 midnight on Thursday, 24 November 2016 and the General Manager be authorised to consult with the local Police and to provide a further report to Council regarding the suspension of the Alcohol Free Zone.

Clr Abbott / Clr Kings

CARRIED

CLAUSE 7A – FINANCE IN LOCAL GOVERNMENT INTENSIVE COURSE

FILE: S1-6

AOP REFERENCE: 3.3.2

AUTHOR: *Manager Finance & Administration, Neil Mitchell*

177.9.2016

RESOLVED: That approval is given to Council's Manager Finance & Administration to attend the Finance in Local Government Intensive Course between 14 and 18 November 2016 in Bathurst.

Clr Maxwell/ Clr Sinclair

CARRIED

CLAUSE 8A – PENSIONERS RATE REBATE 2016/2017 – CLAIM 133

FILE: R2-9

AOP REFERENCE: 3.1.1.2

AUTHOR: *Rates Officer, Jo-Louise Brown*

178.9.2016

RESOLVED:

1. That Council writes off rates in respect of eligible pensioners in the sum of \$113,493.74 as detailed in the summary listed below, subject to Council's Auditor's approval:

	\$
General Rates.....	70,312.50
Cobar Water Supply Access Rate.....	21,459.38
Euabalong Water Supply Access Rate	1,203.12
Euabalong West Water Supply Access Rate	437.50
Nymagee Water Supply Access Rate	437.50
Mount Hope Water Supply Access Rate	0.00
Cobar Sewerage Access Rate	19,643.74
TOTAL	<u>\$113,493.74</u>

2. That Council apply for a subsidy of \$61,486.13 summarised below and further that Council undertake that in the event of a subsidy not being paid to Council in respect of the rates written off, then Council will not subsequently take proceedings for recovery thereof:

	\$
General Rates.....	37,736.43
Cobar Water Supply Local Rate.....	11,802.66
Euabalong Water Supply Local Rate.....	661.72
Euabalong West Water Supply Local Rate	240.63
Nymagee Water Supply.....	240.63
Mount Hope Water Supply.....	0.00
Cobar Sewerage Local Rate	10,804.06
TOTAL	\$61,486.13
<i>Clr Sinclair/ Clr Abbott</i>	CARRIED

CLAUSE 9A – QUOTATION FOR THE SUPPLY OF TRADE AND MISCELLANEOUS SERVICES 2015/2018

FILE: T3-15-5 **AOP REFERENCE: 3.3.4**
AUTHOR: *Executive Assistant Engineering Services, Stephanie Sloane*

179.9.2016 **RESOLVED:** That the following Contractors be included in the Council’s Register of approved Contractors for the Provision of Trades and Miscellaneous Services 2015/2018:

However, McMullan Group Pty Ltd must show proof of current Public Liability Insurance to the value of \$20,000,000 before they commence any contract work for Cobar Shire Council.

Company
Oz Height& Safety Pty Ltd
McMullan Group Pty Ltd

Clr Maxwell/ Clr Abbott **CARRIED**

Councillors Janine Lea-Barrett and Jarrod Marsden declared a non-pecuniary interest as they are both Executive Committee Members of the Cobar Miners Race Club.

CLAUSE 10A – DALTON PARK HORSE COMPLEX – PROPOSED ADVISORY SIGN

FILE: P1-4-3 **AOP REFERENCE: 3.3.4.2**
AUTHOR: *Director of Planning & Environmental Services, Garry Ryman*

180.9.2016 **RESOLVED:** That Council approve the Director of Planning and Environmental Services to install an advisory sign at the Dalton Park Horse Complex confirming that use of the complex is available for use by licence holders only.

Clr Martin/ Clr Kings **CARRIED**

Councillors Janine Lea-Barrett and Jarrod Marsden declared a non-pecuniary interest as they are both Executive Committee Members of the Cobar Miners Race Club.

CLAUSE 11A – DALTON PARK HORSE COMPLEX – IN PRINCIPLE SUPPORT TO LICENCE APPLICATION

FILE: P1-4-3 AOP REFERENCE: 3.3.4.2

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

181.9.2016 RESOLVED:

1. That Council provides in principle support to the use of the Dalton Park Horse Complex by a Cobar Barrel Racing Club once formed and affiliated with the National Barrel Horse Association.
2. That a separate application for a licence confirming formation of a local affiliate club of the National Barrel Horse Association together with details of anticipated events/activities proposed for the relevant licence period be submitted to Council for consideration.

Clr Yench/ Clr Sinclair

CARRIED

CLAUSE 12A – ECONOMIC TASKFORCE

FILE: D2-17

AOP REFERENCE: 2.1

AUTHOR: *Special Projects Officer, Angela Shepherd*

182.9.2016 RESOLVED:

1. That Council receive and note the Minutes of the Economic Taskforce Meeting held on Thursday, 25 August 2016.
2. That the Economic Taskforce review their Terms of Reference at their next meeting and report their recommendations to the new Council.

Clr Sinclair/ Clr Toomey

CARRIED

CLAUSE 1B – DEVELOPMENT APPROVALS: 17 AUGUST 2016 – 13 SEPTEMBER 2016

FILE: T5-1

AOP REFERENCE: 1.6.3.1

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

183.9.2016 RESOLVED: That the information detailing the Local Development and Construction Certificate approvals for the period 17 August 2016 – 13 September 2016 be received and noted.

Clr Toomey/ Clr Abbott

CARRIED

CLAUSE 2B – MONTHLY STATUS REPORT

FILE: C13-10

AOP REFERENCE: 3.1

AUTHOR: *General Manager, Peter Vlatko*

184.9.2016

RESOLVED: That the information contained in the monthly status report be received and noted, with the following items to be removed: 510, 782, 897 Part 2, 899, 915, 929, 930, 931 and 932.

Clr Martin/ Clr Abbott

CARRIED

CLAUSE 3B – INVESTMENT REPORT AS AT 31 AUGUST 2016

FILE: B2-7

AOP REFERENCE: 3.1.1.7

AUTHOR: *Manager Finance & Administration, Neil Mitchell*

185.9.2016

RESOLVED: That Council receive and note the Investment Report as at 31 August 2016.

Clr Abbott/ Clr Sinclair

CARRIED

CLAUSE 4B – BANK RECONCILIATION, CASH FLOW & LOAN FACILITY SUMMARIES AS AT 31 AUGUST 2016

FILE: B2-7

AOP REFERENCE: 3.1.1.5

AUTHOR: *Manager Finance & Administration, Neil Mitchell*

186.9.2016

RESOLVED: That Council receive and note the Bank Reconciliation, Cash Flow and Loan Facility Report as at 31 August 2016.

Clr Abbott/ Clr Toomey

CARRIED

CLAUSE 5B – MEETING MINUTES

FILE: R5-3

AOP REFERENCE: 3.1

AUTHOR: *Executive Assistant General Manager/ Mayor, Janette Booth*

187.9.2016

RESOLVED: That the Minutes and Status Reports of the Rural Roads Advisory Committee be received and noted.

Clr Sinclair/ Clr Toomey

CARRIED

CLAUSE 6B – EXPENDITURE FOR ROADS NETWORK

FILE: R5-31

AOP REFERENCE: 4.3.2

AUTHOR: *Director of Engineering Services, Stephen Taylor*

188.9.2016

RESOLVED: That the information detailing the Expenditure for Council's Roads Network be received and noted.

Clr Martin/ Clr Lehmann

CARRIED

CLAUSE 7B – UPDATE ON INFRASTRUCTURE PROJECT FINANCES

FILE: G4-29

AOP REFERENCE: 4.1.4.2

AUTHOR: *Director of Engineering Services, Stephen Taylor*

189.9.2016

RESOLVED: That Council receive and note the updated financial information for the two Restart NSW Resources for Regions infrastructure projects.

Clr Abbott/ Clr Toomey

CARRIED

CLAUSE 8B – ANALYSIS OF PLANT AND EQUIPMENT HIRE AND TRADES AND MISCELLANEOUS SERVICES REGISTERS

FILE: T3-15-6, P3-19-4

AOP REFERENCE: 3.3.4

AUTHOR: *Director of Engineering Services, Stephen Taylor*

190.9.2016

RESOLVED: That Council receive and note the information contained within this report.

Clr Sinclair/ Clr Marsden

CARRIED

CLAUSE 9B – GRANT FUNDING

FILE: G4-17

AOP REFERENCE: 3.1.1.4

AUTHOR: *Special Projects Officer, Angela Shepherd*

191.9.2016

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 Kings

CARRIED

CLAUSE 10B – RATES RECONCILIATION REPORT AS AT 31 AUGUST 2016

FILE: R2-1

AOP REFERENCE: 3.1.1.6

AUTHOR: *Rates Officer, Jo-Louise Brown*

192.9.2016

RESOLVED: That the Rates Reconciliation Report as at the 31 August 2016 be received and noted.

Clr Abbott/ Clr Martin

CARRIED

MATTER OF URGENCY

193.9.2016

RESOLVED: That Council accept the Matter of Urgency in relation to seeking a better distribution of Financial Assistance Grants.

Clr Maxwell/ Clr Yench

CARRIED

**MATTER OF URGENCY – ACTION TO SEEK BETTER
DISTRIBUTION OF FINANCIAL ASSISTANCE GRANTS**

AUTHOR: *General Manager, Peter Vlatko*

194.9.2016

RESOLVED: That Council endorse the action of the General Manager in submitting the following to the LGNSW Conference:

“That Local Government NSW asks ALGA to review and outline the options for a more sophisticated allocation of FAGS funding, including to improve the allocation to areas of need. This review would examine the principles of the Local Government (Financial Assistance Act) 1995, including the minimum grant principle and distribution methodologies applied by both the Commonwealth Grants Commission and the state based Local Grants Commission and report options for a change”.

Clr Sinclair/ Clr Toomey

CARRIED

THERE BEING NO FURTHER BUSINESS THE MEETING CLOSED AT 6:11PM

CONFIRMED.....

MINUTE NO.....

MAYOR.....